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I

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

REGULATIONS

COUNCIL REGULATION (EC) No 615/2008

of 23 June 2008

amending Regulation (EC) No 1405/2006 laying down specific measures for agriculture in favour of the smaller Aegean islands and amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) Article 1 of Council Regulation (EC) No 1405/2006 ⁽²⁾ lays down the scope of application of the Regulation and gives the definition of the smaller islands. Experience from the application of that Regulation shows that the scope of the Regulation should be adapted.
- (2) Article 3 of Regulation (EC) No 1405/2006 introduces specific supply arrangements aiming at easing the problems deriving from the particular geographical situation of some of the Aegean islands imposing additional transport costs in supplying products which are essential for human consumption, for processing or as agricultural inputs. These essential products are included in Annex I to the Treaty. Therefore, Article 3 should be amended in order to include reference to the Annex I in question, thus limiting the scope of the Article to these products only.
- (3) Article 6 of Regulation (EC) No 1405/2006 provides for the procedure for adoption of detailed rules for the application of Chapter II of Regulation (EC) No 1405/2006. As a similar provision is laid down in Article 14 of the said Regulation concerning the implementation of the Regulation in its entirety, Article 6 should therefore be deleted.

- (4) Article 7 of Regulation (EC) No 1405/2006 introduces measures to assist local agricultural products in general, thus having a wider scope than Article 3. Therefore, Article 7 should be amended to include a reference to Title II of Part Three of the Treaty, thus covering products of the soil, of stock farming and of fisheries and products of first-stage processing directly related to these products.

- (5) Article 9(e) of Regulation (EC) No 1405/2006 refers, among other issues to be included in the support programme, to provisions for checks and administrative penalties. However, national provisions on checks and administrative penalties cannot be the subject of approval in the framework of the Community support programme for the smaller Aegean islands. These national measures may only be communicated to the Commission in accordance with Article 16 of that Regulation. Therefore, Article 9(e) should be amended in order to exclude any provisions for checks and administrative penalties to be included in the programme submitted by the competent authorities of Greece.

- (6) Regulation (EC) No 1405/2006 should therefore be amended accordingly.

- (7) Most of the measures referred to in Chapter III of Regulation (EC) No 1405/2006 constitute direct payments and should as such be referenced in Council Regulation (EC) No 1782/2003 ⁽³⁾. Due to an error, the entry for the Aegean Islands was incorrectly deleted from Annex I to Regulation (EC) No 1782/2003 by Article 20(3) of Regulation (EC) No 1405/2006. Annex I should therefore be corrected with effect from the date of application of Regulation (EC) No 1405/2006,

⁽¹⁾ Opinion of 5 June 2008 (not yet published in the Official Journal).

⁽²⁾ OJ L 265, 26.9.2006, p. 1.

⁽³⁾ OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Regulation (EC) No 479/2008 (OJ L 148, 6.6.2008, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1405/2006 is amended as follows:

1. Article 1(1) shall be replaced by the following:

‘1. This Regulation lays down specific measures on agriculture to remedy the difficulties caused by the remote and insular nature of the smaller Aegean islands, hereafter referred to as the “smaller islands”;

2. Article 3(1) shall be replaced by the following:

‘1. Specific supply arrangements are hereby introduced for the agricultural products listed in Annex I to the Treaty (“the agricultural products”), which are essential in the smaller islands for human consumption, for the manufacture of other products or as agricultural inputs.’;

3. Article 6 shall be deleted;

4. Article 7(1) shall be replaced by the following:

‘1. The support programme shall contain the measures needed to ensure continuity and development of local lines of agricultural production in the smaller islands within the scope of Title II of Part Three of the Treaty.’;

5. Article 9(e) shall be replaced by the following:

‘(e) the steps taken to ensure the support programme is implemented effectively and appropriately, including the arrangements for publicity, monitoring and evaluation;’.

Article 2

In Annex I to Regulation (EC) No 1782/2003 the following entry shall be inserted after POSEI:

‘Aegean Islands	Chapter III of Regulation (EC) No 1405/2006 (*****)	Direct payments within the meaning of Article 2 of this Regulation, under measures established in the programmes
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(*****) OJ L 265, 26.9.2006, p. 3.’

Article 3

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

However, Article 2 shall apply with effect from 1 January 2007.

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

Done at Luxembourg, 23 June 2008.

For the Council
The President
I. JARC

COMMISSION REGULATION (EC) No 616/2008**of 27 June 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 28 June 2008.

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

Done at Brussels, 27 June 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 27 June 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	MA	37,7
	MK	32,3
	TR	52,6
	ZZ	40,9
0707 00 05	JO	156,8
	MK	22,9
	TR	104,0
	ZZ	94,6
0709 90 70	JO	216,7
	TR	96,9
	ZZ	156,8
0805 50 10	AR	93,1
	IL	116,0
	TR	135,6
	US	83,6
	ZA	113,7
	ZZ	108,4
0808 10 80	AR	85,5
	BR	86,4
	CL	99,8
	CN	86,1
	NZ	117,8
	US	105,3
	UY	88,5
	ZA	88,5
	ZZ	94,7
0809 10 00	IL	121,6
	TR	197,2
	ZZ	159,4
0809 20 95	TR	409,7
	US	373,7
	ZZ	391,7
0809 30 10, 0809 30 90	CL	244,7
	IL	144,8
	US	245,1
	ZZ	211,5
0809 40 05	IL	157,5
	ZZ	157,5

⁽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 617/2008**of 27 June 2008****laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 121(f) in conjunction with Article 4 thereof,

Whereas:

(1) As of 1 July 2008, Council Regulation (EEC) No 2782/75 of 29 October 1975 on the production and marketing of eggs for hatching and of farmyard poultry chicks ⁽²⁾ is repealed by Regulation (EC) No 1234/2007.

(2) Certain provisions and obligations laid down in Regulation (EEC) No 2782/75 have not been incorporated in Regulation (EC) No 1234/2007.

(3) Certain appropriate provisions and obligations should therefore be adopted within the framework of a Regulation laying down detailed rules for implementing Regulation (EC) No 1234/2007 in order to ensure the continuity and smooth running of the common organisation of the market, and in particular marketing standards.

(4) Regulation (EC) No 1234/2007 lays down the basic requirements which eggs for hatching and farmyard poultry chicks must satisfy to be marketed in the Community. For the sake of clarity, new detailed rules for the implementation of those requirements should be laid down. Commission Regulation (EEC) No 1868/77 ⁽³⁾, which lays down detailed rules for the application of Regulation (EEC) No 2782/75, should therefore be repealed and replaced by a new Regulation.

(5) Regulation (EC) No 1234/2007 laid down certain rules for the production and marketing of eggs for hatching and of farmyard poultry chicks. The implementation of these rules requires rules of application aimed, *inter alia*, at preventing the marketing of eggs removed from the incubator unless they have a special distinguishing mark, at specifying the markings to be made on eggs and the packaging of eggs for hatching and chicks, and providing for communication of the necessary information.

(6) Each establishment should be given a distinguishing registration number based on a code drawn up in each Member State so that it is possible to determine the activity in which the establishment is engaged.

