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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 26/2008

of 15 January 2008

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 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽¹⁾, and in particular Article 138(1) thereof,

Whereas:

- (1) Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes

the standard values for imports from third countries, in respect of the products and periods stipulated in 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 138 of Regulation (EC) No 1580/2007 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 January 2008.

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

Done at Brussels, 15 January 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

to Commission Regulation of 15 January 2008 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	IL	142,5
	MA	51,6
	TN	129,8
	TR	106,9
	ZZ	107,7
0707 00 05	JO	187,5
	MA	61,3
	TR	104,9
	ZZ	117,9
0709 90 70	MA	95,0
	TR	128,6
	ZZ	111,8
0709 90 80	EG	158,5
	ZZ	158,5
0805 10 20	EG	52,6
	IL	49,6
	MA	65,6
	TN	53,8
	TR	83,3
	ZA	52,9
	ZZ	59,6
0805 20 10	MA	109,7
	TR	101,8
	ZZ	105,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	59,7
	IL	106,1
	JM	110,1
	PK	42,8
	TR	80,2
	ZZ	79,8
0805 50 10	EG	86,2
	IL	139,9
	TR	120,5
	ZA	54,7
	ZZ	100,3
0808 10 80	CA	96,2
	CN	80,7
	MK	37,5
	TR	118,1
	US	111,8
	ZA	59,7
ZZ	84,0	
0808 20 50	CN	79,0
	US	109,2
	ZZ	94,1

⁽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 27/2008

of 15 January 2008

opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand

(Codified version)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,

Whereas:

(1) Commission Regulation (EC) No 2449/96 of 18 December 1996 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand ⁽²⁾ has been substantially amended several times ⁽³⁾. In the interests of clarity and rationality the said Regulation should be codified.

(2) The Community has undertaken, within the framework of the World Trade Organisation (WTO), to open certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in Indonesia, in the People's Republic of China (China), in other contracting parties to the WTO other than Thailand, and in certain other countries not members of the WTO. Under those quotas the customs duty is limited to 6 % ad valorem. Those quotas are to be opened on a multiannual basis and administered by the Commission.

(3) It is necessary to maintain a system of administration which ensures that only products originating in Indonesia and China can be imported under the quotas allocated to those countries. As a result, the issue of import licences should continue to be subject to the presentation of export licences issued by the authorities of those two countries, specimens of which have been

sent to the Commission. As regards products originating in Vietnam, in accordance with the practice followed for several years, import licence applications are subject, in addition to other provisions, to presentation of a certificate issued on the initiative of the exporting country.

(4) Since imports of the products concerned into the Community have traditionally been administered on a calendar-year basis, that system should be maintained.

(5) Imports of products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 are subject to presentation of an import licence for which common detailed rules of application are laid down in Commission Regulation (EC) No 1291/2000 ⁽⁴⁾. Commission Regulation (EC) No 1342/2003 ⁽⁵⁾ lays down special detailed rules for the application of the system of licences for cereals and rice.

(6) The usual additional rules for the management of such quotas, relating in particular to the submission of applications, issue of licences, and monitoring of imports should be applied.

(7) In particular, the origin of the products should be ascertained by providing that the issue of import licences be subject to the presentation of certificates of origin issued by the countries concerned. However, certificates of origin should not be required for products originating in China.

(8) For the sake of sound management of the import arrangements in question, applications for licences may not cover a quantity in excess of that entered on the document certifying loading and shipment to the Community. A maximum quantity per application should also be laid down in certain cases, and it should be stipulated that in no case may applications cover a quantity greater than that for which the aforementioned proof is provided.

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 333, 21.12.1996, p. 14. Regulation as last amended by Regulation (EC) No 1884/2006 (OJ L 364, 20.12.2006, p. 44).

⁽³⁾ See Annex VI.

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1913/2006 (OJ L 365, 21.12.2006, p. 52).

⁽⁵⁾ OJ L 189, 29.7.2003, p. 12. Regulation as last amended by Regulation (EC) No 1996/2006 (OJ L 398, 30.12.2006, p. 1).

- (9) In cases where the quantities actually unloaded are slightly in excess of the quantities given in the import licences, measures to ensure the release for free circulation of the surplus quantities should be adopted if the country of origin of the products is able to guarantee that the formalities laid down for this purpose can be executed. Indonesia and China appear able to meet this condition.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

CHAPTER I

QUOTAS

Article 1

From 1 January 1997, the following annual tariff quotas are hereby opened for imports of products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 at a customs duty rate of 6 % ad valorem:

- (a) a quota of 825 000 tonnes for the products in question originating in Indonesia;
- (b) a quota of 350 000 tonnes for the products in question originating in the People's Republic of China (China);
- (c) a quota of 145 590 tonnes for the products in question originating in other member countries of the World Trade Organisation (WTO), other than Thailand;
- (d) a quota of 32 000 tonnes for the products in question originating in other countries not members of the WTO, of which 2 000 tonnes shall be reserved for the importation of products of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced.

The quotas referred to in points (a), (b) and (c) of the first subparagraph shall bear the serial numbers 09.4009, 09.4010, and 09.4011 respectively.

For the quota referred to in point (d) of the first subparagraph, the serial numbers 09.4021 and 09.4012 shall be allocated to the part of the quota reserved for the import of products of a kind used for human consumption (2 000 tonnes) and to the other part which is not so reserved (30 000 tonnes) respectively.

The provisions of Regulations (EC) No 1291/2000, and (EC) No 1342/2003 and Commission Regulation (EC) No 1301/2006 ⁽¹⁾ shall apply, save as otherwise provided for in this Regulation.

Article 2

With a view to the release for free circulation of the products referred to in Article 1, import licence applications shall be lodged in any Member State and licences issued shall be valid throughout the Community.

