

# Official Journal

## of the European Union

L 313



English edition

Legislation

Volume 55

13 November 2012

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Price: EUR 3

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

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

## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) No 1053/2012

of 7 November 2012

**approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Provolone Valpadana (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) In accordance with the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Grana Padano' registered under Commission Regulation (EC) No 1107/96<sup>(2)</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>(3)</sup>, as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by 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 contained in the Annex to this Regulation are hereby approved.

*Article 2*

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

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

Done at Brussels, 7 November 2012.

For the Commission,  
On behalf of the President,  
Dacian CIOLOȘ  
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 C 64, 3.3.2012, p. 21.

## ANNEX

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

**Class 1.3. Cheeses**

ITALY

Provolone Valpadana (PDO)  
  

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## COMMISSION IMPLEMENTING REGULATION (EU) No 1054/2012

of 7 November 2012

## approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Taureau de Camargue (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) In accordance with the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Taureau de Camargue' registered in accordance with Commission Regulation (EC) No 2036/2001 <sup>(2)</sup>, as amended by Regulation (EC) No 1068/2008 <sup>(3)</sup>.
- (2) The purpose of the application is to amend the specification by giving more detailed information on the product description, the geographical area, the proof of origin, the method of production, labelling, national

requirements and the contact details of the responsible department in the Member State, of the group and of the control structures.

- (3) The Commission has examined the amendments in question and concluded that they are justified. Since these are minor amendments within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission may approve them without using the procedure set out in Articles 5, 6 and 7 of that Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The specification for the protected designation of origin 'Taureau de Camargue' is hereby amended in accordance with Annex I to this Regulation.

*Article 2*

Annex II to this Regulation contains the Single Document setting out the main points of the specification.

*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, 7 November 2012.

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 275, 18.10.2001, p. 9.

<sup>(3)</sup> OJ L 290, 31.10.2008, p. 8.

## ANNEX I

The specification for the protected designation of origin 'Taureau de Camargue' is amended as follows:

- Updated references concerning the responsible department in the Member State, the applicant group and the control structures.
- Description of product: the description of the product is supplemented by the age of the animals. This provision has not changed and was already included under the heading 'Method of production' in the specification.
- Geographical area: the geographical area has not changed, but the list of cantons in the Community specification has been replaced by a list of municipalities.
- Proof of origin: the heading has been supplemented by provisions on the control and guarantee of the origin and traceability of the designation. These provisions were amended following the reform of the control system for French-registered designations of origin.
- Method of production: the heading has been supplemented by provisions from national legislation defining the registered designation of origin in question. Criteria for the genetic selection of breeds, the maximum load and the method for calculating the LU are therefore included. In addition, more detailed information is given on the ban on providing complete compound feeds and on the authorised therapeutic treatments.

Provisions on the slaughter of animals contained in national legislation are included (removal of animals, transport, slaughter, handling of the carcass). Similarly, a provision on cutting in the geographical area, which is included in national legislation, has been added.

Those provisions that overlap with the general regulations (control of contagious diseases, implementation of carcass classification according to the Europe grading scale) are deleted.

- Labelling: the applicant group wanted to make the use of the European Union PDO symbol obligatory.
- National requirements: the national requirements are supplemented by a table on the main points to be verified and their evaluation method, as provided for in French national legislation.

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## ANNEX II

## SINGLE DOCUMENT

Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

## 'TAUREAU DE CAMARGUE'

EC No.: FR-PDO-0105-0314-17.10.2011

PGI ( ) PDO ( X )

**1. Name**

'Taureau de Camargue'

**2. Member State or third country**

France

**3. Description of the agricultural product or foodstuff****3.1. Type of product**

Class 1-1: fresh meat and offal.

**3.2. Description of product to which the name in (1) applies**

The designation of origin 'Taureau de Camargue' applies to fresh meat from male or female animals obtained from local breeds, that is, the 'raço di Biou' or 'de Combat' breed (a breed also called 'Brave') or from the crossing of these two breeds and born, reared, slaughtered and cut in the geographical area.

The animals must be at least 18 months old.