(7) The collection system for data concerning intra-Community trade in and production of chicks and eggs for hatching should be adequately maintained in order to establish short-term production estimates. It is for each Member State to lay down the penalties for infringements of these provisions.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

*Article 1***Definitions**

For the purposes of this Regulation:

1. 'eggs for hatching' means poultry eggs falling within subheadings 0407 00 11 and 0407 00 19 of the Combined Nomenclature intended for the production of chicks, classified according to species, category and type and identified in accordance with this Regulation, produced in the Community or imported from third countries;

2. 'chicks' means live farmyard poultry the weight of which does not exceed 185 grammes, either produced in the Community or imported from third countries and falling within subheadings 0105 11 and 0105 19 of the Combined Nomenclature, of the following categories:

⁽¹⁾ OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 510/2008 (OJ L 149, 7.6.2008, p. 61).

⁽²⁾ OJ L 282, 1.11.1975, p. 100. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽³⁾ OJ L 209, 17.8.1977, p. 1. Regulation as last amended by Regulation (EC) No 1792/2006 (OJ L 362, 20.12.2006, p. 1).

- (a) utility chicks: chicks of one of the following types:
- (i) table type chicks: chicks intended to be fattened and slaughtered before reaching sexual maturity;
 - (ii) laying chicks: chicks intended to be raised with a view to the production of eggs for consumption;
 - (iii) dual-purpose chicks: chicks intended either for laying or for the table;
- (b) parent stock chicks: chicks intended for the production of utility chicks;
- (c) grandparent stock chicks: chicks intended for the production of parent stock chicks;
3. 'establishment' means the establishment or part of an establishment for each of the following sectors of activity:
- (a) pedigree breeding establishment: an establishment for the production of eggs for hatching intended for the production of grandparent stock, parent stock or utility chicks;
 - (b) breeding establishment: an establishment for the production of eggs for hatching intended for the production of utility chicks;
 - (c) hatchery: an establishment for incubating eggs, hatching and supplying chicks;
4. 'capacity' means the maximum number of eggs for hatching which may be placed simultaneously in incubators excluding hatching.

Article 2

Registration of establishments

1. Every establishment shall be registered, at its request, by the competent agency appointed by the Member State and shall receive a distinguishing number.

The distinguishing number may be withdrawn from establishments which do not comply with the provisions of this Regulation.

2. All applications for registration of one of the establishments referred to in paragraph 1 shall be addressed to the

competent authority of the Member State in whose territory the establishment is located. This authority shall allocate to the establishment being registered a distinguishing number comprising one of the codes listed in Annex I, together with an identifying number so allocated that it is possible to determine the activity in which the establishment is engaged.

3. Member States shall inform the Commission without delay of any changes in the code of distinguishing numbers used to determine the activity in which the establishment is engaged.

Article 3

Marking of eggs for hatching and their packaging

1. Eggs for hatching, used for chick production, shall be marked individually.
2. The individual marking of eggs for hatching, used for chick production, shall be carried out at the producer establishment, which shall print its distinguishing number on the eggs. The letters and figures shall be indicated in indelible black ink at least 2 mm high and 1 mm wide.
3. Member States may authorise, by derogation, the marking of eggs for hatching in a different manner from that presented in paragraph 2, provided that it is in black, indelible, clearly visible, and at least 10 mm² in area. Such marking shall be carried out prior to insertion into the incubator, either at a producer establishment, or at a hatchery. Member States exercising this power shall inform the other Member States and the Commission thereof and shall communicate to them the provisions made to that end.
4. Eggs for hatching shall be transported in perfectly clean packs, containing only eggs for hatching of the same species, category and type of poultry, originating in one establishment, and bearing one of the markings listed in Annex II.

5. In order to comply with the provision in force in certain importer third countries, eggs for hatching intended for export and their packaging may bear particulars other than those provided for in this Regulation, provided that they are not likely to be confused with the latter and with those provided for in Article 121(d) of Regulation (EC) No 1234/2007 and its implementing Regulations.

6. Packs or containers of any type in which these eggs are transported shall bear the distinguishing number of the producer establishment.

7. Only eggs for hatching marked in accordance with this Article may be transported or traded between Member States.

8. Eggs for hatching from third countries may be imported only if they bear, in type at least 3 mm high, the name of the country of origin and the printed words 'à couvrir', 'broeder', 'rugaeg', 'Bruteier', 'προς εκκόλαψιν', 'para incubar', 'hatching', 'cova', 'para incubação', 'haudottavaksi', 'för kläckning', 'lähnuti', 'haue', 'inkubācija', 'perinimas', 'keltetésre', 'tifqis', 'do wylegu', 'valjenje', 'liahnutie', 'за люпене', 'incubare'. Their packaging must contain only eggs for hatching of the same species, category and type of poultry from the same country of origin and sender, and must bear at least the following particulars:

- (a) the information shown on the eggs;
- (b) the species of poultry from which the eggs come;
- (c) the sender's name or business name and address.

Article 4

Marking of packs containing chicks

1. The chicks shall be packed by species, type and category of poultry.

2. The boxes shall contain only chicks from the same hatchery and shall show at least the distinguishing number of the hatchery.

3. Chicks originating in third countries may be imported only if they are grouped in accordance with paragraph 1. The boxes must contain only chicks from the same country of origin and sender and shall bear at least the following particulars:

- (a) the name of the country of origin;
- (b) the species of poultry to which the chicks belong;
- (c) the sender's name or business name and address.

The markings to be made on packaging shall be made in indelible black ink, in letters or figures at least 20 mm high and 10 mm wide, drawn 1 mm thick.

Article 5

Accompanying documents

1. An accompanying document shall be drawn up in respect of each batch of eggs for hatching or chicks dispatched and shall bear at least the following particulars:

- (a) the name or business name and address of the establishment and its distinguishing number;
- (b) the number of eggs for hatching or chicks according to species, category and type of poultry;

(c) the date of dispatch;

(d) the name and address of the consignee.

2. As regards batches of eggs for hatching and of chicks imported from third countries, the distinguishing number of the establishment must be replaced by the name of the country of origin.

Article 6

Records

Each hatchery shall record, by species, category (parent, grand-parent or utility stock) and type (table use, laying or dual purpose):

- (a) the date on which the eggs were placed in incubation, the number of incubated eggs and the distinguishing number of the establishment in which the eggs for hatching were produced;
- (b) the date of hatching and the number of hatched chicks intended for actual use;
- (c) the number of incubated eggs removed from the incubator and the identity of the buyer.

Article 7

Use of eggs removed from the incubator

Incubated eggs removed from the incubator shall be used for purposes other than human consumption. They may be used as industrial eggs within the meaning of the second paragraph, point (h) of Article 1 of Regulation (EC) No 589/2008 ⁽¹⁾.

Article 8

Communications

1. Each hatchery shall communicate monthly to the competent agency of the Member State, by species, category and type, the number of eggs for hatching placed in incubation and the number of chicks hatched intended for actual use.

2. Statistical data on flocks of grandparent stock and parent stock birds shall be requested as required from establishments other than those referred to in paragraph 1, according to the rules and conditions adopted in accordance with the procedure laid down in Article 195(2) of Regulation (EC) No 1234/2007.

3. The Member States shall, as soon as the data referred to in paragraphs 1 and 2 is received and analysed, communicate to the Commission a monthly summary based on the data for the previous month.