Article 3

1. Import licence applications shall be admissible if:

- (a) they are accompanied by the original of a certificate drawn up by the competent authorities of the country concerned certifying the origin of the goods in accordance with the specimen in Annex I. However, such a certificate shall not be necessary for imports of products originating in China and referred to in point (b) of the first paragraph of Article 1;
- (b) they are accompanied by proof, in the form of a copy of the bill of lading, that the goods have been loaded in the third country of origin and are transported to the Community by the vessel mentioned in the application, and, where the third country does not have direct access to the sea, an international transport document certifying transport of the goods from the country of origin to the port of shipment is also provided;
- (c) in the case of products originating in Indonesia and China, they are accompanied by the relevant export licences as referred to in Chapter II issued respectively by the authorities of those countries, duly completed in accordance with the models in Annexes II and III. The originals of such export licences shall be kept by the authority issuing them. However, where the import licence applications cover only part of the quantity indicated on the export licence, the issuing authority shall indicate on the original the quantity in respect of which the original was used and, after stamping it, shall return the original to the party concerned. Only the quantity indicated in Section 7 of export licences in the case of Indonesian exports and in Section 9 of export licences in the case of Chinese exports shall be taken into consideration for the purposes of issuing the import licences;
- (d) they relate to a quantity which does not exceed the quantity indicated in the documents referred to in points (a), (b) and (c).

⁽¹⁾ OJ L 238, 1.9.2006, p. 13.

2. Applications for import licences submitted for the purposes of the release for free circulation of products of a kind used for human consumption covered by CN codes 0714 10 91 and 0714 90 11 may not relate to a quantity in excess of 150 tonnes per interested party acting on his own account.

CHAPTER II

EXPORT LICENCES

Article 4

1. Export licences issued by the authorities of Indonesia and China shall be printed in English.

2. The original and copies thereof shall be completed in typescript or by hand. In the latter case, they must be completed using ink and block capitals.

3. Each export licence shall bear a pre-printed serial number. In addition, in its uppermost section it shall bear a licence number. The copies shall bear the same numbers as the original.

Article 5

1. Export licences shall be valid for 120 days from the date of issue. The day of issue of a licence shall count as part of its terms of validity.

Licences shall not be valid unless their Sections are duly completed and they are authenticated as indicated on them. Quantities must be given in figures and in words.

2. Export licences shall be duly authenticated where they indicate the date of issue and bear the stamp of the issuing authority and the signature of the persons authorised to sign them.

CHAPTER III

IMPORT LICENCES

Article 6

Licence applications and licences shall indicate:

(a) in Section 8, the third country in which the product concerned originates;

Importation from that country shall be obligatory;

(b) in Section 24, one of the entries shown in Annex IV;

(c) in Section 20, the name of the vessel in which the goods are being or have been shipped to the Community, the number of the certificate of origin submitted and, in the case of products originating in Indonesia or China, the number and date of the Indonesian or Chinese export licence respectively.

Article 7

1. Notwithstanding Article 12 of Regulation (EC) No 1342/2003, the security against import licences shall be EUR 20 per tonne.

However, in the case of products originating in China, the security shall be EUR 5 per tonne.

2. If, pursuant to Article 8(4), the quantity in respect of which the licence is issued is less than the quantity in respect of which it was applied for, the security corresponding to the difference shall be released.

3. The fourth indent of Article 5(1) of Regulation (EC) No 1291/2000 shall not apply.

Article 8

1. Licence applications shall be lodged with the competent authorities of the Member States between Monday and Wednesday each week, up to 13.00.

However, the first day each year for lodging applications shall be the first working day in January.

2. For products originating in Indonesia or China, licence applications may relate to imports to be carried out the following year if they are submitted during December on the basis of an export licence issued by the Indonesian or Chinese authorities for the year in question.

3. On the day following the day on which applications are lodged, and no later than 13.00 on the Thursday following the deadline for lodging applications laid down in the first subparagraph of paragraph 1, Member States shall send the Commission the following information:

(a) the total quantities covered by licence applications, by origin and product code;

(b) the number of certificate of origin submitted and the total quantity entered in the original document or an extract thereof;

(c) the reference numbers of the export certificates issued by the Indonesia or Chinese authorities and the corresponding quantities, and the name of the vessel.

4. Import licences shall be issued on the fourth working day following the notification referred to in paragraph 3.

5. Import licences for products originating in Indonesia or China in respect of which applications are lodged in December for the following year shall not be issued before the first working day in January of the year in question.

Article 9

Subject to Article 10(2) of this Regulation and notwithstanding Article 8(4) of Regulation (EC) No 1291/2000, the quantity released for free circulation may not exceed the quantity indicated in Sections 17 and 18 of import licences; to that end the figure 0 shall be entered in Section 19 of licences.

Article 10

1. In the case of products originating in Indonesia, once it has been verified that the quantities actually unloaded for a given consignment are in excess of those covered by the import licence(s) issued for that consignment, the competent authorities which issued the licence(s) concerned shall, at the request of the importer, notify the Commission by electronic means as quickly as possible, on a case-by-case basis, of the Indonesian export licence number(s), the import licence number(s), the excess quantity and the name of the vessel.

The Commission shall contact the Indonesian authorities with a view to the issue of new export licences. Pending their preparation, the surplus quantities may not be released for free circulation as long as the new import licences for the quantities in question cannot be presented. The new import licences shall be issued under the terms laid down in Article 8.

2. However, notwithstanding paragraph 1, where the quantities unloaded are not more than 2 % in excess of the quantities covered by the import licences issued corresponding to the export licences granted for the vessel concerned, the competent authorities in the Member State where release for free circulation is to take place shall, at the request of the importer, authorise the release for free circulation of the excess quantities provided that the importer pays a customs duty limited to 6 % ad valorem and lodges a security for an amount equal to the difference between the full duty and that paid.

The Commission, on receipt of the information referred to in the first subparagraph of paragraph 1, shall contact the Indo-

nesian authorities with a view to the issue of new export licences.

Securities shall be released on presentation to the competent authorities of the Member State in which release for free circulation is to take place of a supplementary import licence for the excess quantity in question. Application for such licences shall not be subject to the lodging of a security against the licence as provided for in Article 15(2) of Regulation (EC) No 1291/2000 and Article 7 of this Regulation. Such licences shall be issued under the terms of Article 8 of this Regulation on presentation of one or more new export licences issued by the Indonesian authorities for the excess quantity in question. The additional import licence shall contain in Section 20 one of the entries set out in Annex V.

