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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 631/2007

of 7 June 2007

amending Regulation (EC) No 147/2003 concerning certain restrictive measures in respect of Somalia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 2007/391/CFSP of 7 June 2007 amending Common Position 2002/960/CFSP concerning restrictive measures against Somalia ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas:

(1) Common Position 2002/960/CFSP provides for an embargo on exports of arms, munitions and military equipment to Somalia, and prohibits the supply of technical advice, financial and other assistance and training related to military activities in Somalia. The prohibition on providing technical and financial assistance related to military activities was implemented by Regulation (EC) No 147/2003 ⁽²⁾.

(2) On 20 February 2007, the United Nations Security Council adopted Resolution 1744 (2007) (hereinafter referred to as UNSCR 1744 (2007)), inter alia, introducing additional exemptions from those restrictive measures for supplies of weapons and military equipment and technical training and assistance, and related financing and financial assistance, intended solely for the support of or use by the African Union's mission to Somalia (AMISOM), referred to in paragraph 4 of UNSCR 1744 (2007), and for supplies of weapons and military equipment and the direct or indirect supply of technical advice, intended solely for the purpose of helping to develop security sector institutions in Somalia, consistent with the political process envisaged in the Transitional Federal Charter of Somalia, as set out in paragraphs 1, 2 and 3 of UNSCR 1744 (2007).

(3) Common Position 2007/391/CFSP amended Common Position 2002/960/CFSP in order to bring the exemptions from the restrictive measures into line with UNSCR 1744 (2007). Regulation (EC) No 147/2003 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 147/2003 is hereby amended as follows:

1. the following Article 2a shall be inserted:

'Article 2a

By way of derogation from Article 1, the competent authority, as indicated in the websites set out in the Annex, in the Member State where the service provider is established, may authorise, under such conditions as it deems appropriate:

(a) the provision of financing, financial assistance, technical advice, assistance or training related to military activities, if it has determined that such financing, advice, assistance or training is intended solely for the support of or use by the AMISOM mission referred to in paragraph 4 of United Nations Security Council Resolution 1744 (2007);

(b) the provision of technical advice, assistance or training related to military activities, if the following conditions are met:

(i) the competent authority concerned has determined that such advice, assistance or training is intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in paragraphs 1, 2 and 3 of Resolution 1744 (2007); and

⁽¹⁾ See page 23 of this Official Journal.

⁽²⁾ OJ L 24, 29.1.2003, p. 2.

(ii) the Member State concerned has notified the Committee established by paragraph 11 of United Nations Security Council Resolution 751 (1992) of the determination that such advice, assistance or training is intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in paragraphs 1, 2 and 3 of Resolution 1744 (2007) and of the intention of its competent authority to grant an authorisation, and the Committee has not objected to that course of action within five working days of notification.’;

2. the following Article 6a shall be inserted:

‘Article 6a

The Commission shall amend the Annex on the basis of information supplied by Member States.’;

3. the following Article 7a shall be inserted:

‘Article 7a

1. Member States shall designate the competent authorities referred to in this Regulation and identify them in, or through, the websites as set out in the Annex.

2. Member States shall notify the Commission of their competent authorities without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.’;

4. the text set out in the Annex to this Regulation shall be added as an Annex.

Article 2

This Regulation shall enter into force on the 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 Luxembourg, 7 June 2007.

For the Council

The President

M. GLOS

ANNEX

'ANNEX

Websites for information on competent authorities referred to in Articles 2a and 7a and address for notifications to the European Commission

BELGIUM

<http://www.diplomatie.be/eusanctions>

BULGARIA

<http://www.mfa.government.bg>

CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisankce>

DENMARK

<http://www.um.dk/da/menu/Udenrigspolitik/FredSikkerhedOgInternationalRetsorden/Sanktioner/>

GERMANY

<http://www.bmwi.de/BMWi/Navigation/Aussenwirtschaft/Aussenwirtschaftsrecht/embargos.html>

ESTONIA

http://www.vm.ee/est/kat_622/

GREECE

<http://www.ypex.gov.gr/www.mfa.gr/en-US/Policy/Multilateral+Diplomacy/International+Sanctions/>