In addition, the summary submitted by the Member States shall show the number of chicks imported and exported during the same month, according to species, category and type of poultry.

⁽¹⁾ OJ L 163, 24.6.2008, p. 6.

4. The standard form for the summary referred to in paragraph 3 is contained in Annex III. This summary shall be forwarded by Member States to the Commission each calendar month not later than four weeks after the end of the month to which the figures refer.

5. Member States may use the standard form for the summary (Part I) contained in Annex III to collect from the hatcheries the information referred to in paragraphs 1 and 2.

6. Member States may specify that in respect of chicks several copies of the accompanying document referred to in Article 5 shall be drawn up. In this case, one copy of the document shall be sent to the competent agency referred to in Article 9 on importation or exportation or at the time of intra-Community trade.

7. Member States who use the procedure referred to in paragraph 6 shall inform the other Member States and the Commission thereof.

Article 9

Inspection agencies

Agencies appointed by each Member State shall check that the provisions of this Regulation are observed. The list of these agencies shall be communicated to the other Member States and to the Commission at the latest one month before the date of entry into force of this Regulation. Any amendment to this list shall be communicated to the other Member States and to the Commission not later than one month after the amendment is made.

Article 10

Penalties

Member States shall take all necessary measures to impose penalties for any infringement of the Regulations on the production and marketing of eggs for hatching and of farmyard poultry chicks.

Article 11

Reporting

Before 30 January each year Member States shall send to the Commission statistics on the structure and activity of hatcheries, using the standard form contained in Annex IV.

Article 12

Repeal

Regulation (EEC) No 1868/77 is hereby repealed with effect from 1 July 2008.

References to the repealed Regulation and to Regulation (EEC) No 2782/75 shall be construed as references to this Regulation and should be read in accordance with the correlation table in Annex V.

Article 13

Entry into force

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

It shall apply with effect from 1 July 2008.

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

Done at Brussels, 27 June 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Codes referred to in Article 2(2)

BE	for Belgium
BG	for Bulgaria
CZ	for the Czech Republic
DK	for Denmark
DE	for the Federal Republic of Germany
EE	for Estonia
IE	for Ireland
EL	for Greece
ES	for Spain
FR	for France
IT	for Italy
CY	for Cyprus
LV	for Latvia
LT	for Lithuania
LU	for Luxembourg
HU	for Hungary
MT	for Malta
NL	for the Netherlands
AT	for Austria
PL	for Poland
PT	for Portugal
RO	for Romania
SI	for Slovenia
SK	for Slovakia
FI	for Finland
SE	for Sweden
UK	for the United Kingdom

ANNEX II

Marking referred to in Article 3(4)

— in Bulgarian:	яйца за люпене
— in Spanish:	huevos para incubar
— in Czech:	násadová vejce
— in Danish:	Rugeæg
— in German:	Bruteier
— in Estonian:	Haudemunad
— in Greek:	αυγά προς εκκόλαψιν
— in English:	eggs for hatching
— in French:	œufs à couver
— in Italian:	uova da cova
— in Latvian:	inkubējamas olas
— in Lithuanian:	kiaušiniai perinimui
— in Hungarian:	Keltetőtojás
— in Maltese:	bajd tat-tifqis
— In Dutch:	Broedeieren
— in Polish:	jaja wylęgowe
— in Portuguese:	ovos para incubação
— in Romanian:	ouă puse la incubat
— in Slovak:	násadové vajcia
— In Slovene:	valilna jajca
— In Finnish:	munia haudottavaksi
— In Swedish:	Kläckägg

MONTHLY SUMMARY OF PRODUCTION AND MARKETING OF EGGS FOR HATCHING AND FARMYARD POULTRY CHICKS

[illegible]

PART II

[illegible]

Imports from ... and exports to third countries			January	February	March	April	May	June	July	August	September	October	November	December
Cocks, hens, chickens	Chicks: grandparent and parent females	laying												
	Chicks: use	laying												
	Chicks: grandparent and parent females	meat												
	Chicks: use	meat												
		mixed												
Ducks														
Geese														
Turkeys	Chicks: use													
Guinea fowl														
Cocks, hens, chickens	Chicks: grandparent and parent females	laying												
	Chicks: use	laying												
	Chicks: grandparent and parent females	meat												
	Chicks: use	meat												
		mixed												
Ducks														
Geese														
Turkeys	Chicks: use													
Guinea fowl														
IMPORTS														
EXPORTS														

To be sent to: 1. Directorate-General for Agriculture, Division for Poultry Products, rue de la Loi 200, B-1049 Brussels.
2. Statistical Office of the European Communities Agricultural Statistics, Luxembourg 1, European Centre, PO Box 1907, Luxembourg.

ANNEX IV

STRUCTURE AND UTILISATION OF HATCHERIES

The table covers only those hatcheries which were operating in the previous year

Multiple activity hatcheries are to be included under each type of poultry actually produced

Country:

Region ⁽¹⁾: Year:

Size category Capacity	Cocks, hens, chickens											
	Number		Capacity ⁽²⁾		Use ⁽³⁾							
1 001 to 10 000 10 001 to 20 000 20 001 to 50 000 50 001 to 100 000 100 001 to 200 000 200 001 to 500 000 500 001 or more Total					laying	meat	mixed					
	Ducks			Geese								
	Number		Capacity ⁽²⁾		Use ⁽³⁾		Number		Capacity ⁽²⁾		Use ⁽³⁾	
Total												

Size category Capacity	Turkeys			Guinea fowl		
	Number	Capacity ⁽²⁾	Use ⁽³⁾	Number	Capacity ⁽²⁾	Use ⁽³⁾
1 001 to 10 000						
10 001 to 20 000						
20 001 to 50 000						
50 001 to 100 000						
100 001 to 200 000						
200 001 to 500 000						
500 001 or more						
Total						

- (¹) Belgium: single region
Bulgaria: one region only
Czech Republic: single region
Denmark: single region
Germany: *Bundesländer*
Estonia: single region
Ireland: single region
Greece: one region only
Spain: eleven provinces
France: programme regions
Italy: *regioni*
Cyprus: single region
Latvia: one region only
Lithuania: single region
Luxembourg: single region
Hungary: single region
Malta: single region
Netherlands: single region
Austria: one region only
Poland: single region
Portugal: single region
Romania: single region
Slovenia: single region
Slovakia: single region
Finland: single region
Sweden: single region
United Kingdom: 11 administrative regions

(²) In thousands.

(³) Eggs placed in incubation in the preceding year, in thousands.

To be sent to: 1. Directorate-General for Agriculture, Division for Poultry Products, rue de la Loi 200, B-1049 Brussels.
2. Statistical Office of the European Communities Agricultural Statistics, Luxembourg 1, European Centre, PO Box 1907, Luxembourg.