The security shall be forfeit in respect of quantities for which a supplementary import licence is not presented within four months, except in cases of force majeure, from the date on which the declaration for release for free circulation referred to in the first subparagraph is accepted.

Once the supplementary import licence has been processed and stamped by the competent authority when the security is released, the licence shall be returned to the issuing authority as soon as possible.

3. Application of paragraphs 1 and 2 may not result in importation of quantities of goods exceeding the overall quota authorised for the year. If, when a supplementary import licence is issued, it is found that the overall quota has been exceeded, the quantity covered by the supplementary licence shall be deducted from the overall quota authorised for the following year.

Article 11

The quantities of products to which each import licence issued relates shall be deducted from the overall quota for the year of issue of those licences.

Licences issued pursuant to this Regulation shall be valid throughout the Community for 60 days from their actual date of issue pursuant to Article 23(2) of Regulation (EC) No 1291/2000.

However, licences issued for products originating in Indonesia or China shall be valid up to the last day of validity of the export licence plus 30 days.

The final day of validity of the import licences may not exceed 31 December of the year of issue.

Article 12

Regulation (EC) No 2449/96 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VII.

Article 13

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

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

Done at Brussels, 15 January 2008.

For the Commission
The President
José Manuel BARROSO

ANNEX I

1. Consignor	CERTIFICATE OF ORIGIN for imports of agricultural products into the European Community No ORIGINAL	
2. Consignee (optional)	3. ISSUING AUTHORITY	
	4. Country of origin	
NOTES A. The certificate must be completed in typescript or by means of a mechanical data processing system, or similar procedure. B. The original of the certificate must be lodged with the declaration of release for free circulation with the relevant customs office in the Community.	5. Remarks	
6. Item number — Markings and numbers — Number of kind of packages — Description of goods	7. Gross and net mass (kg)	
8. THIS IS TO CERTIFY THAT THE ABOVE PRODUCTS ORIGINATE IN THE COUNTRY INDICATED IN BOX 4 AND THAT THE INDICATIONS IN BOX 5 ARE CORRECT. <div style="display: flex; justify-content: space-between;"> Place and date of issue Signature Issuing authority's stamp </div>		
9. RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY		

ANNEX II

SERIAL EC-A No

ORIGINAL

DEPARTMENT OF TRADE OF THE REPUBLIC OF INDONESIA

EXPORT CERTIFICATE

EXPORT CERTIFICATE No	
EXPORT PERMIT No	

1. EXPORTER (NAME, ADDRESS AND COUNTRY)		2. FIRST CONSIGNEE (NAME, ADDRESS AND COUNTRY)	
NAME		NAME	
ADDRESS		ADDRESS	
COUNTRY		COUNTRY	
3. SHIPPED PER		5. COUNTRY/COUNTRIES OF DESTINATION IN EC	
4. EXPECTED TIME OF ARRIVAL			
6. TYPE OF MANIOC PRODUCTS	7. WEIGHT (TONNES)	8. PACKING	
CN-0714 10 91 <input type="checkbox"/>	SHIPPED WEIGHT	<input type="checkbox"/> IN BULK	
CN-0714 10 99 <input type="checkbox"/>		<input type="checkbox"/> BAGS	
CN-0714 90 11 <input type="checkbox"/>		<input type="checkbox"/> OTHERS	
CN-0714 90 19 <input type="checkbox"/>			

DEPARTMENT OF TRADE
OF THE REPUBLIC OF INDONESIA

DATE

.....
NAME AND SIGNATURE OF AUTHORIZED OFFICIAL AND STAMP

THIS CERTIFICATE IS VALID FOR 120 DAYS FROM THE DATE OF ISSUE

FOR USE OF EC AUTHORITIES:

ANNEX IV

The entries referred to in point (b) of Article 6

- *In Bulgarian:* Мита, ограничени до 6 % *ad valorem* (Регламент (ЕО) № 27/2008),
- *In Spanish:* Derechos de aduana limitados al 6 % *ad valorem* [Reglamento (CE) n° 27/2008],
- *In Czech:* Clo limitované 6 % *ad valorem* (nařízení (ES) č. 27/2008),
- *In Danish:* Toldsatsen begrænses til 6 % af værdien (Forordning (EF) nr. 27/2008),
- *In German:* Beschränkung des Zolls auf 6 % des Zollwerts (Verordnung (EG) Nr. 27/2008),
- *In Estonian:* Väärtuseline tollimaks piiratud 6 protsendini (määrus (EÜ) nr 27/2008),
- *In Greek:* Τελωνειακός δασμός κατ' ανώτατο όριο 6 % κατ' αξία [Κανονισμός (ΕΚ) αριθ. 27/2008],
- *In English:* Customs duties limited to 6 % *ad valorem* (Regulation (EC) No 27/2008),
- *In French:* Droits de douane limités à 6 % *ad valorem* [règlement (CE) n° 27/2008],
- *In Italian:* Dazi doganali limitati al 6 % *ad valorem* [Regolamento (CE) n. 27/2008],
- *In Latvian:* Muitas nodokļi nepārsniedz limitu 6 % *ad valorem* (Regula (EK) Nr. 27/2008),
- *In Lithuanian:* Muito mokestis neviršija 6 % *ad valorem* (Reglamentas (EB) Nr. 27/2008),
- *In Hungarian:* Mérsékelt, 6 %-os értékvám (27/2008/EK rendelet),
- *In Maltese:* Dazji doganali limitati għal 6 % *ad valorem* (Regolament (KE) Nru 27/2008),
- *In Dutch:* Douanerechten beperkt tot 6 % *ad valorem* (Verordening (EG) nr. 27/2008),
- *In Polish:* Należności celne ograniczone do 6 % *ad valorem* (Rozporządzenie (WE) nr 27/2008),
- *In Portuguese:* Direitos aduaneiros limitados a 6 % *ad valorem* [Reglamento (CE) n.º 27/2008],
- *In Romanian:* Taxe vamale limitate la 6 % *ad valorem* [Regulamentul (CE) nr. 27/2008],
- *In Slovak:* Dovožné clo so stropom 6 % *ad valorem* [nariadenie (ES) č. 27/2008],
- *In Slovenian:* Omejitve carinskih dajatev na 6 % *ad valorem* (Uredba (ES) št. 27/2008),
- *In Finnish:* Arvotulli rajoitettu 6 prosenttiin (asetus (EY) N:o 27/2008),
- *In Swedish:* Tullsatsen begränsad till 6 % av värdet (Förordning (EG) nr 27/2008).
-