SPAIN

<http://www.mae.es/es/MenuPpal/Asuntos/Sanciones+Internacionales>

FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

IRELAND

http://www.dfa.ie/un_eu_restrictive_measures_ireland/competent_authorities

ITALY

<http://www.esteri.it/UE/deroghe.html>

CYPRUS

<http://www.mfa.gov.cy/sanctions>

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt>

LUXEMBOURG

<http://www.mae.lu/sanctions>

HUNGARY

http://www.kulugyminiszterium.hu/kum/hu/bal/nemzetkozi_szankciok.htm

MALTA

http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp

NETHERLANDS

<http://www.minbuza.nl/sancties>

AUSTRIA

http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=

POLAND

<http://www.msz.gov.pl>

PORTUGAL

<http://www.min-nestrangeiros.pt>

ROMANIA

<http://www.mae.ro/index.php?unde=doc&id=32311&idlnk=1&cat=3>

SLOVENIA

http://www.mzz.gov.si/si/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/

SLOVAKIA

<http://www.foreign.gov.sk>

FINLAND

<http://formin.finland.fi/kvyhteistyo/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

<http://www.fco.gov.uk/competentauthorities>

Address for notifications to the European Commission:

European Commission
DG External Relations
Directorate A. Crisis Platform and Policy Coordination in CFSP
Unit A2. Crisis Management and Conflict Prevention
CHAR 12/106
B-1049 Bruxelles/Brussel (Belgium)
E-mail: relex-sanctions@ec.europa.eu
Tel. (32 2) 295 55 85, 299 11 76
Fax: (32 2) 299 08 73'

COMMISSION REGULATION (EC) No 632/2007**of 7 June 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 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 the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 2007.

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

Done at Brussels, 7 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 7 June 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	55,2
	TR	100,4
	ZZ	77,8
0707 00 05	JO	167,1
	TR	92,6
	ZZ	129,9
0709 90 70	TR	98,7
	ZZ	98,7
0805 50 10	AR	48,2
	ZA	64,8
	ZZ	56,5
0808 10 80	AR	99,1
	BR	75,1
	CA	102,0
	CL	80,8
	CN	81,1
	NZ	115,5
	US	107,8
	UY	55,1
	ZA	94,0
	ZZ	90,1
0809 10 00	IL	196,3
	TR	203,0
	ZZ	199,7
0809 20 95	TR	409,4
	US	331,9
	ZZ	370,7

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 633/2007**of 7 June 2007****laying down requirements for the application of a flight message transfer protocol used for the purpose of notification, coordination and transfer of flights between air traffic control units****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation) ⁽¹⁾, and in particular Article 3(1) thereof,

Having regard to Regulation (EC) No 549/2004 of the European Parliament and the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) ⁽²⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) Information exchanges between flight data processing systems are established between air traffic control units for the purposes of notification, coordination and transfer of flights and for the purposes of civil-military coordination. These information exchanges should rely upon appropriate and harmonised communication protocols to secure their interoperability.
- (2) The European Organisation for the Safety of Air Navigation (Eurocontrol) has been given a mandate in accordance with Article 8(1) of Regulation (EC) No 549/2004 to develop requirements for a flight message transfer protocol to be used for the purpose of notification, coordination and transfer of flights. This Regulation is based on the resulting mandate report of 31 March 2005.
- (3) The Eurocontrol standard for Flight Data Exchange was annexed to Commission Regulation (EC) No 2082/2000 of 6 September 2000 adopting Eurocontrol standards and amending Directive 97/15/EC, adopting Eurocontrol standards and amending Council Directive 93/65/EEC ⁽³⁾, making its use mandatory within the Community in the event of procurement of new flight data processing systems. As Regulation (EC) No 2082/2000 was

repealed with effect from 20 October 2005, it is necessary to update Community legislation, so as to ensure the consistency of relevant regulatory provisions.

- (4) It is becoming more and more difficult and costly to maintain Communication equipment and software complying with the Eurocontrol standard for Flight Data Exchange. An appropriate new standard to support the exchange of flight data should therefore be adopted.
- (5) The Transmission Control Protocol together with the Internet Protocol (TCP/IP) is currently considered as the most appropriate basis to meet the communication requirements of flight data exchanges between air traffic control units.
- (6) This Regulation should cover the application of a flight message transfer protocol used for the information exchanges in accordance with Commission Regulation (EC) No 1032/2006 of 6 July 2006 laying down requirements for automatic systems for the exchange of flight data for the purpose of notification, coordination and transfer of flights between air traffic control units ⁽⁴⁾.
- (7) This Regulation should not cover military operations and training as referred in Article 1(2) of Regulation (EC) No 549/2004.
- (8) In a statement on military issues related to the Single European Sky ⁽⁵⁾, the Member States committed themselves to cooperate with each other, taking into account national military requirements, in order that the concept of flexible use of airspace is fully and uniformly applied in all Member States by all users of airspace.
- (9) The application of the concept of flexible use of airspace, as defined in Article 2(22) of Regulation (EC) No 549/2004, requires the establishment of systems for the timely exchange of flight data between air traffic service units and controlling military units.