ANNEX V

Correlation table

Regulation (EEC) No 2782/75	Regulation (EEC) No 1868/77	This Regulation
Article 1	—	Article 1
Article 3	—	Article 2(1)
—	Article 1(1)	Article 2(2) and Annex I
—	Article 1(2)	Article 2(3)
Article 5(1)	—	Article 3(1)
—	Article 2(1)	Article 3(2)
—	Article 2(2) first subparagraph	Article 3(3)
—	Article 2(2) second subparagraph	Article 3(6)
—	Article 2(2) third subparagraph	Article 3(3)
Article 5(2)	—	Article 3(4) and Annex II
Article 5(3)	—	Article 3(5)
Article 6	—	Article 3(8)
—	Article 2(3)	Article 3(7)
Article 11	—	Article 4(1) and (2)
Article 12	—	Article 4(3) first subparagraph
—	Article 3	Article 4(3) second subparagraph
Article 13	—	Article 5
Article 7	—	Article 6
Article 8	—	Article 7
Article 9	—	Article 8(1) and (2)
Article 10(1)	—	Article 8(3)
—	Article 4(1)	Article 8(4)
—	Article 4(2)	Article 8(5)
—	Article 4(3)	Article 8(6)
—	Article 4(4)	Article 8(7)
Article 16	—	Article 9
—	Article 5	Article 10
—	Article 6	Article 11
—	Article 7	Article 12, first paragraph
—	Article 8	Article 13
—	Annex I	Annex III
—	Annex II	Annex IV

COMMISSION REGULATION (EC) No 618/2008**of 27 June 2008****adjusting the delivery obligations for cane sugar to be imported under the ACP Protocol and the Agreement with India for the 2007/2008 delivery period**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽¹⁾, and in particular Article 31 thereof,

Whereas:

(1) Article 12 of Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/2007, 2007/2008 and 2008/2009 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements⁽²⁾ provides for detailed rules for setting delivery obligations at zero duty for products falling within CN code 1701, expressed in white-sugar equivalent, for imports originating in the countries that are signatories to the ACP Protocol and to the Agreement with India.

(2) These quantities were set, for the 2007/2008 delivery period, by Commission Regulation (EC) No 77/2008 of 28 January 2008 setting delivery obligations for cane sugar to be imported under the ACP Protocol and the Agreement with India for the 2007/2008 delivery period⁽³⁾.

(3) Article 7(1) and (2) of the ACP Protocol lays down rules for cases where an ACP State fails to deliver its agreed quantity.

(4) The competent authorities of Barbados, Congo, Kenya, Madagascar and Trinidad & Tobago informed the Commission that they will be unable to deliver their agreed quantities in full and that they do not wish to have an additional period for delivery.

(5) After consultation with the ACP States concerned, a reallocation of the shortfall should therefore be carried out for delivery during the 2007/2008 delivery period.

(6) Regulation (EC) No 77/2008 should therefore be repealed, and the delivery obligations for the 2007/2008 delivery period should be adjusted in accordance with Article 12(1) and (2)(c) of Regulation (EC) No 950/2006.

(7) Paragraph 2 of Article 14 of Regulation (EC) No 950/2006 states that paragraph 1 of that Article shall not apply to a quantity reallocated in accordance with Article 7(1) or (2) of the ACP Protocol. The quantity reallocated pursuant to this Regulation should therefore be imported before 30 June 2008. However, due to the late decision of this reallocation and account being taken of the time allowed for applying for import licences, it will be impossible to respect this deadline. Therefore Article 14(1) of Regulation (EC) No 950/2006 should also apply to the quantity reallocated pursuant to this Regulation.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The delivery obligations for imports originating in the countries that are signatories to the ACP Protocol and to the Agreement with India in respect of products falling within CN code 1701, expressed in tonnes of white-sugar equivalent, in the 2007/2008 delivery period for each exporting country concerned, are hereby adjusted as shown in the Annex.

Article 2

By way of derogation from Article 14(2) of Regulation (EC) No 950/2006, Article 14(1) of that Regulation shall apply to the quantity reallocated pursuant to this Regulation and imported after 30 June 2008.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1).

⁽²⁾ OJ L 178, 1.7.2006, p. 1. Regulation as last amended by Regulation (EC) No 371/2007 (OJ L 92, 3.4.2007, p. 6).

⁽³⁾ OJ L 24, 29.1.2008, p. 6.

Article 3

Regulation (EC) No 77/2008 is hereby repealed.

Article 4

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

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

Done at Brussels, 27 June 2008.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Delivery obligations for imports of preferential sugar originating in countries which are signatories to the ACP Protocol and to the Agreement with India for the 2007/2008 delivery period, expressed in tonnes of white-sugar equivalent:

ACP Protocol/India Agreement signatory country	Delivery obligations 2007/2008
Barbados	27 464,3
Belize	69 615,98
Congo	0,00
Côte-d'Ivoire	10 123,12
Fiji	162 656,25
Guyana	191 368,87
India	9 999,83
Jamaica	148 003,16
Kenya	2 045,07
Madagascar	6 249,50
Malawi	24 367,72
Mauritius	476 789,70
Mozambique	5 965,92
Uganda	0,00
Saint Kitts and Nevis	0,00
Suriname	0,00
Swaziland	126 027,92
Tanzania	9 672,60
Trinidad and Tobago	0,00
Zambia	11 865,01
Zimbabwe	37 660,14
TOTAL	1 319 875,62

COMMISSION REGULATION (EC) No 619/2008**of 27 June 2008****opening a standing invitation to tender for export refunds concerning certain milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 161(3), Article 164(2)(b) and Article 170 in conjunction with Article 4 thereof,

Whereas:

- (1) In accordance with Article 162(1) of Regulation (EC) No 1234/2007 the difference between the prices in world trade and in the Community may be covered for certain milk products by export refunds to the extent necessary to enable those products to be exported within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (2) Commission Regulation (EC) No 580/2004 ⁽²⁾ has laid down the rules for the tender procedure concerning export refunds for the skimmed milk powder falling under code ex 0402 10 19 9000, the natural butter in blocks falling under the code ex 0405 10 19 9700, the butteroil in containers falling under the code ex 0405 90 10 9000. Commission Regulation (EC) No 1454/2007 of 10 December 2007 laying down common rules for establishing a tender procedure for fixing export refunds for certain agricultural products ⁽³⁾ repeals Regulation (EC) No 580/2004 as from 1 July 2008.
- (3) In accordance with Article 2(1) of Regulation (EC) No 1454/2007 a standing invitation to tender should be opened concerning the products covered by Article 1(1) of that Regulation. Since Regulation (EC) No 1454/2007 does not contain all the specific rules for the dairy sector included so far in Regulation (EC) No 580/2004, it is necessary to establish those rules from the date of repeal of that Regulation. For practical reasons and for sake of clarity and simplification, it is appropriate to provide for one single Regulation

containing also the specific provisions of Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽⁴⁾ and of Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning skimmed milk powder ⁽⁵⁾.

- (4) Commission Regulation (EC) No 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards export licences and export refunds for milk and milk products ⁽⁶⁾, applies to all export licences and export refunds in the dairy sector. Licences issued in the context of the tender to be opened by this Regulation relate to specific products, it is therefore appropriate to lay down specific rules derogating from the general rules on export licences provided for in Regulation (EC) No 1282/2006. Article 7 of Regulation (EC) No 1454/2007 provides for licences to be issued by the national authorities within five working days following the entry into force of the Commission's Decision fixing a maximum refund and lays down that the licence has to become valid on its actual day of issue. It is appropriate therefore to fix a validity period differently from that provided for in Article 8 of Regulation (EC) No 1282/2006 in order to ensure an equal period for all licences issued.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1**Scope**

A standing invitation to tender is opened in order to determine the export refund on the following milk products referred to in Section 9 of Annex I to Commission Regulation (EEC) No 3846/87 ⁽⁷⁾, guaranteeing equality of access for all persons established in the Community:

⁽¹⁾ OJ L 299, 16.11.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 510/2008 (OJ L 49, 7.6.2008, p. 61).