ANNEX V

Entries referred to in the third subparagraph of Article 10(2)

- *In Bulgarian:* Допълнителна лицензия, член 10, параграф 2 от Регламент (ЕО) № 27/2008,
- *In Spanish:* Certificado complementario, apartado 2 del artículo 10 del Reglamento (CE) nº 27/2008,
- *In Czech:* Licence pro dodatečné množství, čl. 10 odst. 2 nařízení (ES) č. 27/2008,
- *In Danish:* Supplerende licens, forordning (EF) nr. 27/2008, artikel 10, stk. 2,
- *In German:* Zusätzliche Lizenz — Artikel 10 Absatz 2 der Verordnung (EG) Nr. 27/2008,
- *In Estonian:* Lisakoguse litsents, määruse (EÜ) nr 27/2008 artikli 10 lõige 2,
- *In Greek:* Συμπληρωματικό πιστοποιητικό — Άρθρο 10 παράγραφος 2 του κανονισμού (ΕΚ) αριθ. 27/2008,
- *In English:* Licence for additional quantity, Article 10(2) of Regulation (EC) No 27/2008,
- *In French:* Certificat complémentaire, règlement (CE) nº 27/2008, article 10, paragraphe 2,
- *In Italian:* Titolo complementare, regolamento (CE) n. 27/2008, articolo 10, paragrafo 2,
- *In Latvian:* Aṭļauja par papildu daudzumu, Regulas (EK) Nr. 27/2008 10. panta 2. punkts,
- *In Lithuanian:* Papildomoji licencija, Reglamento (EB) Nr. 27/2008 10 straipsnio 2 dalis,
- *In Hungarian:* Kiegészítő engedély, 27/2008/EK rendelet 10. cikk (2) bekezdés,
- *In Maltese:* Licenzja għal kwantità addizzjonali, Artikolu 10(2) tar-Regolament (KE) Nru 27/2008,
- *In Dutch:* Aanvullend certificaat — artikel 10, lid 2, van Verordening (EG) nr. 27/2008,
- *In Polish:* Uzupełniająca pozwolenie, rozporządzenie (WE) nr 27/2008 art. 10 ust. 2,
- *In Portuguese:* Certificado complementar, n.º 2 do artigo 10.º do Regulamento (CE) n.º 27/2008,
- *In Romanian:* Licență complementară, articolul 10 alineatul (2) din Regulamentul (CE) nr. 27/2008,
- *In Slovak:* Dodatočné povolenie, článok 10 ods. 2 nariadenia (ES) č. 27/2008,
- *In Slovenian:* Dovoljenje za dodatne količine, člen 10(2), Uredba (ES) št. 27/2008,
- *In Finnish:* Lisätodistus, asetuksen (EY) N:o 27/2008 10 artiklan 2 kohta,
- *In Swedish:* Kompletterande licens, artikel 10,2 i förordning (EG) nr 27/2008.

ANNEX VI

Repealed Regulation with a list of its successive amendments

Commission Regulation (EC) No 2449/96
(OJ L 333, 21.12.1996, p. 14)

Commission Regulation (EC) No 2780/1999
(OJ L 334, 28.12.1999, p. 20)

Commission Regulation (EC) No 777/2004
(OJ L 123, 27.4.2004, p. 50) Article 8 only

Commission Regulation (EC) No 1884/2006
(OJ L 364, 20.12.2006, p. 44). Article 2 only

ANNEX VII

Correlation table

Regulation (EC) No 2449/96	This Regulation
Article 1 introductory wording	Article 1 introductory wording
Article 1(1)	Article 1(a)
Article 1(2)	Article 1(c)
Article 1(3)	Article 1(b)
Article 1(4)	Article 1(d)
Article 1, second, third and fourth paragraphs	Article 1, second, third and fourth paragraphs
Article 2	Article 2
Article 3	Article 3
Article 4	Article 4
Article 5	Article 5
Article 6	Article 6
Article 7	Article 7
Article 8	Article 8
Article 9	Article 9
Article 10(1)	Article 10(1)
Article 10(2), first, second and third paragraphs	Article 10(2), first, second and third paragraphs
Article 10(2), indents	—
Article 10(2), fourth and fifth paragraphs	Article 10(2), fourth and fifth paragraphs
Article 10(3)	Article 10(3)
Article 11	Article 11
—	Article 12
Article 12	Article 13
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
Annex IV	Annex IV
Annex V	Annex V
—	Annex VI
—	Annex VII

COMMISSION REGULATION (EC) No 28/2008**of 15 January 2008****fixing the import duties in the cereals sector applicable from 16 January 2008**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10(2) of Regulation (EC) No 1784/2003 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Article 10(3) of Regulation (EC) No 1784/2003 lays down that, for the purposes of calculating the import duty referred to in paragraph 2 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EC) No 1249/96, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 4 of that Regulation.
- (4) Import duties should be fixed for the period from 16 January 2008, and should apply until new import duties are fixed and enter into force.
- (5) However, in accordance with Council Regulation (EC) No 1/2008 of 20 December 2007 temporarily suspending customs duties on imports of certain cereals for the 2007/08 marketing year ⁽³⁾, the application of certain duties set by this Regulation is suspended,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 January 2008, the import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 16 January 2008.

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

Done at Brussels, 15 January 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as last amended by Regulation (EC) No 735/2007 (OJ L 169, 29.6.2007, p. 6). Regulation (EC) No 1784/2003 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1816/2005 (OJ L 292, 8.11.2005, p. 5).