⁽¹⁾ OJ L 96, 31.3.2004, p. 26.

⁽²⁾ OJ L 96, 31.3.2004, p. 1.

⁽³⁾ OJ L 254, 9.10.2000, p. 1. Regulation as amended by Regulation (EC) No 980/2002 (OJ L 150, 8.6.2002, p. 38).

⁽⁴⁾ OJ L 186, 7.7.2006, p. 27.

⁽⁵⁾ OJ L 96, 31.3.2004, p. 9.

- (10) In accordance with Article 3(3)(d) of Regulation (EC) No 552/2004, implementing rules for interoperability should describe the specific conformity assessment procedures to be used to assess either the conformity or the suitability for use of constituents as well as the verification of systems.
- (11) In accordance with Article 10(2) of Regulation (EC) No 552/2004, the date for the application of the essential requirements and transitional arrangements may be specified by the relevant implementing rules for interoperability.
- (12) Manufacturers and air navigation service providers should be afforded a period of time to develop new constituents and systems in conformity with the new technical requirements.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Single Sky Committee established by Article 5 of Regulation (EC) No 549/2004,
1. 'flight message transfer protocol' means a protocol for electronic communication comprising message formats, their encoding for interchange and sequence rules used for the information exchanges between flight data processing systems;
 2. 'flight data processing system' means the part of an air traffic services system which receives, automatically processes and distributes to air traffic control units working positions, flight plan data and associated messages;
 3. 'air traffic control unit' (hereinafter ATC unit) means variously area control centre, approach control unit or aerodrome control tower;
 4. 'working position' means the furniture and technical equipment at which a member of the air traffic services staff undertakes task associated with their job;
 5. 'area control centre' (hereinafter ACC) means a unit established to provide air traffic control service to controlled flights in control areas under its responsibility;

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation lays down requirements for the application of a flight message transfer protocol for information exchanges between flight data processing systems for the purpose of notification, coordination and transfer of flights between air traffic control units and for the purposes of civil-military coordination, in accordance with Regulation (EC) No 1032/2006.
2. This Regulation shall apply to:
 - (a) communication systems supporting the coordination procedures between air traffic control units using a peer-to-peer communication mechanism and providing services to general air traffic;
 - (b) communication systems supporting the coordination procedures between air traffic services units and controlling military units, using a peer-to-peer communication mechanism.
3. 'civil-military coordination' means the coordination between civil and military parties authorised to make decisions and agree a course of action;
4. 'air traffic services unit' (hereinafter ATS unit) means a unit, civil or military, responsible for providing air traffic services;
5. 'controlling military unit' means any fixed or mobile military unit handling military air traffic and/or pursuing other activities that, due to their specific nature, may require airspace reservation or restriction;
6. 'peer-to-peer communication mechanism' means a mechanism for communication established between two ATC units or between ATS units and controlling military units in which each party has the same communication capabilities for the information exchange between flight data processing systems and either party can initiate the communication.

Article 3

Application of the flight message transfer protocol

1. Air navigation service providers shall ensure that the systems referred to in Article 1(2)(a) apply the flight message transfer protocol in accordance with the interoperability requirements specified in Annex I.
2. Member States shall ensure that the systems referred to in Article 1(2)(b) apply the flight message transfer protocol in accordance with the interoperability requirements specified in Annex I.

Article 2

Definitions

For the purpose of this Regulation the definitions in Article 2 of Regulation (EC) No 549/2004 shall apply.

The following definitions shall also apply:

*Article 4***Conformity assessment of constituents**

Before issuing an EC declaration of conformity referred to in Article 5 of Regulation (EC) No 552/2004, manufacturers of constituents of the systems referred to in Article 1(2) of this Regulation applying a flight message transfer protocol shall assess the conformity of these constituents in compliance with the requirements set out in Annex II.

*Article 5***Verification of systems**

1. Air navigation service providers which can demonstrate that they fulfil the conditions set out in Annex III shall conduct a verification of the systems referred to in Article 1(2)(a) in compliance with the requirements set out in Annex IV Part A.