Carcasses must be hung in the slaughterhouse for not less than 48 hours and not more than five days. The weight of carcasses for tax purposes must be 100 kg or more, except for heifers of between 18 and 30 months, for which the weight is set at 85 kg.

The meat of 'Taureau de Camargue' has a distinctive deep red colour; it is tender and lean.

**3.3. Raw materials (for processed products only)**

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**3.4. Feed (for products of animal origin only)**

The main feed must consist of pasture, except during the winter period, during which a feed supplement may be provided consisting solely of hay and cereals from the geographical area. Complete compound feeds, including medicated feedingstuffs, are not authorised under any circumstances.

**3.5. Specific steps in production that must take place in the defined geographical area**

The animals must be born, reared, slaughtered and cut in the geographical area.

**3.6. Specific rules on slicing, grating, packaging, etc.**

The carcasses must be cut in the geographical area. The carcasses of animals slaughtered for the 'Taureau de Camargue' PDO are smaller on average than those of slaughter cattle and therefore special know-how is needed to make the most of their small size. This know-how has been preserved solely in the geographical area, which is practically the only place on French territory where the two breeds used for the 'Taureau de Camargue' PDO have been reared.

**3.7. Specific rules on labelling**

'Taureau de Camargue' PDO meat is identified when the carcass is whole, at the stage between the weighing of the carcass for tax purposes and its emergence from the chilling room.

A stamp identifying the PDO is then immediately applied to the different muscles (in eight spots). The stamp is issued by the Institut national de l'origine et de la qualité.

Up to the final distribution stage, the carcass and pieces of meat cut from it are accompanied by an identification label displaying at least:

— the designation;

- the slaughter number;
- the name of the farm written clearly;
- the name and address of the cutting plant or slaughterhouse;
- the European Union PDO logo.

4. **Concise definition of the geographical area**

In order to be entitled to the designation of origin, the meat must come from bull herds of the 'raço di Biou' breed or from livestock farms for the 'de Combat' breed located in the geographical area.

The animals must be born, reared, slaughtered and cut in the following geographical area:

Department of Bouches-du-Rhône:

- Canton of Arles: all the municipalities.
- Canton of Châteaurenard: all the municipalities.
- Canton of Eyguières: Aureilles, Eyguières, Lamanon and Mouriès.
- Canton of Istres: Fos-sur-Mer, Istres.
- Canton of Orgon: all the municipalities.
- Canton of Port-Saint-Louis-du-Rhône: Port-Saint-Louis-du-Rhône.
- Canton of Salon-de-Provence: Grans, Miramas, Salon-de-Provence.
- Canton of Saintes-Maries-de-la-Mer: Saintes-Maries-de-la-Mer.
- Canton of Saint-Rémy-de-Provence: all the municipalities.
- Canton of Tarascon-sur-Rhône: all the municipalities.

Department of Gard:

- Canton of Aigues-Mortes: all the municipalities.
- Canton of Aramon: all the municipalities, with the exception of the municipalities of Estézargues and Domazan.
- Canton of Beaucaire: all the municipalities.
- Canton of Lédignan: Mauressargues.
- Canton of Marguerittes: all the municipalities.
- Canton of Nîmes: all the municipalities.
- Canton of Quissac: all the municipalities, with the exception of the municipality of Quissac.
- Canton of Remoulins: Argilliers, Collias, Remoulins, Vers-Pont-du-Gard.
- Canton of Rhony-Vidourle: all the municipalities.

Canton of Saint-Chaptes: all the municipalities, with the exception of the municipalities of Aubussargues, Collorgues, Baron, Foissac, Saint-Dézéry.

- Canton of Saint-Gilles: all the municipalities.
- Canton of Saint-Mamert: all the municipalities.
- Canton of Sommières: all the municipalities.
- Canton of Uzès: Arpaillargues-et-Aureillac, Blauzac, Sanilhac-Sagriès, Saint-Maximin, Uzès.
- Canton of Vauvert: all the municipalities.
- Canton of Vistrenque (La): all the municipalities.