⁽³⁾ OJ L 1, 4.1.2008, p. 1.

ANNEX I

Import duties on the products referred to in Article 10(2) of Regulation (EC) No 1784/2003 applicable from 16 January 2008

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00 (*)
	medium quality	0,00 (*)
	low quality	0,00 (*)
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00 (*)
1002 00 00	Rye	0,00 (*)
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00 (*)
1007 00 90	Grain sorghum other than hybrids for sowing	0,00 (*)

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

(*) In accordance with Regulation (EC) No 1/2008, application of this duty is suspended.

ANNEX II

Factors for calculating the duties laid down in Annex I

2.1.2008-14.1.2008

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

	(EUR/t)					
	Common wheat (*)	Maize	Durum wheat, high quality	Durum wheat, medium quality (**)	Durum wheat, low quality (***)	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	278,42	127,62	—	—	—	—
Fob price USA	—	—	466,64	456,64	436,64	187,87
Gulf of Mexico premium	32,55	14,25	—	—	—	—
Great Lakes premium	—	—	—	—	—	—

(*) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(**) Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 51,89 EUR/t

Freight costs: Great Lakes–Rotterdam: 47,07 EUR/t

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 12 December 2007

concerning the implementation of the Internal Market Information System (IMI) as regards the protection of personal data

(notified under document number C(2007) 6306)

(Text with EEA relevance)

(2008/49/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

and setting up of the Internal Market Information System as a project of common interest.

Having regard to the Treaty establishing the European Community,

- (3) Further financing was provided by Commission Decision COM/2007/3514 of 25 July 2007 on the fourth revision of the IDABC Work Programme.

Having regard to Decision 2004/387/EC of the European Parliament and of the Council of 21 April 2004 on the interoperable delivery of pan-European eGovernment services to public administrations, businesses and citizens (IDABC) ⁽¹⁾, and in particular Article 4 thereof,

- (4) IMI is intended to support legislative acts in the field of the Internal Market that require the exchange of information between Member States administrations, including Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market ⁽³⁾ and Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications ⁽⁴⁾.

Whereas:

- (1) On 17 March 2006, Member State representatives in the Internal Market Advisory Committee ⁽²⁾ approved the Global Implementation Plan for the Internal Market Information System, hereinafter 'IMI', and its development aimed at improving communication among Member State administrations.

- (5) Since the protection of personal data has to be ensured within IMI, it is necessary to complement the Decision setting up IMI in that regard. Since the various tasks and functions of the Commission and the Member States in relation to IMI will entail different responsibilities and obligations as regards data protection rules, it is necessary to define their respective functions, responsibilities and access rights.

- (2) In its Decision COM/2006/3606 of 14 August 2006 on the third revision of the IDABC Work Programme 2005-2009 the Commission decided on the financing

⁽¹⁾ OJ L 144, 30.4.2004, as corrected by OJ L 181, 18.5.2004, p. 25.

⁽²⁾ Set up by Commission Decision 93/72/EEC (OJ L 26, 3.2.1993, p. 18).

⁽³⁾ OJ L 376, 27.12.2006, p. 36.

⁽⁴⁾ OJ L 255, 30.9.2005, p. 22. Directive as last amended by Commission Regulation (EC) No 1430/2007 (OJ L 320, 6.12.2007, p. 3).

- (6) The opinion of the Article 29 Working Party on data protection issues related to the Internal Market Information System (IMI) ⁽¹⁾ expressly calls for a Commission Decision which determines the rights and obligations of the IMI actors.
- (7) The exchange of information by electronic means between Member States should comply with the rules on the protection of personal data in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽²⁾ and Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽³⁾.
- (8) For the purpose of ensuring follow-up questions between competent authorities and for the purpose of situations in which a data subject wishes to appeal against a negative administrative decision taken on the basis of an information exchange, all personal data exchanged between competent authorities and processed in IMI should be retained for six months after the formal closure of an information exchange. After the six-month period all personal data should be erased. A six-month retention period is considered appropriate because it corresponds to the duration of administrative procedures as provided for in Community legislation on the basis of which information is exchanged,

in the relevant Community acts as set out in the Annex, on the basis of which the information is exchanged, hereinafter 'the relevant Community acts'.

Requests for information from the competent authorities of one Member State to another and the replies thereto shall be based on the multilingual questions and the data fields defined for the purposes of IMI and drawn up by the Commission in cooperation with the Member States.

Article 3

Controllers

The responsibilities of the controller under Article 2(d) of Directive 95/46/EC and Article 2(d) of Regulation (EC) No 45/2001 shall be jointly exercised by the IMI actors pursuant to Article 6 in accordance with their respective responsibilities within IMI.

The controllers shall ensure that the data subject may effectively exercise its rights to information, to access, to rectify and to object according to the applicable data protection legislation. The IMI actors shall provide privacy statements in an appropriate form.

Article 4

Retention of personal data of data subjects of the information exchanges

All personal data relating to the data subjects of information exchanges, which are exchanged between competent authorities and processed in IMI, shall be erased six months after the formal closure of an information exchange, unless erasure before that period is expressly requested by a competent authority to the Commission.

Where such a request is made, the Commission shall act upon it within 10 working days subject to the agreement of the other competent authority involved.

Article 5

Retention of personal data of IMI users

Personal data relating to IMI users, as referred to in Article 6, shall be stored in IMI as long as they continue to be users of IMI and shall be erased by the competent authority when they are no longer users.

HAS ADOPTED THIS DECISION:

CHAPTER 1

GENERAL PROVISIONS

Article 1

Subject matter

This Decision lays down the functions, rights and obligations of the IMI actors and IMI users referred to in Article 6 in relation to data protection requirements with regard to the operation of the Internal Market Information System, hereinafter 'IMI'.

Article 2

Data quality

The competent authorities of the Member States shall exchange and further process personal data only for the purposes defined

⁽¹⁾ Opinion 01911/07/EN, WP 140.

⁽²⁾ OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ L 8, 12.1.2001, p. 1.

The personal data referred to in the first paragraph shall include the full name, professional e-mail address, professional telephone and fax numbers of the IMI users.