2. Air navigation service providers which cannot demonstrate that they fulfil the conditions set out in Annex III shall subcontract to a notified body a verification of the systems referred to in Article 1(2)(a).

This verification shall be conducted in compliance with the requirements set out in Annex IV, Part B.

3. Member States shall ensure that the verification of the systems referred in Article 1(2)(b) demonstrates the conformity of these systems with the interoperability requirements of this Regulation.

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

Done at Brussels, 7 June 2007.

*Article 6***Compliance**

Member States shall take the necessary measures to ensure compliance with this Regulation.

*Article 7***Transitional arrangements**

The essential requirements set out in Annex II to Regulation (EC) No 552/2004 shall apply to the putting into service of European air traffic management network (hereinafter EATMN) systems referred in Article 1(2), of this Regulation from 1 January 2009.

The transitional arrangements in Article 10(3) of Regulation (EC) No 552/2004 shall apply, where appropriate, from the same date.

*Article 8***Entry into force and application**

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

It shall apply from 1 January 2009 to all EATMN systems referred to in Article 1(2) put into service after that date.

It shall apply from 20 April 2011 to all EATMN systems referred to in Article 1(2) in operation by that date.

For the Commission

Jacques BARROT

Member of the Commission

ANNEX I

Interoperability requirements referred to in Article 3

1. Each flight message transfer peer entity shall have an identifier.
 2. An identification function shall ensure that communications can take place only between authorised flight message transfer peer entities.
 3. A connection management function shall establish and release connections between flight message transfer peer entities ensuring that flight data transfer can be achieved only during the lifetime of a connection.
 4. A data transfer function shall send and receive flight data messages between connected flight message transfer peer entities.
 5. A monitoring function shall verify the continuity of service of a connection between flight message transfer peer entities.
 6. All functions exchanged between flight message transfer entities shall use Transmission Control Protocol over Internet Protocol, IP version 6.
-

ANNEX II

Requirements for the assessment of the conformity of constituents carried out under Article 4

1. The verification activities shall demonstrate the conformity of constituents implementing flight message transfer protocol with the applicable interoperability requirements of this Regulation whilst these constituents are in operation in the test environment.
 2. The manufacturer shall manage the verification activities and shall in particular:
 - (a) determine the appropriate test environment;
 - (b) verify that the test plan describes the constituents in the test environment;
 - (c) verify that the test plan provides full coverage of applicable requirements;
 - (d) ensure the consistency and quality of the technical documentation and the test plan;
 - (e) plan the test organisation, staff, installation and configuration of the test platform;
 - (f) perform the inspections and tests as specified in the test plan;
 - (g) write the report presenting the results of inspections and tests.
 3. The manufacturer shall ensure that the constituents implementing flight message transfer protocol, integrated in the test environment, meet the applicable interoperability requirements of this Regulation.
 4. Upon satisfactory completion of verification of conformity, the manufacturer shall under its responsibility draw up the EC declaration of conformity, specifying notably the requirements of this Regulation met by the constituent and its associated conditions of use in accordance with Annex III(3) to Regulation (EC) No 552/2004.
-

ANNEX III

Conditions referred to in Article 5

1. The air navigation service provider must have in place reporting methods within the organisation which ensure and demonstrate impartiality and independence of judgment in relation to the verification activities.
 2. The air navigation service provider must ensure that the personnel involved in verification processes carry out the checks with the greatest possible professional integrity and the greatest possible technical competence and are free of any pressure and incentive, in particular of a financial type, which could affect their judgment or the results of their checks, in particular from persons or groups of persons affected by the results of the checks.
 3. The air navigation service provider must ensure that the personnel involved in verification processes have access to equipment which enables them to perform the required checks properly.
 4. The air navigation service provider must ensure that the personnel involved in verification processes have sound technical and vocational training, satisfactory knowledge of the requirements of the verifications they have to carry out, adequate experience of such operations, and the ability required to draw up the declarations, records and reports to demonstrate that the verifications have been carried out.
 5. The air navigation service provider must ensure that the personnel involved in verification processes are able to perform their checks with impartiality. Their remuneration shall not depend on the number of checks carried out or on the results of such checks.
-

ANNEX IV

Part A: Requirements for the verification of systems carried out under Article 5(1)