Department of Hérault:

- Canton of Castries: all the municipalities.
- Canton of Claret: Campagne, Fontanès, Garrigues, Sauteyrargues, Vacquières.
- Canton of Lunel: all the municipalities.
- Canton of Matelles: Prades-le-Lez, Saint-Bauzille-de-Montmel, Sainte-Croix-de-Quintillargues, Saint-Vincent-de-Barbeyrargues.
- Canton of Mauguio: all the municipalities.



Canton of Montpellier: Castelnau-le-Lez, Clapiers, Le Crès, Lattes, Montpellier, Pérols.

A wetland area has been marked out within this geographical area.

## 5. Link with the geographical area

### 5.1. Specificity of the geographical area

The geographical area of the PDO corresponds to the winter pasture area of 'Taureau de Camargue', that is, the municipalities in which the animals traditionally remain for the winter, in the vast stretches of scrubland and grassland. This area includes a wetland area that follows the borders of the Camargue and in which the animals remain for at least six months during the summer period.

These vast pastures composed of halophilous plants in the Camargue and of dry grasslands in the winter growth zone influence the physical and mental development of the animals. In turn, their rearing plays a significant environmental role, as it affects the evolution of the vegetation in the natural environments (sansouires, salt meadows, swamps and open lawns): the bulls limit the growth of certain plant species and use large areas of vegetation composed of a mosaic of juxtaposed and interconnected habitats.

### 5.2. Specificity of the product

Reference has been made in numerous works to the highly original nature of 'Taureau de Camargue', which stems partly from the isolation of the breed owing to the particular features of the Camargue and partly from a rearing method developed by breeders in order to adapt to the constraints of the environment.

These animals are nearly wild, non-domesticated, hardy and resistant. They are suspicious of humans and can therefore be aggressive.

As a result, the meat from these animals has particular characteristics as described in an INRA study (5 December 2007 – conference entitled 'Rencontres autour des Recherches sur les Ruminants'), the main findings of which show that the muscles of these animals have a deep red colour and the meat is lean.

### 5.3. Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or another characteristic of the product (for PGI)

The particularity of 'Taureau de Camargue' meat is closely linked to its environment and to the objective of the rearing, which is to produce bulls for sport. This requires nearly wild animals that have been reared in a preserved and safeguarded natural environment.

The excitable and aggressive nature of these animals means that they are perfectly suited to the purpose for which they are intended and gives the meat its characteristic features.

'Taureau de Camargue' is obtained from traditional local breeds, Camarguaise and Brave, and is particularly well adapted to the Camargue environment.

Reared unrestrained, the animals feed on pasture and remain in the wetland area for at least six months. The area has flat landscapes that are the result of a particular geology and pedology and are characterised by the presence of varying amounts of salt. These agronomically poor soils are home to specific ecosystems (salicornia, obione, glasswort).

The organoleptic qualities and particular nature of the meat can be explained by the diversity of the plant varieties found in the pastures:

- halophilous plants (salicornia, glasswort, obione, etc.) in high-salt environments,
- reeds and fescue in low-salt environments,
- natural vegetation of the scrubland in the winter.

The deep red colour of the meat is caused by its pH, which is influenced by the alkaline nutrients of the halophilous plants. Its fine grain is characterised by muscle fibre that develops through the regular movement of the animal in the free-range pastures (pasture land). The voluntary and frequent movement of these animals means that their muscles 'feed' on fats, making their meat low-fat.

'Taureau de Camargue' has highly specific qualities linked to the combined action of the soil, environment and living conditions.

Shaped by its environment and bred according to the free-range method since ancient times, 'Taureau de Camargue' has become an important partner in efforts to maintain biodiversity in the Camargue.