CHAPTER 2

FUNCTIONS AND RESPONSIBILITIES IN RELATION TO IMI

Article 6

IMI actors and users

1. The following shall be IMI actors:
 - (a) competent authorities of the Member States pursuant to Article 7;
 - (b) coordinators pursuant to Article 8;
 - (c) the Commission.
2. Only natural persons working under the control of a competent authority or that of a coordinator, hereinafter 'IMI users', may use IMI pursuant to Article 9.

Article 7

Competent authorities

The competent authorities shall, for the purposes defined in the relevant Community act on the basis of which information is to be exchanged, ensure the exchange within IMI of the information concerned.

Article 8

IMI coordinators

1. Each Member State shall appoint one national IMI coordinator to ensure that IMI is implemented at national level.

Each Member State may additionally appoint one or more delegated IMI coordinators according to its internal administrative structure in order to carry out the coordination responsibilities for a particular legislative area, a division of the administration or a geographical region.

2. The Commission shall register the national IMI coordinators in IMI and shall grant access to IMI to them.

3. If a Member State appoints a delegated IMI coordinator pursuant to paragraph 1, the national IMI coordinator shall register the delegated IMI coordinator in IMI and shall grant access to IMI to it.

4. The coordinators shall register or authenticate registration of competent authorities requiring access to IMI and ensure its efficient functioning. They shall grant access to competent authorities to those legislative areas for which they are competent.

5. All coordinators may act as competent authorities. In such cases a coordinator will exercise the same access rights as a competent authority.

Article 9

IMI user roles

1. The IMI users may carry out one or more of the following roles: request handlers, allocators, referral handlers and local data administrators.
2. Each IMI user shall be granted a defined set of access rights associated with their user role as set out in Article 12.
3. All IMI users may search for a specific competent authority.
4. IMI users designated as request handlers may participate in information exchanges on behalf of their competent authority.
5. IMI users designated as allocators in a competent authority may attribute an information request to one or more request handlers within that authority.

IMI users designated as allocators in a coordinator may attribute an information request to one or more referral handlers within that authority.

6. IMI users in a coordinator may be designated as referral handlers.

They may approve sending requests or responses by a competent authority where such an approval process has been indicated as a requirement by the coordinator and may indicate agreement or disagreement when a requesting competent authority is not satisfied with a response received.

7. IMI users designated as local data administrators may do any of the following:

- (a) update personal data about IMI users of their own authority;
- (b) register additional users for their own authority;
- (c) change user profiles for users of their own authority.

Article 10

Commission

1. The Commission shall ensure the availability and the maintenance of the IT infrastructure on which IMI will be run. It shall provide a multilingual system which functions in all official languages as well as a central help-desk to assist Member States in the use of IMI.

2. The Commission will make publicly available the sets of questions and data fields referred to in Article 2(2).

3. The Commission may participate in information exchanges only in specific cases where the relevant Community act provides for information to be exchanged between Member States and the Commission.

4. In the cases referred to in the third paragraph, the Commission shall exercise the same access rights as a competent authority pursuant to Article 12.

CHAPTER 3

ACCESS RIGHTS TO PERSONAL DATA

Article 11

Data subject

For the purposes of this Chapter, 'data subject' shall mean only the data subject of a specific information exchange and shall not include IMI users.

Article 12

Access rights of IMI users

1. Request handlers of a competent authority shall only have access, in the course of an information exchange, to personal data of:

- (a) other request handlers of the same competent authority involved in the information exchange concerned;
- (b) the request handler of the other competent authority involved in the information exchange concerned;
- (c) the referral handlers of the coordinators dealing with the information exchange concerned;
- (d) the data subjects of the information exchange concerned. Request handlers of a responding competent authority shall only have access to the personal data of the data subjects once the request has been accepted by their competent authority.

2. Allocators of a competent authority shall only have access to personal data of:

- (a) all request handlers of the same competent authority;
- (b) the request handler of the other competent authority involved in the information exchange concerned;
- (c) the referral handlers of the coordinators dealing with the information exchange concerned.

They shall not have access to the personal data of the data subjects.

3. Allocators of a coordinator shall only have access to personal data of:

- (a) all referral handlers of the same coordinator;
- (b) the request handlers of competent authorities involved in the information exchange concerned;
- (c) the referral handler of the other coordinator dealing with the information exchange concerned.

They shall not have access to the personal data of the data subjects.

4. Referral handlers shall only have access to the personal data of:

- (a) referral handlers of the coordinators involved in the information exchange concerned;
- (b) the request handlers of competent authorities involved in the information exchange concerned.

They shall not have access to the personal data of the data subjects.

5. Local data administrators of a competent authority shall only have access to personal data of all IMI users of the same competent authority.

They shall not have access to the personal data of the data subjects.

6. Local data administrators of a coordinator shall only have access to personal data of:

- (a) all IMI users of the same coordinator;
- (b) all local data administrators of the competent authorities and coordinators for which they are the coordinator.

They shall not have access to the personal data of the data subjects.

7. Local data administrators of the Commission shall only have access to personal data of:

- (a) all other local data administrators of the Commission;
- (b) all local data administrators of the national IMI coordinators.

Local data administrators of the Commission may erase personal data of the data subjects in conformity with Article 4, but shall not be able to view them.

CHAPTER 4

FINAL PROVISION

Article 13

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 12 December 2007.

For the Commission
Charlie McCREEVY
Member of the Commission

ANNEX

Relevant Community Acts referred to in Article 2

The relevant Community acts referred to in Article 2 paragraph 1 are:

1. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications ⁽¹⁾;
2. Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market ⁽²⁾.

⁽¹⁾ OJ L 255, 30.9.2005, p. 22. Directive as amended by Council Directive 2006/100/EC (OJ L 363, 20.12.2006, p. 141).

⁽²⁾ OJ L 376, 27.12.2006, p. 36.