⁽²⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 128/2007 (OJ L 41, 13.2.2007, p. 6).

⁽³⁾ OJ L 325, 11.12.2007, p. 69.

⁽⁴⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 1543/2007 (OJ L 337, 21.12.2007, p. 62).

⁽⁵⁾ OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 1543/2007.

⁽⁶⁾ OJ L 234, 29.8.2006, p. 4. Regulation as last amended by Regulation (EC) No 532/2007 (OJ L 125, 15.5.2007, p. 7).

⁽⁷⁾ OJ L 366, 24.12.1987, p. 1.

- (a) natural butter in blocks of at least 20 kilograms net weight falling under product code ex 0405 10 19 9700;
- (b) butteroil in containers of at least 20 kilograms net weight falling under product code ex 0405 90 10 9000;
- (c) skimmed milk powder in bags of at least 25 kilograms net weight and containing no more than 0,5 % by weight of added non-lactic matter falling under product code ex 0402 10 19 9000.

Article 2

Destinations

The products referred to in Article 1 are intended for export for all destinations with the exception of:

- (a) third countries: Andorra, Liechtenstein, the United States of America and the Holy See (Vatican City State);
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faerøe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.

Article 3

Applicable rules

Commission Regulations (EC) No 1291/2000 ⁽¹⁾, (EC) No 1282/2006 and (EC) No 1454/2007 shall apply save as otherwise provided for in this Regulation.

Article 4

Submission of tenders

1. Tenders may only be lodged during tendering periods and shall be valid only for the tendering period in which they are lodged.

2. Each tendering period shall begin at 13.00 (Brussels time) on the second Tuesday of the month with the following exceptions:

- (a) in August it shall begin at 13.00 (Brussels time) on the third Tuesday;
- (b) in December it shall begin at 13.00 (Brussels time) on the first Tuesday.

If Tuesday is a public holiday, the period shall begin at 13.00 (Brussels time) on the following working day.

Each tendering period shall end at 13.00 (Brussels time) on the third Tuesday of the month with the following exceptions:

- (a) in August it shall end at 13.00 (Brussels time) on the fourth Tuesday;
- (b) in December it shall end at 13.00 (Brussels time) on the second Tuesday.

If Tuesday is a public holiday the period shall end at 13.00 (Brussels time) on the previous working day.

3. Each tendering period shall be numbered in series starting with the first period provided for.

4. Tenders shall be submitted to the competent authorities of the Member States listed in Annex II.

5. Tenders shall be submitted separately, by destination, for one of the product codes referred to in Article 1.

6. In addition to the requirement laid down in Article 3(5)(c) of Regulation (EC) No 1454/2007, a tender shall indicate in Section 16 of the licence application the export refund product code preceded by 'ex' as referred to in Article 1 to this Regulation.

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

*Article 5***Application quantities**

For the products referred to in Article 1 each tender shall cover a minimum quantity of at least 10 tonnes.

*Article 6***Securities**

The tendering security shall be 15 % of the most recent maximum tender refund amount fixed for the same product code and the same destination. The tendering security may not, however, be less than EUR 5 per 100 kg.

*Article 7***Notification of the tenders to the Commission**

For the purpose of application of Article 5(3) of Regulation (EC) No 1454/2007 Member States shall communicate to the Commission, within three hours from the end of each tendering period as referred to in Article 4(2) of this Regulation, separately all valid tenders in the form specified in Annex I to this Regulation.

*Article 8***Export licences**

1. Article 7(2) and (3) of Regulation (EC) No 1282/2006 shall not apply.

2. By way of derogation from Article 8 of Regulation (EC) No 1282/2006 the period of validity of the export licence shall start on its actual date of issue and shall end at the end of the fourth month following the month in which the tendering period ends in accordance with the third subparagraph of Article 4(2) of this Regulation.

*Article 9***Repeal**

Regulation (EC) No 581/2004 and Regulation (EC) No 582/2004 are repealed.

*Article 10***Entry into force and application**

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

It shall apply from 1 July 2008.

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

Done at Brussels, 27 June 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

MEMBER STATE:

Person to contact:

Telephone:

Fax:

E-mail:

A. 82 % Butter

Member State:

Award of refund on 82 % butter under product code ex 0405 10 19 9700 for export to certain third countries (Regulation (EC) No 619/2008) Tender Number: .../R/200. Closing date of the tendering period:

1	2	3	4	5
Bid No	Tenderer No ⁽¹⁾	Quantity (tonnes)	Destination	Export refund rate (EUR/100 kg) (in ascending order)

⁽¹⁾ Each tenderer shall be attributed a number for each tender period.

B. Butteroil

Member State:

Award of refund on butteroil under product code ex 0405 90 10 9000 for export to certain third countries (Regulation (EC) No 619/2008) Tender Number: .../R/200. Closing date of the tendering period:

1	2	3	4	5
Bid No	Tenderer No ⁽¹⁾	Quantity (tonnes)	Destination	Export refund rate (EUR/100 kg) (in ascending order)

⁽¹⁾ Each tenderer shall be attributed a number for each tender period.

C. Skimmed mild powder

Member State:

Award of refund on skimmed milk powder under product code ex 0402 10 19 9000 for export to certain third countries (Regulation (EC) No 619/2008) Tender Number: .../R/200. Closing date of the tendering period:

1	2	3	4	5
Bid No	Tenderer No ⁽¹⁾	Quantity (tonnes)	Destination	Export refund rate (EUR/100 kg) (in ascending order)

⁽¹⁾ Each tenderer shall be attributed a number for each tender period.

ANNEX II

Competent authorities of the Member States referred to in Regulation (EC) No 1454/2007 and in this Regulation to which tenders shall be submitted:

BE	Bureau d'intervention et de restitution belge Belgisch Interventie- en Restitutiebureau Rue de Trèves 82/Trierstraat 82 B-1040 Bruxelles/Brussel Tél./Tel. (32-2) 287 24 11 Télécopieur/Fax (32-2) 287 25 24
BG	State fund „Agriculture“ — Paying Agency 136, Tsar Boris III Blvd. 1618 Sofia Bulgaria Tel.: + 359 2 81 87 100 Tel./fax: + 359 2 81 87 167
CZ	Státní zemědělský intervenční fond (SZIF) Ve Smečkách 33 110 00, Praha 1 Czech Republic Tel: (420) 222 871 431 Fax: (420) 0 222 871 769 E-mail: licence@szif.cz
DK	Ministeriet for Fødevarer, Landbrug og Fiskeri Direktoratet for FødevareErhverv Eksportstøttekontoret Nyropsgade 30 DK-1780 København V Tlf. (45) 33 95 80 00 Fax (45) 33 95 80 18
DE	Bundesanstalt für Landwirtschaft und Ernährung (BLE) D-53168 Bonn oder Deichmanns Aue 29 D-53179 Bonn Tel. (0049 228) 6845-3732, 3718, 3884 Fax (0049 228) 6845-3874, 3792
EE	Põllumajanduse Registrite ja Informatsiooni Amet (PRIA) Narva mnt 3 Tartu 51009 Eesti Tel: (+ 372) 737 1200 Fax: (+ 372) 737 1201
EL	ΟΠΕΚΕΠΕ — Διεύθυνση μηχανισμών αγοράς Αχαρνών 364 & Γλαράκη 10β GR-111 45 Αθήνα Τηλ.: (30-210) 212 48 93 Φαξ: (30-210) 202 06 08
ES	Ministerio de Medio Ambiente y Medio Rural y Marino Fondo Español de Garantía Agraria Subdirección General de Regulación de Mercados Almagro, 33 E-28010 Tel. (34) 913 47 49 17-18 Fax (34) 913 47 47 07
FR	Office de l'élevage 12, rue Henri-Rol-Tanguy TSA 30003 F-93555 Montreuil-sous-Bois Tél. (33-1) 73 30 30 00 Fax (33-1) 73 30 30 38