## Reference to publication of the specification

<https://www.inao.gouv.fr/fichier/CDCTaureauDeCamargue.pdf>

**COMMISSION IMPLEMENTING REGULATION (EU) No 1055/2012****of 9 November 2012****amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

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<sup>(1)</sup>, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) Regulation (EEC) No 2658/87 established a nomenclature of goods, hereinafter referred to as the Combined Nomenclature, which is set out in Annex I to that Regulation.
- (2) In the interest of legal certainty, it is necessary to clarify the scope of Chapter 20 of the Combined Nomenclature as including seaweeds and other algae that are prepared or preserved by processes such as cooking, roasting, seasoning and adding sugar, and hence not covered by heading 1212 ('seaweeds and other algae, fresh, chilled, frozen or dried, whether or not ground'). Seaweeds and other algae are considered "other plants" in the meaning of the Combined Nomenclature.
- (3) A new Additional Note should therefore be inserted in Chapter 20 of the Combined Nomenclature to

ensure a uniform interpretation throughout the territory of the Union.

- (4) Regulation (EEC) No 2658/87 should therefore be amended accordingly.
- (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*

In Chapter 20 of the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87, the following Additional Note 9 is inserted:

"9. *Seaweeds and other algae prepared or preserved by processes not provided for in Chapter 12, such as cooking, roasting, seasoning or adding sugar, fall in Chapter 20 as preparations of other parts of plants. Seaweeds and other algae, fresh, chilled, frozen or dried, whether or not ground, are to be classified under heading 1212.*"

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

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

Done at Brussels, 9 November 2012.

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

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<sup>(1)</sup> OJ L 256, 7.9.1987, p. 1.

## COMMISSION REGULATION (EU) No 1056/2012

of 12 November 2012

## amending Regulation (EC) No 1332/2008 of the European Parliament and of the Council on food enzymes with regard to transitional measures

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97<sup>(1)</sup>, and in particular Article 17(5) thereof,

Whereas:

- (1) Pursuant to Article 17(2) of Regulation (EC) No 1332/2008 the deadline for submitting enzyme applications is 24 months after the date of application of the implementing measures to be laid down in accordance with Article 9(1) of Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings<sup>(2)</sup>.
- (2) Commission Regulation (EU) No 234/2011 of 10 March 2011 implementing Regulation (EC) No 1331/2008<sup>(3)</sup> is applicable from 11 September 2011.
- (3) The establishment of the Union list of food enzymes should take place smoothly and should not disturb the existing food enzyme market, in particular small and medium sized enterprises. If necessary, any appropriate transitional measures for the purposes of the establishment of this list may be adopted in accordance with the procedure referred to in Article 17(5) of Regulation (EC) No 1332/2008.
- (4) Pursuant to Article 5(3) of Regulation (EU) No 234/2011, the applicants shall take into account latest guidance concerning the data required for risk assessment established by the European Food Safety Authority ("the Authority") that is available at the time of the submission of the application. The Authority adopted a scientific opinion on 23 July 2009 providing guidance on data requirements for the evaluation of food enzyme applications<sup>(4)</sup> and issued on 8 July 2011 an explanatory note for the guidance on the submission of a dossier

on food enzymes<sup>(5)</sup>. It also adopted a scientific opinion on 25 May 2011 updating the guidance for the risk assessment of genetically modified micro-organisms and their products intended for food and feed use<sup>(6)</sup>.

- (5) The detailed requirements set out in Regulation (EU) No 234/2011, by the Authority's guidance documents and explanatory note were adopted later than Regulation (EC) No 1332/2008.
- (6) The experience gained in the meantime shows that the initial deadline for submitting applications is insufficient in order to allow stakeholders and in particular small and medium sized enterprises to produce all necessary data within that period. More time than originally foreseen is required for the submission of the applications to enhance the smooth transition from the present legal situation to the system established by Regulation (EC) No 1332/2008. Therefore, the 24-month period established by Regulation (EC) No 1332/2008 for submitting enzyme applications should be extended.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health, and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 17(2) of Regulation (EC) No 1332/2008, the second subparagraph is replaced by the following:

"The deadline for submitting such applications shall be 42 months after the date of application of the implementing measures laid down in accordance with Article 9(1) of Regulation (EC) No 1331/2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings."

