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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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2011/490/EU:

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 772/2011

of 2 August 2011

concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

(1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.

(2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.

(3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

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

Done at Brussels, 2 August 2011.

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

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>An article made of metal and plastic, designed for attaching a child safety seat to a motor vehicle (so-called "child safety seat base").</p> <p>It comprises an extendable leg and a system with red/green indicators informing, for example, whether the article or the seat is correctly installed.</p> <p>It is for temporary attachment to anchorage points, which are fixtures generally fastened permanently to the car body at the back of a vehicle seat.</p> <p>The article allows different models of child safety seats to be clipped in and out.</p> <p>(*) See image</p>	9401 90 80	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9401, 9401 90 and 9401 90 80.</p> <p>Classification under heading 8708 is excluded as the article is not permanently attached to the body of a motor vehicle and cannot therefore be considered an accessory of the body of a motor vehicle.</p> <p>When a child safety seat is mounted on the "child safety seat base", the whole presents the characteristics and performs the function of a complete child safety seat. The article is therefore to be considered a part of a child safety seat. The article is therefore to be classified under CN code 9401 90 80 as a part of a seat.</p>
(*) The image is purely for information.		



COMMISSION IMPLEMENTING REGULATION (EU) No 773/2011
of 2 August 2011
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on the 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, 2 August 2011.

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>A foot-propelled, two wheeled vehicle of a weight of approximately 10 kg.</p> <p>It consists of:</p> <ul style="list-style-type: none"> — a steel frame with a chrome-plated aluminium fork with suspension, — height adjustable handlebars, — a platform with dimensions of approximately 38 × 11 cm, with holes and grip tape, — two wheels with the following dimensions: 26 inches (front) and 18 inches (rear), — hand-operated front and rear brakes, and — a kickstand. <p>The vehicle does not have a saddle, pedals or a crank gear.</p> <p>The height of the handlebars, when fully extended, is 97 cm.</p> <p>(*) See image</p>	8716 80 00	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8716 and 8716 80 00.</p> <p>Classification as a scooter or a similar wheeled toy of CN code 9503 00 10 is excluded as, although it is foot-propelled and features a platform, most of the characteristics of the vehicle, such as the size, brakes, wheels, front fork or the suspension, do not correspond to those of a scooter or a toy of heading 9503 00.</p> <p>The vehicle is therefore to be classified under CN code 8716 80 00 as a vehicle, not mechanically propelled.</p>

(*) The image is only for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 774/2011
of 2 August 2011
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

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

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

(5) The Customs Code Committee has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on the 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, 2 August 2011.

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>A product in the form of a set put up for retail sale, consisting of:</p> <ul style="list-style-type: none"> — a wooden receptacle, of a square form and with a square-shaped recess to hold a candle without any fixture such as a spike for holding candles, and — a candle. <p>The candle is shaped to be placed tightly and securely in the recess of the wooden receptacle.</p>	4421 90 98	<p>Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 4421, 4421 90 and 4421 90 98.</p> <p>The articles fulfil the criteria for classification as goods put up in sets. The wooden receptacle is the article which gives the set its essential character.</p> <p>Classification of the wooden receptacle under heading 9405 is excluded as, on its own, it is not identifiable as a candle holder.</p> <p>As the wooden receptacle is to be classified according to its constituent material, the product is therefore to be classified under CN code 4421 90 98 as an article of wood.</p>

COMMISSION IMPLEMENTING REGULATION (EU) No 775/2011
of 2 August 2011
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on the 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, 2 August 2011.