1. The verification of systems implementing flight message transfer protocol shall demonstrate the conformity of these systems with the interoperability requirements of this Regulation in a simulated environment that reflects the operational context of these systems.
2. The verification of systems implementing flight message transfer protocol shall be conducted in accordance with appropriate and recognised testing practices.
3. Test tools used for the verification of systems implementing flight message transfer protocol shall have appropriate functions to secure comprehensive coverage of the tests.
4. The verification of systems implementing flight message transfer protocol shall produce the elements of the technical file required by Annex IV(3) to Regulation (EC) No 552/2004 and the following elements:
 - (a) description of the implementation of flight message transfer protocol;
 - (b) the report on inspections and tests conducted before putting the system into service.
5. The air navigation service provider shall manage the verification activities and shall in particular:
 - (a) determine the appropriate simulated operational and technical environment reflecting the operational environment;
 - (b) verify that the test plan describes the integration of flight message transfer protocol in the system tested in a simulated operational and technical environment;
 - (c) verify that the test plan provides full coverage of the interoperability requirements of this Regulation;
 - (d) ensure the consistency and quality of the technical documentation and the test plan;
 - (e) plan the test organisation, staff, installation and configuration of the test platform;
 - (f) perform the inspections and tests as specified in the test plan;
 - (g) write the report presenting the results of the inspections and tests.
6. The air navigation service provider shall ensure that the implementation of flight message transfer protocol, integrated in systems operated in a simulated operational environment, meets the interoperability requirements of this Regulation.
7. Upon satisfactory completion of verification of compliance, air navigation service providers shall draw up the EC declaration of verification of system and submit it to the national supervisory authority together with the technical file, as required by Article 6 of Regulation (EC) No 552/2004.

Part B: Requirements for the verification of systems carried out under Article 5(2)

1. The verification of systems implementing flight message transfer protocol shall demonstrate the conformity of these systems with the interoperability requirements of this Regulation in a simulated environment that reflects the operational context of these systems.
2. The verification of systems implementing flight message transfer protocol shall be conducted in accordance with appropriate and recognised testing practices.

3. Test tools used for the verification of systems implementing flight message transfer protocol shall have appropriate functions to secure comprehensive coverage of the tests.
 4. The verification of systems implementing flight message transfer protocol shall produce the elements of the technical file required by Annex IV(3) to Regulation (EC) No 552/2004 and the following elements:
 - (a) description of the implementation of flight message transfer protocol;
 - (b) the report on inspections and tests conducted before putting the system into service.
 5. The air navigation service provider shall determine the appropriate simulated operational and technical environment reflecting the operational environment and shall have verification activities performed by a notified body.
 6. The notified body shall manage the verification activities and shall in particular:
 - (a) verify that the test plan describes the integration of flight message transfer protocol in the system tested in a simulated operational and technical environment;
 - (b) verify that the test plan provides full coverage of the interoperability requirements of this Regulation;
 - (c) ensure the consistency and quality of the technical documentation and the test plan;
 - (d) plan the test organisation, staff, installation and configuration of the test platform;
 - (e) perform the inspections and tests as specified in the test plan;
 - (f) write the report presenting the results of the inspections and tests.
 7. The notified body shall ensure that the implementation of flight message transfer protocol, integrated in systems operated in a simulated operational environment, meets the interoperability requirements of this Regulation.
 8. Upon satisfactory completion of verification tasks, the notified body shall draw up a certificate of conformity in relation to the tasks it carried out.
 9. Then, the air navigation service provider shall draw up the EC declaration of verification of systems and submit it to the national supervisory authority together with the technical file, as required by Article 6 of Regulation (EC) No 552/2004.
-

COMMISSION REGULATION (EC) No 634/2007

of 7 June 2007

concerning the authorisation of selenomethionine produced by *Saccharomyces cerevisiae* NCYC R397 as a feed additive

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

(1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.

(2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex to this Regulation. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.

(3) The application concerns authorisation of the preparation selenomethionine produced by *Saccharomyces cerevisiae* NCYC R397 as a feed additive for all species, to be classified in the additive category 'nutritional additives'.