*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.<sup>(1)</sup> OJ L 354, 31.12.2008, p. 7.<sup>(2)</sup> OJ L 354, 31.12.2008, p. 1.<sup>(3)</sup> OJ L 64, 11.3.2011, p. 15.<sup>(4)</sup> The EFSA Journal (2009) 1305, p. 1. <http://www.efsa.europa.eu/en/scdoc/doc/1305.pdf><sup>(5)</sup> Supporting Publication 2011:177. <http://www.efsa.europa.eu/en/supporting/doc/177e.pdf><sup>(6)</sup> EFSA Journal 2011;9(6):2193. <http://www.efsa.europa.eu/en/efsajournal/doc/2193.pdf>

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

Done at Brussels, 12 November 2012.

*For the Commission*

*The President*

José Manuel BARROSO

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**COMMISSION REGULATION (EU) No 1057/2012****of 12 November 2012****amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of dimethyl polysiloxane (E 900) as an anti-foaming agent in food supplements****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives <sup>(1)</sup>, and in particular Article 10(3) and Article 30(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) That list may be amended in accordance with the procedure referred to in Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings <sup>(2)</sup>.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1331/2008, the Union list of food additives may be updated either on the initiative of the Commission or following an application.
- (4) An application for authorisation of the use of dimethyl polysiloxane (E 900) as an anti-foaming agent in food supplements was submitted and has been made available to the Member States.
- (5) Food supplements in the form of effervescent tablets usually contain acids (such as citric acid) and hydrocarbonate or carbonate salts. The tablets are added to water and carbon dioxide gas is produced during the dissolution process. This gas is usually generating ascending foam overflowing the drinking glass. The ascending foam needs therefore to be partly or completely suppressed by adding an anti-foaming agent to the effervescent tablet. Dimethyl polysiloxane (E 900) can be used as a more efficient alternative to the currently authorised polysorbates and sucrose esters of fatty acids.
- (6) The Report from the Commission on Dietary Food Additive Intake in the European Union <sup>(3)</sup> concluded that dimethyl polysiloxane (E 900) needed no further examination, since the theoretical intake based on

conservative assumptions on food consumption and additive usage did not exceed the Acceptable Daily Intake ('ADI'). The ADI value of 1,5 mg/kg bw was established on 18 May 1990 by the Scientific Committee for Food <sup>(4)</sup>. The additional intake based on the new use as anti-foaming agent in food supplements in the form of effervescent tablets is estimated to be below 10 % of the ADI. It is therefore appropriate to allow the use of dimethyl polysiloxane (E 900) in food supplements in the form of effervescent tablets.

- (7) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health. Since the authorisation of use of dimethyl polysiloxane (E 900) in food supplements in the form of effervescent tablets constitutes an update of that list which is not liable to have an effect on human health, it is not necessary to seek the opinion of the European Food Safety Authority.
- (8) Pursuant to the transitional provisions of Commission Regulation (EU) No 1129/2011 <sup>(5)</sup> the list of food additives set out in Annex II to Regulation (EC) No 1333/2008 applies in principle from 1 June 2013. In order to allow the use of dimethyl polysiloxane (E 900) in food supplements before that date, it is necessary to specify an earlier date of application with regard to this use of that food additive.
- (9) Therefore, Annex II to Regulation (EC) No 1333/2008 should be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

<sup>(1)</sup> OJ L 354, 31.12.2008, p. 16.<sup>(2)</sup> OJ L 354, 31.12.2008, p. 1.<sup>(3)</sup> COM(2001) 542 final.<sup>(4)</sup> [http://ec.europa.eu/food/fs/sc/scf/reports/scf\\_reports\\_32.pdf](http://ec.europa.eu/food/fs/sc/scf/reports/scf_reports_32.pdf)<sup>(5)</sup> OJ L 295, 12.11.2011, p. 1.