COMMISSION DECISION**of 13 December 2007****laying down detailed rules for the application of Regulation (EC) No 1367/2006 of the European Parliament and of the Council on the Aarhus Convention as regards requests for the internal review of administrative acts**

(2008/50/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

referred to in Article 10 of Regulation (EC) No 1367/2006 shall:

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies ⁽¹⁾, and in particular Article 11(2) thereof,

Whereas:

- (1) Regulation (EC) No 1367/2006 makes provisions for the application of the Aarhus Convention to Community institutions and bodies.
- (2) Title IV of that Regulation sets out provisions on internal review of administrative acts and omissions, the application of which requires detailed rules on the content and means of submission of applications.
- (3) Article 11(1) of Regulation (EC) No 1367/2006 sets out criteria for the entitlement at Community level of non-governmental organisations to make a request for internal review in accordance with Article 10 thereof, the transparent and consistent application of which require detailed rules on the evidence to be provided with applications, the calculation of time limits for reply to applications and cooperation between Community institutions and bodies.
- (4) In order to ensure a consistent application of Article 11 of Regulation (EC) No 1367/2006, this Decision should apply from 28 June 2007,

1. specify the administrative act or alleged administrative omission whose review is sought and the provisions of environmental law which it considers not to have been complied with;
2. state the grounds on which that request is made;
3. provide the relevant information and documentation supporting those grounds;
4. specify the name and contact details of one person empowered to represent the non-governmental organisation vis-à-vis third parties for the purpose of making the request for internal review in the case at issue;
5. provide evidence of its entitlement to make the request in accordance with Article 3.

*Article 2***Submission of requests**

Requests for internal review of an administrative act or relating to an administrative omission shall be sent by mail, fax or e-mail to the person(s) or department(s) designated by the Community institution or body concerned to that effect.

Contact details of that (or those) person(s) or department(s) shall be made known to the public by all appropriate means.

HAS DECIDED AS FOLLOWS:

CHAPTER II

CHAPTER I

*Article 3**Article 1***Criteria for the entitlement of non-governmental organisations to request internal review****Contents of a request for internal review**

Any non-governmental organisation which submits a request for internal review of an administrative act or omission as

1. Any non-governmental organisation which submits a request for internal review of an administrative act or omission as referred to in Article 10 of Regulation (EC) No 1367/2006 shall provide evidence that it meets the criteria set out in Article 11(1) of that Regulation, in form of the documents listed in the Annex to this Decision.

⁽¹⁾ OJ L 264, 25.9.2006, p. 13.

Where any of those documents cannot be provided for reasons not attributable to the non-governmental organisation, that organisation may provide evidence in form of any other equivalent documentation.

2. Where it does not clearly appear from any of the documents referred to in points 1, 2 or 3 of the Annex that the subject matter in respect of which the request for internal review is made is covered by the objectives and activities of the non-governmental organisation, that organisation shall submit any other documentation providing evidence that this criterion is met.

3. Where it does not clearly appear from any of the documents referred to under points 1, 2 or 3 of the Annex, that the non-governmental organisation is independent and non-profit making, that organisation shall submit a declaration to that effect, signed by a person empowered to do so within the non-governmental organisation.

Article 4

Assessment of the entitlement of non-governmental organisations to request internal review

1. The Community institution or body concerned shall satisfy itself that the non-governmental organisation meets the criteria set out in Article 11(1) of Regulation (EC) No 1367/2006 by assessing the information provided in accordance with Articles 1 and 3 of this Decision.

2. Where, on the basis of that information, it is not possible for the Community institution or body concerned to fully assess whether the non-governmental organisation meets the criteria set out in Article 11(1) of Regulation (EC) No 1367/2006, it shall request additional documentation or information to be provided by the organisation within a reasonable period to be

specified by the Community institution or body concerned. During that period, the time limits laid down in Article 10 of the Regulation shall be suspended.

3. Where relevant, the Community institution or body concerned may consult the national authorities of the non-governmental organisation's country of registration or origin to verify and assess the information provided by that organisation.

Article 5

Administrative cooperation

Community institutions and bodies shall cooperate among themselves to ensure a transparent and consistent application of this Decision.

They shall exchange information as to which non-governmental organisations have been acknowledged as being entitled to make a request for internal review.

Article 6

Date of application

This Decision shall apply from 28 June 2007.

Done at Brussels, 13 December 2007.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

List of documents to be provided under Article 3(1)

1. Statute or by-laws of the non-governmental organisation, or any other document fulfilling the same role under national practice, in respect of those countries where national law does not require or provide for a non-governmental organisation to adopt statute or by-laws.
 2. Annual activity reports of the non-governmental organisation of the last two years.
 3. In respect of non-governmental organisations established in countries where the fulfilment of such procedures is a prerequisite for a non-governmental organisation to obtain legal personality, copy of the legal registration with the national authorities (public registry, official publication, or any other relevant document).
 4. Where relevant, documentation that the non-governmental organisation has previously been acknowledged by a Community institution or body as being entitled to make a request for internal review.
-

COMMISSION DECISION

of 20 December 2007

on the allocation to Belgium of additional days at sea within the ICES zones IIa (EC Waters), IV and VIIId

(notified under document number C(2007) 6541)

(Only the French and Dutch texts are authentic)

(2008/51/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of stocks, applicable in Community waters and for Community vessels in waters where catch limitations are required⁽¹⁾, and in particular point 10 of Annex IIA thereto,

Having regard to the request made by Belgium,

Whereas:

- (1) Point 8 of Annex IIA to Regulation (EC) No 41/2007 specifies the maximum number of days on which Community vessels of an overall length equal to or greater than 10 meters carrying on board trawls, Danish seines and similar gears (except beam trawls) of mesh sizes equal to or larger than 70 mm, or gillnets and entangling nets except trammel nets may be present from 1 February 2007 to 31 January 2008 within the areas Skagerrak, ICES zones IV and VIIId, and the EC waters of ICES zone IIa.
- (2) Point 10 of Annex IIA to Regulation (EC) No 41/2007 enables the Commission to allocate, on the basis of a request made by Member States, an additional number of days at sea on which a vessel may be present within the geographical area when carrying on board such gears, on the basis of permanent cessations of fishing activities that have taken place since 1 January 2002.
- (3) Belgium has submitted on 29 June 2007 and 2 October 2007 data demonstrating that vessels, which have ceased

activities since 1 January 2002 deployed respectively 2,15 % of the fishing effort deployed in 2001 by Belgian vessels present within the geographical area and carrying on board gillnets or entangling nets (except trammel nets) and 41,96 % of the fishing effort deployed in 2001 by Belgian vessels present within the geographical area and carrying on board trawls, Danish seines and similar gears (except beam trawls) of mesh sizes equal to or larger than 70 mm.