(4) The European Food Safety Authority (the Authority) concluded in its opinion of 5 December 2006 that selenomethionine produced by *Saccharomyces cerevisiae* NCYC R397 does not have an adverse effect on animal health, human health or the environment⁽²⁾. It further concluded that selenomethionine produced by *Saccharomyces cerevisiae* NCYC R397 does not present any other risk which would, in accordance with Article 5(2) of Regulation (EC) No 1831/2003, exclude authorisation. According to that opinion, the use of that preparation can be considered as a source of bio available selenium and fulfils the criteria of a nutritional additive for all species. The opinion of the Authority recommends appropriate measures for user safety. It does not consider that there is a need for specific requirements of post-market monitoring. This opinion also verifies the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

(5) The assessment of that preparation shows that the conditions for authorisation, provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised, as specified in the Annex to this Regulation.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'nutritional additives' and to the functional group 'compounds of trace elements', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

⁽²⁾ Opinion of the Scientific Panel on Additives and Products or Substances used in Animal Feed on the safety and efficacy of the product Selenium enriched yeast (*Saccharomyces cerevisiae* NCYC R397) as a feed additive for all species in accordance with Regulation (EC) No 1831/2003. Adopted on 5 December 2006. The EFSA Journal (2006) 430, pp. 1 to 23.

Article 2

This Regulation shall enter into force on the 20th 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 June 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

COMMISSION REGULATION (EC) No 635/2007**of 7 June 2007****derogating for the accounting year 2006 from Regulation (EEC) No 1915/83 as regards the time period for the forwarding of the farm returns**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 79/65/EEC of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community ⁽¹⁾, and in particular Article 6(2) thereof,

Whereas:

- (1) Article 3(3) of Commission Regulation (EEC) No 1915/83 of 13 July 1983 on certain detailed implementing rules concerning the keeping of accounts for the purpose of determining the incomes of agricultural holdings ⁽²⁾ stipulates that from the 2005 accounting year onwards the liaison agency shall forward all the farm returns to the Commission not later than 12 months after the end of the accounting year in question.
- (2) It is appropriate, as an exceptional measure for the accounting year 2006, to give Denmark a longer

period for data delivery in order to allow that Member State to complete the renewal of the IT system used for processing the accountancy data collected for the purpose of determining the incomes of agricultural holdings.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Community Committee for the Farm Accountancy Data Network,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 3(3) of Regulation (EEC) No 1915/83, for the accounting year 2006, the liaison agency in Denmark shall forward the farm returns to the Commission within a period of 18 months after the end of that accounting year.

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*.

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

Done at Brussels, 7 June 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ 109, 23.6.1965, p. 1859/65. Regulation as last amended by Commission Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 190, 14.7.1983, p. 25. Regulation as amended by Regulation (EC) No 1192/2005 (OJ L 194, 26.7.2005, p. 3).

COMMISSION REGULATION (EC) No 636/2007**of 7 June 2007****derogating from the Annex to Council Regulation No 79/65/EEC, as regards the divisions of Romania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty of Accession of Bulgaria and Romania,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 41(1) thereof,

Whereas:

- (1) The Annex to Council Regulation No 79/65/EEC of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community ⁽¹⁾ lays down a list of divisions within the meaning of Article 2(d) of that Regulation.
- (2) According to that Annex, Romania is divided into eight divisions. Following a request by Romania, for the purposes of Regulation No 79/65/EEC, Romania should be considered as a single division for the first three years after its accession to the European Union in order to facilitate the definition of a realistic selection plan.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Community Committee for the Farm Accountancy Data Network,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the Annex to Regulation No 79/65/EEC, for the purposes of the application of that Regulation, Romania constitutes a single division until 31 December 2009.

Article 2

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

It shall apply from the 2007 accounting year.

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

Done at Brussels, 7 June 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ 109, 23.6.1965, p. 1859/65. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 6 June 2007

concerning the non-inclusion of malathion in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance

(notified under document number C(2007) 2337)

(Text with EEA relevance)

(2007/389/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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(2) thereof,

Whereas:

- (1) Article 8(2) of Directive 91/414/EEC provides that a Member State may, during a period of 12 years following the notification of that Directive, authorise the placing on the market of plant protection products containing active substances not listed in Annex I of that Directive that are already on the market two years after the date of notification, while those substances are gradually being examined within the framework of a programme of work.
- (2) Commission Regulations (EC) No 451/2000 ⁽²⁾ and (EC) No 703/2001 ⁽³⁾ lay down the detailed rules for the implementation of the second stage 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 includes malathion.