*Article 2*

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

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

Done at Brussels, 12 November 2012.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX

In Part E of Annex II to Regulation (EC) No 1333/2008 the following entry is inserted in the food category 17.1 'Food supplements supplied in a solid form including capsules and tablets and similar forms, excluding chewable forms' after the entry for E 551-559:

|  |        |   |    |  |   |  |
|--|--------|---|----|--|---|--|
|  | 'E 900 | Dimethyl polysiloxane   | 10 |  | only food supplements in effervescent tablet form | Period of application:<br>From 3 December 2012 |
|  |        | (79): Maximum level applies to the dissolved food supplement ready for consumption when diluted with 200 ml of water' |    |  |   |  |

**COMMISSION REGULATION (EU) No 1058/2012**  
**of 12 November 2012**  
**amending Regulation (EC) No 1881/2006 as regards maximum levels for aflatoxins in dried figs**  
**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food <sup>(1)</sup>, and in particular Article 2(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs <sup>(2)</sup> sets maximum levels (MLs) for aflatoxin B1 and aflatoxin total (aflatoxin B1 + G1 + B2 + G2) in a range of foodstuffs.
- (2) It is necessary to amend the maximum level for aflatoxins in dried figs to take into account developments in Codex Alimentarius, new information on the extent to which the presence of aflatoxins can be prevented by applying good practices and new scientific information on the difference in health risk between different hypothetical maximum levels for aflatoxin B1 and aflatoxin total in different food commodities.
- (3) Codex Alimentarius established a level of 10 µg/kg aflatoxin total in dried figs "ready-to-eat" <sup>(3)</sup>. The maximum level was based on the assessment performed by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) at its sixty-eighth meeting on the impact of exposure and health risk of different hypothetical maximum levels of aflatoxins for almonds, Brazil nuts, hazelnuts, pistachios and dried figs <sup>(4)</sup>. The Committee concluded as regards dried figs that whatever the hypothetical ML scenario applied there would be no

significant impact on the overall dietary exposure to aflatoxins. It was demonstrated that by applying good practices a level of 10 µg/kg aflatoxin total could be achieved.

- (4) Codex Alimentarius established only a maximum level for aflatoxin total due to the wide variation observed in the ratio between aflatoxin B1 and aflatoxin total, caused by several factors (crop year, variety, weather). However, given that aflatoxin B1 is the most potent carcinogen, a separate lower maximum level for aflatoxin B1 in addition to the level for aflatoxin total has been established in EU legislation. Aflatoxin total is the sum of Aflatoxin B1, B2, G1 and G2. It is therefore appropriate that the maximum level established for aflatoxin B1 corresponds to the level established for aflatoxin total. The corresponding aflatoxin B1 level was determined by making use of the data on occurrence of aflatoxins in dried figs collected since 2005. From this calculation it is evident that the ratio of the content of aflatoxin B1/aflatoxin total is on average about 0,6 rather than the previous assumption that the concentration of aflatoxin B1 is on average about 50 % of aflatoxin total.
- (5) The outcome of the abovementioned JECFA assessment on the effect on exposure between different maximum levels in dried figs was confirmed by an updated exposure assessment <sup>(5)</sup> performed by the Dietary and Chemical Monitoring (DCM) Unit in European Food Safety Authority (EFSA) which estimated for different exposure scenario's the increase of dietary aflatoxin exposure to be between 0,15 to 0,26 % for a maximum level of aflatoxin total in dried figs of 10 µg/kg compared to 4 µg/kg. From the previous EFSA assessments on this issue <sup>(6)</sup>, it can be concluded that such an increase would not adversely affect public health. It is therefore appropriate to replace the maximum level currently applicable in the Union by the Codex maximum level for aflatoxin total in dried

<sup>(1)</sup> OJ L 37, 13.2.1993, p. 1.

<sup>(2)</sup> OJ L 364, 20.12.2006, p. 5.

<sup>(3)</sup> Codex General Standard for Contaminants and toxins in foods (CODEX STAN 193-1995) [http://www.codexalimentarius.net/download/standards/17/CXS\\_193e.pdf](http://www.codexalimentarius.net/download/standards/17/CXS_193e.pdf)

<sup>(4)</sup> WHO Food Additive Series: 59. Safety evaluation of certain food additives and contaminants. <http://www.who.int/foodsafety/chem/jecfa/publications/monographs/en/index.html>

<sup>(5)</sup> European Food Safety Authority; Effect on dietary exposure of an increase of the levels for aflatoxin total from 4 µg/kg to 10 µg/kg for dried figs. Supporting Publications 2012:EN-311. [6 pp.]. Available online: [www.efsa.europa.eu/publications](http://www.efsa.europa.eu/publications)