- (4) In view of the data submitted, 3 additional days at sea for vessels carrying on board gillnets or entangling nets (except trammel nets), 86 additional days at sea for vessels carrying on board trawls, Danish seines and similar gears (except beam trawls) of mesh size equal to or larger than 70 mm and less than 90 mm, 88 additional days at sea for vessels carrying on board trawls, Danish seines and similar gears (except beam trawls) of mesh size equal to or larger than 90 mm and less than 100 mm, and 40 additional days at sea for vessels carrying on board trawls, Danish seines and similar gears (except beam trawls) of mesh size equal to or larger than 100 mm should be allocated to Belgium in the corresponding geographical area (taken as a whole or in part of it) during the period of application of Article 7 of Regulation (EC) No 41/2007, i.e. from 1 February 2007 to 31 January 2008.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

Article 1

1. The maximum number of days a fishing vessel flying the flag of Belgium and carrying on board fishing gears listed in point 4.1.c.i, 4.1.c.ii, 4.1.c.iii and 4.1.c.iv of Annex IIA to Regulation (EC) No 41/2007 may be present in the Skagerrak and the ICES zones IIa (EC waters), IV and VIIId, as laid down in Table I of that Annex for cases in which no special condition listed in point 8.1 of the same Annex applies, shall be increased by 3 days at sea.

⁽¹⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

2. The maximum number of days a fishing vessel flying the flag of Belgium and carrying on board fishing gears listed in point 4.1.a.ii of Annex IIA to Regulation (EC) No 41/2007 may be present in the ICES zones IIa (EC waters) and IV, as laid down in Table I of that Annex for cases in which no special condition listed in point 8.1 of the same Annex applies, shall be increased by 86 days at sea.

3. The maximum number of days a fishing vessel flying the flag of Belgium and carrying on board fishing gears listed in point 4.1.a.iii of Annex IIA to Regulation (EC) No 41/2007 may be present in the ICES zones IIa (EC waters), IV and VIId, as laid down in Table I of that Annex for cases in which no special condition listed in point 8.1 of the same Annex applies, shall be increased by 88 days at sea.

4. The maximum number of days a fishing vessel flying the flag of Belgium and carrying on board fishing gears listed in

point 4.1.a.iv and 4.1.a.v of Annex IIA to Regulation (EC) No 41/2007 may be present in the ICES zones IIa (EC waters), IV and VIId, and Skagerrak, as laid down in Table I of that Annex for cases in which no special condition listed in point 8.1 of the same Annex applies, shall be increased by 40 days at sea.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 20 December 2007.

For the Commission

Joe BORG

Member of the Commission

COMMISSION DECISION

of 20 December 2007

amending Decision 2004/452/EC laying down a list of bodies whose researchers may access confidential data for scientific purposes

(notified under document number C(2007) 6554)

(Text with EEA relevance)

(2008/52/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 322/97 of 17 February 1997 on Community statistics ⁽¹⁾, and in particular Article 20(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 831/2002 of 17 May 2002 implementing Council Regulation (EC) No 322/97 on Community Statistics, concerning access to confidential data for scientific purposes ⁽²⁾ establishes, for the purpose of enabling statistical conclusions to be drawn for scientific purposes, the conditions under which access to confidential data transmitted to the Community authority may be granted and the rules of cooperation between the Community and national authorities in order to facilitate such access.
- (2) Commission Decision 2004/452/EC ⁽³⁾ has laid down a list of bodies whose researchers may access confidential data for scientific purposes.
- (3) The Rady School of Management at the University of California, San Diego, USA, has to be regarded as a

body fulfilling the required conditions and should therefore be added to the list of agencies, organisations and institutions referred to in Article 3(1)(e) of Regulation (EC) No 831/2002.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Committee on Statistical Confidentiality,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2004/452/EC is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 2007.

For the Commission

Joaquín ALMUNIA

Member of the Commission

⁽¹⁾ OJ L 52, 22.2.1997, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 133, 18.5.2002, p. 7. Regulation as last amended by Regulation (EC) No 1000/2007 (OJ L 226, 30.8.2007, p. 7).

⁽³⁾ OJ L 156, 30.4.2004, p. 1, as corrected by OJ L 202, 7.6.2004, p. 1. Decision as last amended by Decision 2007/678/EC (OJ L 280, 24.10.2007, p. 22).

ANNEX

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BODIES WHOSE RESEARCHERS MAY ACCESS CONFIDENTIAL DATA FOR SCIENTIFIC PURPOSES

European Central Bank

Spanish Central Bank

Italian Central Bank

University of Cornell (New York State, United States of America)

Department of Political Science, Baruch College, New York City University (New York State, United States of America)

German Central Bank

Employment Analysis Unit, Directorate General for Employment, social affairs and equal opportunities of the European Commission

University of Tel. Aviv (Israel)

World Bank

Center of Health and Wellbeing (CHW) of the Woodrow Wilson School of Public and International Affairs at Princeton University, New Jersey, United States of America

The University of Chicago (UofC), Illinois, United States of America

Organisation for Economic Cooperation and Development (OECD)

Family and Labour Studies Division of Statistics Canada, Ottawa, Ontario, Canada

Econometrics and Statistical Support to Antifraud (ESAF) Unit, Directorate General Joint Research Centre of the European Commission

Support to the European Research Area (SERA) Unit, Directorate General Joint Research Centre of the European Commission

Canada Research Chair of the School of Social Science in the Atkinson Faculty of Liberal and Professional Studies at York University, Ontario, Canada

University of Illinois at Chicago (UIC), Chicago, USA

Rady School of Management at the University of California, San Diego, USA'