IE	Department of Agriculture, Fisheries and Food Johnstown Castle Estate Wexford Ireland Tel. (353) 53 63 400 Fax (353) 53 42 843
IT	Ministero del commercio internazionale Direzione generale per la politica commerciale DIV. II Viale Boston 25 I-00142 Roma Tel: + 39 06 59 93 22 04 Fax: + 39 06 59 93 21 41
CY	Ministry of Commerce, Industry and Tourism Import & Export Licensing Unit 1421 Lefkosia (Nicosia) Cyprus Tel: + 357 22867 100 Fax: + 357 22375 120
LV	Lauku atbalsta dienests (LAD) Republikas laukums 2 Rīga, LV-1981 Latvija Tālr.: (371) 702 75 42 Fakss: (371) 702 71 20
LT	Nacionalinė mokėjimo agentūra prie Žemės ūkio ministerijos Blindžių g. 17 08111 Vilnius Lietuva Tel. + 370 5 25 26 703 Faksas + 370 5 25 26 945
LU	Office des licences 21, Rue Philippe II L-2011 Luxembourg Tél.: 352 24782370 Télécopieur: 352 466138
HU	Mezőgazdasági és Vidékfejlesztési Hivatal (MVH) Soroksári út 22-24. H-1095 Budapest Hungary Tel.: (36-1) 37 43 603 Fax: (36-1) 47 52 114
MT	Ministry for Rural Affairs and Environment Barriera Wharf Valletta — CMR 02 Tel: + 356 2295 2228
NL	Productschap zuivel Louis Braillelaan 80 NL-2719 EK Zoetermeer Nederland Tel.: (31-79) 368 1534 Fax: (31-79) 368 1955 E-mail: mr@pz.agro.nl
AT	Agrarmarkt Austria Dresdner Straße 70 A-1200 Wien Tel.: (43-1) 331 51 0 Fax: (43-1) 331 51 303 E-Mail: lizenzen@ama.gv.at
PL	Agencja Rynku Rolnego Nowy Świat 6/12 00-400 Warszawa Poland Tel. (48) 22 661-75-90 Faks (48) 22 661-76-04

PT	Ministério das Finanças Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo Direcção de Serviços de Licenciamento Rua Terreiro do Trigo — Edifício da Alfândega P-1149-060 Lisboa Tel.: (351) 218 81 42 62 Fax.: (351) 218 81 42 61
RO	Agencia de Plăți și Intervenție pentru Agricultură Bd. Carol I nr. 17, sector 2 030161 București România Tel.: (40-21) 305 48 02 Tel.: (40-21) 305 48 42 Fax: (40-21) 305 48 03
SL	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja Dunajska cesta 160 1000 Ljubljana Slovenija Telefon: + 386 1 478 9228 Telefaks: + 386 1 478 9297
SK	Pôdohospodárska platobná agentúra (Agricultural Paying Agency) Dobrovičova 12 815 26 Bratislava Slovenská republika Tel.: (421-2) 57 51 26 13 Fax: (421-2) 53 41 21 80
FI	Maaseutuvirasto, Markkinatukiosasto P.O. Box 256 FI-00101 Helsinki Puhelin: (358-20) 772 007 Faksi (358-20) 772 55 09
SV	Statens jordbruksverk Vallgatan 8 S-511 82 Jönköping Tfn (46-36) 15 50 00 Fax (46-36) 19 05 46
UK	Rural Payments Agency (RPA) Lancaster House, Hampshire Court UK — Newcastle upon Tyne NE4 7YE Tel. 44 0 191 226 5262 Fax 44 0 191 226 5101

COMMISSION REGULATION (EC) No 620/2008
of 27 June 2008
correcting Regulation (EC) No 386/2008 fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 386/2008 ⁽²⁾, fixed the export refunds on milk and milk products.
- (2) The amendments to the agricultural product nomenclature for export refunds concerning the milk and milk products, introduced by Commission Regulation (EC) No 1499/2007 publishing, for 2008, the agricultural product nomenclature for export refunds

introduced by Regulation (EEC) No 3846/87 ⁽³⁾, must be taken into consideration. Consequently the Annex to Regulation (EC) No 386/2008 has to be corrected accordingly. For the sake of clarity those corrections should apply from the day of entry into force of Regulation (EC) No 386/2008,

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EC) No 386/2008, the Annex is replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from the date of entry into force of Regulation (EC) No 386/2008.

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

Done at Brussels, 27 June 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1152/2007 (OJ L 258, 4.10.2007, p. 3). Regulation (EC) No 1255/1999 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 116, 30.4.2008, p. 17