- (3) For malathion the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulations (EC) No 451/2000 and (EC) No 703/2001 for a range of uses proposed by the notifier. Moreover, those Regulations designate the rapporteur Member States which have to submit the relevant assessment reports and recommendations to the European Food Safety Authority (EFSA) in accordance with Article 8(1) of Regulation (EC) No 451/2000. For malathion the rapporteur Member State was Finland and all relevant information was submitted on 2 February 2004.
- (4) The assessment report has been peer reviewed by the Member States and the EFSA within its Working Group Evaluation and presented to the Commission on 13 January 2006 in the format of the EFSA conclusion regarding the peer review of the pesticide risk assessment of the active substance malathion ⁽⁴⁾. This report has been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 29 September 2006 in the format of the Commission review report for malathion.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2007/25/EC (OJ L 106, 24.4.2007, p. 34).

⁽²⁾ OJ L 55, 29.2.2000, p. 25. Regulation as last amended by Regulation (EC) No 1044/2003 (OJ L 151, 19.6.2003, p. 32).

⁽³⁾ OJ L 98, 7.4.2001, p. 6.

⁽⁴⁾ EFSA Scientific Report (2006) 63, 1-87, Conclusion on the peer review of malathion.

- (5) During the evaluation of this active substance, a number of concerns have been identified. Due to the presence of varying levels in the technical material of isomalathion, which is an impurity that contributes significantly to the toxicity profile of malathion and the genotoxicity of which cannot be excluded, the risk to operators, workers and bystanders could not be concluded. Moreover, based on the available information it has not been demonstrated that the estimated exposure of consumers resulting from the acute and chronic intake of edible crops is acceptable, due to the insufficient information on the effects of certain toxicologically relevant metabolites. Consequently, it was not possible to conclude on the basis of the information available that malathion met the criteria for inclusion in Annex I to Directive 91/414/EEC.
- (6) The Commission invited the notifier to submit its comments on the results of the peer review and on its intention or not to further support the substance. The notifier submitted its comments which have been carefully examined. However, despite the arguments put forwards by the notifier, the concerns identified could not be eliminated, and assessments made on the basis of the information submitted and evaluated during the EFSA expert meetings have not demonstrated that it may be expected that, under the proposed conditions of use, plant protection products containing malathion satisfy in general the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC.
- (7) Malathion should therefore not be included in Annex I to Directive 91/414/EEC.
- (8) Measures should be taken to ensure that authorisations granted for plant protection products containing malathion are withdrawn within a fixed period of time and are not renewed and that no new authorisations for such products are granted.
- (9) Any period of grace granted by a Member State for the disposal, storage, placing on the market and use of existing stocks of plant protection products containing malathion should be limited to 12 months in order to allow existing stocks to be used in one further growing season.
- (10) This decision does not prejudice the submission of an application for malathion according to the provisions of Article 6(2) of Directive 91/414/EEC in view of a possible inclusion in its Annex I.
- (11) 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*
- Malathion shall not be included as an active substance in Annex I to Directive 91/414/EEC.
- Article 2*
- Member States shall ensure that:
- (a) authorisations for plant protection products containing malathion are withdrawn by 6 December 2007;
- (b) no authorisations for plant protection products containing malathion are granted or renewed from the date of publication of this Decision.
- Article 3*
- Any period of grace granted by Member States in accordance with the provisions of Article 4(6) of Directive 91/414/EEC, shall be as short as possible and shall expire on 6 December 2008 at the latest.
- Article 4*
- This Decision is addressed to the Member States.
- Done at Brussels, 6 June 2007.
- For the Commission*
Markos KYPRIANOU
Member of the Commission

COMMISSION DECISION**of 7 June 2007****on the financing of expenditure on IT support and communication measures in the field of animal health and animal welfare for 2007**

(2007/390/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, and in particular Articles 17, 37 and 37a thereof,

Whereas:

(1) The hosting, management and maintenance of TRACES, provided for in Commission Decision 2003/24/EC of 30 December 2002 ⁽²⁾ concerning the development of an integrated computerised veterinary system, fall within the Commission's remit and therefore require financing by the Community. This financial participation is based on Article 37a of Council Decision 90/424/EEC.

(2) The notification system introduced, under Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community ⁽³⁾, by Commission Decision 2005/176/EC of 1 March 2005 laying down the codified form and the codes for the notification of animal diseases pursuant to Council Directive 82/894/EEC ⁽⁴⁾ must be updated by making essential improvements to the technology used. Financial participation by the Community is based on Article 37 of Council Decision 90/424/EEC.