<sup>(6)</sup> Opinion of the scientific panel on contaminants in the food chain [CONTAM] related to the potential increase of consumer health risk by a possible increase of the existing maximum levels for aflatoxins in almonds, hazelnuts and pistachios and derived products <http://www.efsa.europa.eu/en/efsajournal/doc/446.pdf>  
Effects on public health of an increase of the levels for aflatoxin total from 4 µg/kg to 10 µg/kg for tree nuts other than almonds, hazelnuts and pistachios - Statement of the Panel on Contaminants in the Food Chain <http://www.efsa.europa.eu/en/efsajournal/doc/1168.pdf>



figs and the corresponding maximum level for aflatoxin B1 and to amend Regulation (EC) No 1881/2006 accordingly.

Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them.

- (6) As Codex Alimentarius Commission has not established a maximum level for aflatoxin total in figs other than figs "ready-to eat" it is appropriate to maintain the existing Union maximum level for aflatoxin total in these figs and to adapt only the level for aflatoxin B1 for these figs to take into account the more recent data on the ratio of the concentration between aflatoxin B1 and aflatoxin total in dried figs.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 1881/2006 is amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 12 November 2012.

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

ANNEX

The Annex to Regulation (EC) No 1881/2006 is amended as follows:

- (1) In the Section 2, the entries 2.1.9 and 2.1.10 are replaced by the following entries:

|        |   |     |      |    |
|--------|---|-----|------|----|
| "2.1.9 | Dried fruit, other than dried figs, to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs | 5,0 | 10,0 | —  |
| 2.1.10 | Dried fruit, other than dried figs, and processed products thereof, intended for direct human consumption or use as an ingredient in foodstuffs             | 2,0 | 4,0  | —" |

- (2) In Section 2, the following entry 2.1.18 is added

|         |            |     |      |    |
|---------|------------|-----|------|----|
| "2.1.18 | Dried figs | 6,0 | 10,0 | —" |
|---------|------------|-----|------|----|

**COMMISSION IMPLEMENTING REGULATION (EU) No 1059/2012**

**of 12 November 2012**

**amending Regulation (EC) No 412/2008 as regards dividing the import tariff quota period for frozen beef intended for processing into subperiods**

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 144(1) in conjunction with Article 4 thereof,

Whereas:

- (1) Commission Regulation (EC) No 412/2008 <sup>(2)</sup> opened an annual import tariff quota for frozen beef intended for processing for the period from 1 July to 30 June of the following year.
- (2) Recent developments on the world beef market, namely an important boost in world prices and bigger volatility due to the increase of global demand for beef, have shown that the possibility to apply for import rights only once a year may pose some commercial difficulties to processors. Processors cannot adapt their import needs to the changing market situation if they have to apply for import rights at the beginning of the annual quota period. As a consequence some of them lose the security lodged at the moment of the application for import rights.
- (3) Giving the possibility to processors to apply for import rights on a quarterly basis instead of once a year should help them to plan their imports in shorter terms and be in a better position to respond to the rapid changes in the world beef market.
- (4) Regulation (EC) No 412/2008 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 412/2008 is amended as follows:

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

*'Article 1*

1. An import tariff quota of 63 703 tonnes bone-in equivalent of frozen beef falling within CN code 0202 20 30, 0202 30 10, 0202 30 50, 0202 30 90 or 0206 29 91 and intended for processing in the Union (hereinafter "the quota") is hereby opened every year for

the period from 1 July to 30 June of the following year (hereafter "import tariff quota period") subject to the conditions laid down in this Regulation.