⁽³⁾ OJ L 333, 19.12.2007, p. 10

ANNEX

‘ANNEX

Export refunds on milk and milk products applicable from 27 June 2008

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L20	EUR/100 kg	—	0402 29 15 9500	L20	EUR/100 kg	—
0401 30 31 9400	L20	EUR/100 kg	—	0402 29 19 9300	L20	EUR/100 kg	—
0401 30 31 9700	L20	EUR/100 kg	—	0402 29 19 9500	L20	EUR/100 kg	—
0401 30 39 9100	L20	EUR/100 kg	—	0402 29 19 9900	L20	EUR/100 kg	—
0401 30 39 9400	L20	EUR/100 kg	—	0402 29 99 9100	L20	EUR/100 kg	—
0401 30 39 9700	L20	EUR/100 kg	—	0402 29 99 9500	L20	EUR/100 kg	—
0401 30 91 9100	L20	EUR/100 kg	—	0402 91 10 9370	L20	EUR/100 kg	—
0401 30 99 9100	L20	EUR/100 kg	—	0402 91 30 9300	L20	EUR/100 kg	—
0401 30 99 9500	L20	EUR/100 kg	—	0402 91 99 9000	L20	EUR/100 kg	—
0402 10 11 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 10 9350	L20	EUR/100 kg	—
0402 10 19 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 31 9300	L20	EUR/100 kg	—
0402 10 99 9000	L20	EUR/100 kg	—	0403 90 11 9000	L20	EUR/100 kg	—
0402 21 11 9200	L20	EUR/100 kg	—	0403 90 13 9200	L20	EUR/100 kg	—
0402 21 11 9300	L20	EUR/100 kg	—	0403 90 13 9300	L20	EUR/100 kg	—
0402 21 11 9500	L20	EUR/100 kg	—	0403 90 13 9500	L20	EUR/100 kg	—
0402 21 11 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 13 9900	L20	EUR/100 kg	—
0402 21 17 9000	L20	EUR/100 kg	—	0403 90 33 9400	L20	EUR/100 kg	—
0402 21 19 9300	L20	EUR/100 kg	—	0403 90 59 9310	L20	EUR/100 kg	—
0402 21 19 9500	L20	EUR/100 kg	—	0403 90 59 9340	L20	EUR/100 kg	—
0402 21 19 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 59 9370	L20	EUR/100 kg	—
0402 21 91 9100	L20	EUR/100 kg	—	0404 90 21 9120	L20	EUR/100 kg	—
0402 21 91 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 21 9160	L20	EUR/100 kg	—
0402 21 91 9350	L20	EUR/100 kg	—	0404 90 23 9120	L20	EUR/100 kg	—
0402 21 99 9100	L20	EUR/100 kg	—	0404 90 23 9130	L20	EUR/100 kg	—
0402 21 99 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 23 9140	L20	EUR/100 kg	—
0402 21 99 9300	L20	EUR/100 kg	—	0404 90 23 9150	L20	EUR/100 kg	—
0402 21 99 9400	L20	EUR/100 kg	—	0404 90 81 9100	L20	EUR/100 kg	—
0402 21 99 9500	L20	EUR/100 kg	—	0404 90 83 9110	L20	EUR/100 kg	—
0402 21 99 9600	L20	EUR/100 kg	—	0404 90 83 9130	L20	EUR/100 kg	—
0402 21 99 9700	L20	EUR/100 kg	—	0404 90 83 9150	L20	EUR/100 kg	—
0402 29 15 9200	L20	EUR/100 kg	—	0404 90 83 9170	L20	EUR/100 kg	—
0402 29 15 9300	L20	EUR/100 kg	—	0405 10 11 9500	L20	EUR/100 kg	—
				0405 10 11 9700	L20	EUR/100 kg	—

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 10 19 9500	L20	EUR/100 kg	—	0406 30 39 9500	L04	EUR/100 kg	—
0405 10 19 9700	L20	EUR/100 kg	—		L40	EUR/100 kg	—
0405 10 30 9100	L20	EUR/100 kg	—	0406 30 39 9700	L04	EUR/100 kg	—
0405 10 30 9300	L20	EUR/100 kg	—		L40	EUR/100 kg	—
0405 10 30 9700	L20	EUR/100 kg	—	0406 30 39 9930	L04	EUR/100 kg	—
0405 10 50 9500	L20	EUR/100 kg	—		L40	EUR/100 kg	—
0405 10 50 9700	L20	EUR/100 kg	—	0406 30 39 9950	L04	EUR/100 kg	—
0405 10 90 9000	L20	EUR/100 kg	—		L40	EUR/100 kg	—
0405 20 90 9500	L20	EUR/100 kg	—	0406 40 50 9000	L04	EUR/100 kg	—
0405 20 90 9700	L20	EUR/100 kg	—		L40	EUR/100 kg	—
0405 90 10 9000	L20	EUR/100 kg	—	0406 40 90 9000	L04	EUR/100 kg	—
0405 90 90 9000	L20	EUR/100 kg	—		L40	EUR/100 kg	—
0406 10 20 9640	L04	EUR/100 kg	—	0406 90 13 9000	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 10 20 9650	L04	EUR/100 kg	—	0406 90 15 9100	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 10 20 9830	L04	EUR/100 kg	—	0406 90 17 9100	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 10 20 9850	L04	EUR/100 kg	—	0406 90 21 9900	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 20 90 9913	L04	EUR/100 kg	—	0406 90 23 9900	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 20 90 9915	L04	EUR/100 kg	—	0406 90 25 9900	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 20 90 9917	L04	EUR/100 kg	—	0406 90 27 9900	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 20 90 9919	L04	EUR/100 kg	—	0406 90 32 9119	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 30 31 9730	L04	EUR/100 kg	—	0406 90 35 9190	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 30 31 9930	L04	EUR/100 kg	—	0406 90 35 9990	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 30 31 9950	L04	EUR/100 kg	—	0406 90 37 9000	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
				0406 90 61 9000	L04	EUR/100 kg	—
					L40	EUR/100 kg	—

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 63 9100	L04	EUR/100 kg	—	0406 90 86 9200	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 63 9900	L04	EUR/100 kg	—	0406 90 86 9400	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 69 9910	L04	EUR/100 kg	—	0406 90 86 9900	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 73 9900	L04	EUR/100 kg	—	0406 90 87 9300	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 75 9900	L04	EUR/100 kg	—	0406 90 87 9400	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 76 9300	L04	EUR/100 kg	—	0406 90 87 9951	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 76 9400	L04	EUR/100 kg	—	0406 90 87 9971	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 76 9500	L04	EUR/100 kg	—	0406 90 87 9973	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 78 9100	L04	EUR/100 kg	—	0406 90 87 9974	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 78 9300	L04	EUR/100 kg	—	0406 90 87 9975	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 79 9900	L04	EUR/100 kg	—	0406 90 87 9979	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 81 9900	L04	EUR/100 kg	—	0406 90 88 9300	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 85 9930	L04	EUR/100 kg	—	0406 90 88 9500	L04	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—
0406 90 85 9970	L04	EUR/100 kg	—		L40	EUR/100 kg	—
	L40	EUR/100 kg	—		L40	EUR/100 kg	—

(¹) As for the relevant products intended for exports to Dominican Republic under the quota 2008/2009 referred to in the Decision 98/486/EC, and complying with the conditions laid down in Chapter III, Section 3 of Regulation (EC) No 1282/2006, the following rates should apply:

- (a) products falling within CN codes 0402 10 11 9000 and 0402 10 19 9000 0,00 EUR/100 kg
- (b) products falling within CN codes 0402 21 11 9900, 0402 21 19 9900, 0402 21 91 9200 and 0402 21 99 9200 0,00 EUR/100 kg

The destinations are defined as follows:

L20: All destinations with the exception of:

- (a) third countries: Andorra, Holy See (Vatican City State), Liechtenstein and the United States of America;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar

L04: Albania, Bosnia and Herzegovina, Serbia (*), Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations with the exception of:

- (a) third countries: L04, Andorra, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the United States of America, Croatia, Turkey, Australia, Canada, New Zealand and South Africa;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.

(*) Including Kosovo, under the aegis of the United Nations, pursuant to UN Security Council Resolution 1244 of 10 June 1999.

DIRECTIVES

COMMISSION DIRECTIVE 2008/64/EC

of 27 June 2008

amending Annexes I to IV to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular points (c) and (d) of the second paragraph of Article 14 thereof,

After consulting the Member States concerned,

Whereas:

- (1) Directive 2000/29/EC provides for certain measures against the introduction into the Member States from other Member States or third countries of organisms which are harmful to plants or plant products. It also provides for certain zones to be recognised as protected zones.
- (2) From information supplied by Member States, it has been determined that only certain plants for planting of *Dendranthema* (DC.) Des Moul, *Dianthus* L., *Pelargonium* l'Hérit. ex Ait. and *Solanaceae* present a risk of spreading of *Heliothis armigera* (Hübner). Since the risk of spreading of that organism is limited to those plants, that organism should be deleted from Annex I to Directive 2000/29/EC, which imposes a general ban, and included instead in Annex II to that Directive, which imposes a ban only with respect to specific plants presenting a risk. Furthermore, the name of *Heliothis armigera* (Hübner) should be changed to *Helicoverpa armigera* (Hübner), in line with its recent revised scientific denomination.
- (3) From information supplied by Member States, it has become apparent that *Colletotrichum acutatum* (Simmonds) is widespread within the Community. Therefore, that organism should no longer be listed as a harmful organism under Directive 2000/29/EC and no further protective measures under that Directive should

be taken with respect to that organism. Annex II to Directive 2000/29/EC should therefore be amended accordingly.