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>1. Bovine colostrum, in liquid form, defatted and de-caseinated, packaged for retail sale in a 125 ml bottle, having the following nutritional information per 100 ml:</p> <ul style="list-style-type: none"> — Milk protein 2,5 to 5,5 g — Carbohydrates 3,3 g — Milk fat < 0,5 g <p>The product is a yellow-brown, slightly cloudy liquid.</p> <p>It has a higher immunoglobulin content than natural whey or milk.</p> <p>According to the label the product is for human consumption and is to be taken once a day (1 to 2 tablespoons) on its own or with cold fruit juice. Its area of application is not indicated.</p>	0404 10 48	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and the wording of CN codes 0404, 0404 10 and 0404 10 48.</p> <p>Classification under heading 3001 or 3004 is excluded as the product does not serve a therapeutic or prophylactic use.</p> <p>The technological steps in the processing of the product and its composition are comparable to those of modified whey.</p> <p>Given its characteristics the product is therefore to be classified under heading 0404.</p>
<p>2. Spray-dried, reduced-fat colostrum powder which has not been de-caseinated, packaged for retail sale as 64 g of powder in a plastic screw-top container with the following composition (% by weight):</p> <ul style="list-style-type: none"> — Milk fat 1,2 — Milk protein at least 50 and typically 65,5 <p>The product has a dry matter content of 93,3 % by weight.</p> <p>The product is a cream-coloured powder that tends to form lumps and has a milky odour.</p> <p>It has a higher immunoglobulin content than natural whey or milk.</p> <p>According to the label the product is for human consumption.</p>	0404 90 21	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, and the wording of CN codes 0404, 0404 90 and 0404 90 21.</p> <p>Classification under heading 3001 or 3004 is excluded as the product does not serve a therapeutic or prophylactic use for humans.</p> <p>Classification under heading 0402 is also excluded as the product does not have the typical composition of a natural milk powder.</p> <p>Given its characteristics the product is therefore to be classified under heading 0404.</p>

COMMISSION IMPLEMENTING REGULATION (EU) No 776/2011
of 2 August 2011
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on the 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, 2 August 2011.

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>An apparatus for cooking food, with dimensions of approximately 31 × 47 × 40 cm and a capacity of 25 litres. It has a housing of stainless steel, a turntable, a safety child lock feature, control buttons and a clock.</p> <p>The apparatus comprises:</p> <ul style="list-style-type: none"> — a microwave oven with 5 power levels, a maximum power output of 900 watts and a timer. It has pre-set cooking and defrosting programmes, and — a quartz griller with a maximum power output of 1 000 watts. <p>The apparatus is designed to cook food by means of the microwave oven. It also cooks, browns and crisps food by means of the griller.</p>	8516 50 00	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI, and by the wording of CN codes 8516 and 8516 50 00.</p> <p>Classification of the apparatus as an industrial microwave oven of heading 8514 is excluded given its power output and oven capacity (see also the CN Explanatory Notes to subheading 8514 20 80).</p> <p>The apparatus is a composite machine within the meaning of Note 3 to Section XVI as it consists of a microwave oven of CN code 8516 50 00 and a griller of CN code 8516 60 70.</p> <p>Given all the characteristics of the apparatus, such as power output, power levels and the number of programmes, the microwave oven is to be considered as performing the principal function of the composite machine.</p> <p>The apparatus is therefore to be classified under CN code 8516 50 00 as a microwave oven.</p>

COMMISSION IMPLEMENTING REGULATION (EU) No 777/2011**of 3 August 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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

Implementing Regulation (EU) No 543/2011 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 XVI, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 August 2011.

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

Done at Brussels, 3 August 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 157, 15.6.2011, 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	AR	23,8
	ZA	27,3
	ZZ	25,6
0707 00 05	TR	105,8
	ZZ	105,8
0709 90 70	TR	115,3
	ZZ	115,3
0805 50 10	AR	60,5
	CL	76,3
	TR	56,0
	UY	68,1
	ZA	76,6
	ZZ	67,5
0806 10 10	EG	160,1
	MA	185,6
	TR	165,9
	ZA	98,7
	ZZ	152,6
0808 10 80	AR	119,9
	BR	75,0
	CL	105,8
	CN	82,8
	NZ	100,1
	US	100,4
	ZA	84,9
	ZZ	95,6
0808 20 50	AR	72,8
	CL	110,1
	CN	53,9
	NZ	105,7
	ZA	94,3
	ZZ	87,4
0809 20 95	CA	870,0
	TR	287,5
	ZZ	578,8
0809 30	TR	154,6
	ZZ	154,6
0809 40 05	BA	46,1
	IL	149,1
	XS	57,7
	ZZ	84,3

⁽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 IMPLEMENTING REGULATION (EU) No 778/2011**of 3 August 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 Implementing Regulation (EU) No 771/2011 ⁽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 4 August 2011.