(3) Information policy on animal health and animal welfare requires information to be provided on technical and scientific developments in these areas. Financial participation by the Community is based on Article 17 of Council Decision 90/424/EEC.

(4) This Decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁵⁾ and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁶⁾.

(5) 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 DECIDED AS FOLLOWS:

*Article 1***TRACES**

The hosting, management and maintenance of the TRACES system, provided for in Commission Decision 2003/24/EC, are authorised for the following amounts and objectives:

— EUR 560 000 for hosting;

— EUR 440 000 for acquiring the logistical support needed in order to provide assistance to users of the system;

— EUR 200 000 for acquiring the maintenance support needed in order to adjust the system to legal and technical developments;

— EUR 300 000 for the IT development needed.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19. Decision as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 8, 14.1.2003, p. 44.

⁽³⁾ OJ L 378, 31.12.1982, p. 58. Directive as last amended by Commission Decision 2004/216/EC (OJ L 67, 5.3.2004, p. 27).

⁽⁴⁾ OJ L 59, 5.3.2005, p. 40. Decision as amended by Decision 2006/924/EC (OJ L 354, 14.12.2006, p. 48).

⁽⁵⁾ OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

⁽⁶⁾ OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Commission Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.4.2007, p. 13).

*Article 2***Animal disease notification system**

The updating of the notification system, referred to in Decision 2005/176/EC, is authorised for an amount of EUR 150 000.

*Article 3***Provision of information in the fields of animal health and animal welfare**

The provision of information by the Commission to the competent authorities and members of the public concerning Community legislation on animal health and animal welfare is authorised for the following amounts and objectives:

- EUR 240 000 for publications and the dissemination of information and the strategy on animal health;

- EUR 130 000 for publications and the dissemination of information and the strategy on animal welfare.

*Article 4***Contract award procedure**

Contractors will be selected on the basis of the existing framework contracts or on the basis of calls for tender launched in 2007.

Done at Brussels, 7 June 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL COMMON POSITION 2007/391/CFSP

of 7 June 2007

amending Common Position 2002/960/CFSP concerning restrictive measures against Somalia

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS COMMON POSITION:

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Article 1

Paragraph 3 of Article 1 of Common Position 2002/960/CFSP shall be replaced by the following:

Whereas:

‘3. Paragraphs 1 and 2 shall not apply to:

- (1) On 10 December 2002, the Council adopted Common Position 2002/960/CFSP⁽¹⁾, following United Nations Security Council Resolutions (UNSCR) 733 (1992), 1356 (2001) and 1425 (2002) relating to an arms embargo against Somalia.
 - (2) On 20 February 2007, the United Nations Security Council adopted UNSCR 1744 (2007) introducing additional exemptions from the restrictive measures imposed by paragraph 5 of UNSCR 733 (1992) and further elaborated in paragraphs 1 and 2 of UNSCR 1425 (2002) for supplies of weapons and military equipment and technical training and assistance intended solely for the support of or use by the mission as stipulated in paragraph 4 of UNSCR 1744 (2007).
 - (3) The restrictive measures imposed by Common Position 2002/960/CFSP should therefore be modified in order to give effect to UNSCR 1744 (2007).
 - (4) Action by the Community is needed in order to implement certain measures,
- (a) the supply or sale of arms and related materiel of all types and to the direct or indirect supply of technical advice, financial and other assistance and training related to military activities intended solely for the support of or use by the mission as stipulated in paragraph 4 of UNSCR 1744 (2007);
 - (b) the supply or sale of arms and related materiel of all types and to the direct or indirect supply of technical advice intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in paragraphs 1, 2 and 3 of UNSCR 1744 (2007) and in the absence of a negative decision by the Committee established by paragraph 11 of UNSCR 751 (1992) within five working days of receiving the relevant notification;
 - (c) supplies of non-lethal military equipment intended solely for humanitarian or protective use, or of materiel intended for institution building programmes of the Union, Community or Member States, including in the field of security, carried out within the framework of the Peace and Reconciliation Process, as approved in advance by the Committee established by paragraph 11 of UNSCR 751 (1992), nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.’

⁽¹⁾ OJ L 334, 11.12.2002, p. 1. Common Position as amended by Common Position 2007/94/CFSP (OJ L 41, 13.2.2007, p. 19).

Article 2

This Common Position shall take effect on the date of its adoption.

Article 3

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

Done at Luxembourg, 7 June 2007.

For the Council

The President

M. GLOS