2. The import tariff quota period referred to in paragraph 1 shall be divided in the following four subperiods:

- (a) from 1 July to 30 September;
- (b) from 1 October to 31 December;
- (c) from 1 January to 31 March;
- (d) from 1 April to 30 June.;

- (2) Article 6 is amended as follows:

- (a) paragraph 2 is replaced by the following:

'2. Applications for import rights for production of either A-products or B-products shall be submitted in the first seven days of the month preceding each subperiod, referred to in Article 1(2), and in any case no later than 13.00, Brussels time, of the relevant seventh day.;

- (b) paragraph 4 is replaced by the following:

'4. No later than 13.00, Brussels time, on the 14th day of the month in which applications are submitted in accordance with paragraph 1, Member States shall notify the Commission of the total quantities applied for under each of the two categories of products, expressed in kilograms bone-in equivalence, in respect of the subperiod concerned.;

- (3) Article 7 is replaced by the following:

*'Article 7*

1. Import rights shall be awarded from the 23rd day of the month in which applications are submitted in accordance with Article 6(1) and at the latest on the last day of that month. Import rights shall be valid from the first day of the subperiod for which the application has been submitted and until 30 June of the import tariff quota period concerned.

2. If application of the allocation coefficient referred to in Article 7(2) of Regulation (EC) No 1301/2006 results in fewer import rights to be allocated than had been applied for, the security lodged in accordance with Article 6(3) of this Regulation shall be released proportionally without delay.

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

<sup>(2)</sup> OJ L 125, 9.5.2008, p. 7.

3. The Commission shall suspend the submission of applications for import rights until the end of the import tariff quota period for the order numbers for which the available quantities are exhausted.'

*Article 2*

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

It shall apply from 1 December 2012.

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

Done at Brussels, 12 November 2012.

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

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**COMMISSION IMPLEMENTING REGULATION (EU) No 1060/2012****of 12 November 2012****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 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 <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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 to this Regulation.

*Article 2*

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

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

Done at Brussels, 12 November 2012.

*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 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 <sup>(1)</sup> | Standard import value |
| 0702 00 00  | AL                                | 37,4                  |
|   | MA                                | 43,2                  |
|   | MK                                | 30,8                  |
|   | TR                                | 50,7                  |
|   | ZZ                                | 40,5                  |
| 0707 00 05  | AL                                | 37,9                  |
|   | EG                                | 140,2                 |
|   | TR                                | 104,3                 |
|   | ZZ                                | 94,1                  |
| 0709 93 10  | TR                                | 121,5                 |
|   | ZZ                                | 121,5                 |
| 0805 20 10  | PE                                | 72,2                  |
|   | ZA                                | 190,9                 |
|   | ZZ                                | 131,6                 |
| 0805 20 30, 0805 20 50, 0805 20 70,<br>0805 20 90 | AR                                | 96,7                  |
|   | HR                                | 42,8                  |
|   | PE                                | 42,6                  |
|   | TR                                | 77,5                  |
|   | ZA                                | 34,7                  |
|   | ZZ                                | 58,9                  |
| 0805 50 10  | TR                                | 75,0                  |
|   | ZA                                | 91,4                  |
|   | ZZ                                | 83,2                  |
| 0806 10 10  | BR                                | 269,5                 |
|   | LB                                | 256,9                 |
|   | PE                                | 313,2                 |
|   | TR                                | 164,0                 |
|   | US                                | 306,6                 |
|   | ZZ                                | 262,0                 |
| 0808 10 80  | CA                                | 157,0                 |
|   | CL                                | 151,5                 |
|   | CN                                | 83,7                  |
|   | MK                                | 25,2                  |
|   | NZ                                | 150,4                 |
|   | ZA                                | 143,2                 |
| 0808 30 90  | ZZ                                | 118,5                 |
|   | CN                                | 89,9                  |
|   | TR                                | 113,3                 |
|   | ZZ                                | 101,6                 |

<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'.

**CORRIGENDA****Corrigendum to Commission Regulation (EU) No 976/2012 of 23 October 2012 amending Regulation (EU) No 165/2011 providing for deductions from certain mackerel quotas allocated to Spain in 2011 and subsequent years on account of overfishing in 2010**

*(Official Journal of the European Union L 294 of 24 October 2012)*

On page 4, Annex, in the header of the table of the modified Annex, sixth column:

*for:* 'Multiplying factor of Article 105(2) of Regulation (EC) No 1224/2009 (overfishing (\*) 2)',

*read:* 'Multiplying factor of Article 105(2) of Regulation (EC) No 1224/2009 (overfishing × 2)'.

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