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

Done at Brussels, 3 August 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 200, 3.8.2011, p. 21.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 4 August 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⁾	47,99	0,00
1701 11 90 ⁽¹⁾	47,99	0,51
1701 12 10 ⁽¹⁾	47,99	0,00
1701 12 90 ⁽¹⁾	47,99	0,21
1701 91 00 ⁽²⁾	53,06	1,55
1701 99 10 ⁽²⁾	53,06	0,00
1701 99 90 ⁽²⁾	53,06	0,00
1702 90 95 ⁽³⁾	0,53	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

COMMISSION IMPLEMENTING DECISION

of 2 August 2011

allowing Member States to extend provisional authorisations granted for the new active substances acequinocyl, *Adoxophyes orana* granulovirus, aminopyralid, flubendiamide, mandipropamid, metaflumizone, phosphane, pyroxsulam and thiencarbazone

(notified under document C(2011) 5321)

(Text with EEA relevance)

(2011/490/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 the fourth subparagraph of Article 8(1) thereof,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽²⁾, and in particular Article 80(1)(a) thereof,

Whereas:

(1) In accordance with Article 80(1)(a) of Regulation (EC) No 1107/2009, Directive 91/414/EEC shall continue to apply to active substances for which a decision has been adopted in accordance with Article 6(3) of Directive 91/414/EEC before 14 June 2011.

(2) In accordance with Article 6(2) of Directive 91/414/EEC, in March 2003 the Netherlands received an application from Agro-Kanesho for the inclusion of the active substance acequinocyl in Annex I to Directive 91/414/EEC. Commission Decision 2003/636/EC ⁽³⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

(3) In accordance with Article 6(2) of Directive 91/414/EEC, in November 2004 Germany received an application from Andermatt Biocontrol GmbH for the inclusion of the active substance *Adoxophyes orana* granulovirus in Annex I to Directive 91/414/EEC. Commission Decision 2007/669/EC ⁽⁴⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

(4) In accordance with Article 6(2) of Directive 91/414/EEC, in April 2004 the United Kingdom received an application from Dow AgroSciences Ltd for the inclusion of the active substance aminopyralid in Annex I to Directive 91/414/EEC. Commission Decision 2005/778/EC ⁽⁵⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

(5) In accordance with Article 6(2) of Directive 91/414/EEC, in March 2006 Greece received an application from Bayer CropScience AG for the inclusion of the active substance flubendiamide in Annex I to Directive 91/414/EEC. Commission Decision 2006/927/EC ⁽⁶⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

(6) In accordance with Article 6(2) of Directive 91/414/EEC, in December 2005 Austria received an application from Syngenta Ltd for the inclusion of the active substance mandipropamid in Annex I to Directive 91/414/EEC. Commission Decision 2006/589/EC ⁽⁷⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 309, 24.11.2009, p. 1.

⁽³⁾ OJ L 221, 4.9.2003, p. 42.

⁽⁴⁾ OJ L 274, 18.10.2007, p. 15.

⁽⁵⁾ OJ L 293, 9.11.2005, p. 26.

⁽⁶⁾ OJ L 354, 14.12.2006, p. 54.

⁽⁷⁾ OJ L 240, 2.9.2006, p. 9.

- (7) In accordance with Article 6(2) of Directive 91/414/EEC, in November 2005 the United Kingdom received an application from BASF SE for the inclusion of the active substance metaflumizone in Annex I to Directive 91/414/EEC. Commission Decision 2006/517/EC ⁽¹⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.
- (8) In accordance with Article 6(2) of Directive 91/414/EEC, in October 2007 Germany received an application from S&A GmbH for the inclusion of the active substance phosphane in Annex I to Directive 91/414/EEC. Commission Decision 2008/566/EC ⁽²⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.
- (9) In accordance with Article 6(2) of Directive 91/414/EEC, in February 2006 the United Kingdom received an application from Dow AgroSciences GmbH for the inclusion of the active substance pyroxsulam in Annex I to Directive 91/414/EEC. Commission Decision 2007/277/EC ⁽³⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.
- (10) In accordance with Article 6(2) of Directive 91/414/EEC, in April 2007 the United Kingdom received an application from Bayer CropScience AG for the inclusion of the active substance thien carbazole in Annex I to Directive 91/414/EEC. Commission Decision 2008/566/EC confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.
- (11) Confirmation of the completeness of the dossiers was necessary in order to allow them to be examined in detail and to allow Member States the possibility of granting provisional authorisations, for periods of up to 3 years, for plant protection products containing the active substances concerned, while complying with the conditions laid down in Article 8(1) of Directive 91/414/EEC and, in particular, the conditions relating to the detailed assessment of the active substances and the plant protection products in the light of the requirements laid down by that Directive.
- (12) For these active substances, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The rapporteur Member States submitted the respective draft assessment reports to the Commission on 15 March 2005 (acequinocyl), on 13 August 2008 (*Adoxophyes orana* granulovirus), on 22 August 2006 (aminopyralid), on 1 September 2008 (flubendiamide), on 30 November 2006 (mandipropamid), on 15 April 2008 (metaflumizone), on 24 February 2010 (phosphane), on 20 March 2008 (pyroxsulam) and on 17 December 2008 (thien carbazole).
- (13) Following submission of the draft assessment reports by the rapporteur Member States, it has been found to be necessary to request further information from the applicants and to have the rapporteur Member States examine that information and submit their assessment. Therefore, the examination of the dossiers is still ongoing and it will not be possible to complete the evaluation within the time-frame provided for in Directive 91/414/EEC, read in conjunction with Commission Decisions 2009/579/EC ⁽⁴⁾ (acequinocyl, aminopyralid and mandipropamid) and 2009/865/EC ⁽⁵⁾ (metaflumizone).
- (14) As the evaluation so far has not identified any reason for immediate concern, Member States should be given the possibility of prolonging provisional authorisations granted for plant protection products containing the active substances concerned for a period of 24 months in accordance with the provisions of Article 8 of Directive 91/414/EEC so as to enable the examination of the dossiers to continue. It is expected that the evaluation and decision-making process with respect to a decision on a possible approval in accordance with Article 13(2) of Regulation (EC) No 1107/2009 for acequinocyl, *Adoxophyes orana* granulovirus, aminopyralid, flubendiamide, mandipropamid, metaflumizone, phosphane, pyroxsulam and thien carbazole will have been completed within 24 months.
- (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

Member States may extend provisional authorisations for plant protection products containing acequinocyl, *Adoxophyes orana* granulovirus, aminopyralid, flubendiamide, mandipropamid, metaflumizone, phosphane, pyroxsulam and thien carbazole for a period ending on 31 July 2013 at the latest.

Article 2

This Decision shall expire on 31 July 2013.

⁽¹⁾ OJ L 201, 25.7.2006, p. 34.

⁽²⁾ OJ L 181, 10.7.2008, p. 52.

⁽³⁾ OJ L 116, 4.5.2007, p. 59.

⁽⁴⁾ OJ L 198, 30.7.2009, p. 80.

⁽⁵⁾ OJ L 314, 1.12.2009, p. 100.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 2 August 2011.

For the Commission
John DALLI
Member of the Commission

CORRIGENDA**Corrigendum to Council Decision 2010/197/CFSP of 31 March 2010 on the launch of a European Union military mission to contribute to the training of Somali security forces (EUTM Somalia)**

(Official Journal of the European Union L 87 of 7 April 2010)

On page 33, recital 3:

- for:* '(3) In accordance with Article 5 of the Protocol on the position of Denmark, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Denmark does not, therefore, participate in the financing of this mission,'
- read:* '(3) In accordance with Article 5 of the Protocol on the position of Denmark, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Denmark does not participate in the implementation of this Decision and therefore does not participate in the financing of this mission,'
-

Corrigendum to Council Decision 2010/96/CFSP of 15 February 2010 on a European Union military mission to contribute to the training of Somali security forces

(Official Journal of the European Union L 44 of 19 February 2010)

On page 17, recital 16:

- for:* '(16) In accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Denmark does not, therefore, participate in the financing of this mission,'
- read:* '(16) In accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Denmark does not participate in the implementation of this Decision and therefore does not participate in the financing of this mission,'
-

Corrigendum to Commission Regulation (EU) No 65/2011 of 27 January 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures

(Official Journal of the European Union L 25 of 28 January 2011)

— On page 11, Article 6(2)(c):

for: ‘“area determined” means the area of plots or parcels for which aid is claimed, as identified in accordance with Article 11 and Article 15(2), (3) and (4) of this Regulation.’,

read: ‘“area determined” means the area of plots or parcels for which aid is claimed, as identified in accordance with Article 11 and Article 15(3), (4) and (5) of this Regulation.’;

— On page 11, Article 6(2)(d):

for: ‘“animals determined” means the number of animals identified in accordance with Article 11 and Article 15(5) of this Regulation.’,

read: ‘“animals determined” means the number of animals identified in accordance with Article 11 and Article 15(6) of this Regulation.’.

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