- (4) From information supplied by Portugal, it appears that Citrus tristeza virus (European isolates) is now established in Madeira. This part of the Portuguese territory should therefore no longer be recognised as a protected zone in respect of that harmful organism and Annexes II and IV to Directive 2000/29/EC should be amended accordingly.
- (5) From information supplied by Spain, it appears that *Thaumatococcus ptyocampa* (Den. and Schiff.) is now established in Ibiza. This part of the Spanish territory should therefore no longer be recognised as a protected zone in respect of that harmful organism and Annexes II and IV to Directive 2000/29/EC should be amended accordingly.
- (6) From information supplied by Slovenia, it appears that *Erwinia amylovora* (Burr.) Winsl. et al. is now established in the Koroška and Notranjska regions. These regions should therefore no longer be recognised as a protected zone in respect of *Erwinia amylovora* (Burr.) Winsl. et al. and Annexes II, III and IV to Directive 2000/29/EC should be amended accordingly.
- (7) Information supplied by Italy shows that *Erwinia amylovora* (Burr.) Winsl. et al. is now established in some parts of its regions of Emilia-Romagna, Lombardy and Veneto. Those parts of the Italian territory should therefore no longer be recognised as a protected zone in respect of *Erwinia amylovora* (Burr.) Winsl. et al. and Annexes II, III and IV to Directive 2000/29/EC should be amended accordingly.
- (8) From the Swiss legislation on plant protection, it appears that the Cantons of Berne and Grisons are no longer recognised as a protected zone for *Erwinia amylovora* (Burr.) Winsl. et al. in Switzerland. The derogation allowing certain imports from those regions into certain protected zones under special requirements should therefore be deleted and Part B of Annex IV to Directive 2000/29/EC should be amended accordingly.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2007/41/EC (OJ L 169, 29.6.2007, p. 51).

- (9) Annexes I to IV to Directive 2000/29/EC should therefore be amended accordingly.
- (10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I to IV to Directive 2000/29/EC are amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, by 31 August 2008 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 September 2008.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 27 June 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

ANNEX

Annexes I to IV to Directive 2000/29/EC are amended as follows:

1. in point (a) of Section II of Part A of Annex I, point 3 is deleted;

2. Annex II is amended as follows:

(a) Section II of Part A is amended as follows:

(i) in heading (a), the following point 6.2 is inserted after point 6.1:

‘6.2. *Helicoverpa armigera* (Hübner)

Plants of *Dendranthema* (DC.) Des Moul, *Dianthus* L.,
Pelargonium l'Hérit. ex Ait. and of the family *Solanaceae*,
intended for planting, other than seeds’

(ii) in heading (c), point 2 is deleted.

(b) Part B is amended as follows:

(i) in heading (a), point 10 is deleted;

(ii) in point 2 of heading (b), the text in the third column, protected zone(s), is replaced by the following:

‘E, EE, F (Corsica), IRL, I (Abruzzo, Apúlia, Basilicata, Calabria, Campania, Emilia-Romagna (the provinces of Parma and Piacenza); Friuli-Venezia Giulia, Lazio, Liguria, Lombardy (except the province of Mantua), Marche, Molise, Piedmont, Sardinia, Sicily, Tuscany, Umbria, Valle d'Aosta, Veneto (except the province of Rovigo, the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi in the province of Padova and the area situated to the south of highway A4 in the province of Verona)), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria and Vienna), P, SI (except the regions Gorenjska, Koroška, Notranjska and Maribor), SK (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kľačany (Levice County), Veľké Ripňany (Topoľčany County), Málíneć (Poltár County), Hrhov (Rožňava County), Kazimír, Luhýňa, Malý Horeš, Svätušć and Zatín (Trebišov County)), FI, UK (Northern Ireland, Isle of Man and Channel Islands).’;

(iii) in point 1 of heading (d), the text in the third column, protected zone(s), is replaced by the following:

‘EL, F (Corsica), M, P (except Madeira).’;

3. Part B of Annex III is amended as follows:

(a) in point 1, the text in the second column, protected zone(s), is replaced by the following:

‘E, EE, F (Corsica), IRL, I (Abruzzo, Apúlia, Basilicata, Calabria, Campania, Emilia-Romagna (the provinces of Parma and Piacenza), Friuli-Venezia Giulia, Lazio, Liguria, Lombardy (except the province of Mantua), Marche, Molise, Piedmont, Sardinia, Sicily, Tuscany, Umbria, Valle d'Aosta, Veneto (except the province of Rovigo, the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi in the province of Padova and the area situated to the south of highway A4 in the province of Verona)), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria and Vienna), P, SI (except the regions Gorenjska, Koroška, Notranjska and Maribor), SK (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kľačany (Levice County), Veľké Ripňany (Topoľčany County), Málíneć (Poltár County), Hrhov (Rožňava County), Kazimír, Luhýňa, Malý Horeš, Svätušć and Zatín (Trebišov County)), FI, UK (Northern Ireland, Isle of Man and Channel Islands).’;

(b) in point 2, the text in the second column, protected zone(s), is replaced by the following:

'E, EE, F (Corsica), IRL, I (Abruzzo, Apúlia, Basilicata, Calabria, Campania, Emilia-Romagna (the provinces of Parma and Piacenza), Friuli-Venezia Giulia, Lazio, Liguria, Lombardy (except the province of Mantua), Marche, Molise, Piedmont, Sardinia, Sicily, Tuscany, Umbria, Valle d'Aosta, Veneto (except the province of Rovigo, the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi in the province of Padova and the area situated to the south of highway A4 in the province of Verona)), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria and Vienna), P, SI (except the regions Gorenjska, Koroška, Notranjska and Maribor), SK (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kľačany (Levice County), Veľké Ripňany (Topoľčany County), Málíneec (Poltár County), Hrhov (Rožňava County), Kazimír, Luhyňa, Malý Horeš, Svätuš and Zátín (Trebišov County)), FI, UK (Northern Ireland, Isle of Man and Channel Islands).';

4. Annex IV is amended as follows:

(a) Part A is amended as follows:

(i) in point 27.1 of Section I, in the second column, special requirements, the words '*Heliothis armigera* Hübner' are replaced by '*Helicoverpa armigera* (Hübner)';

(ii) in point 20 of Section II, in the second column, special requirements, the words '*Heliothis armigera* Hübner' are replaced by '*Helicoverpa armigera* (Hübner)';

(b) Part B is amended as follows:

(i) Point 17 is deleted;

(ii) Point 21 is amended as follows:

— in the second column, special requirements, point (c) is replaced by the following:

'(c) the plants originate in one of the following Cantons of Switzerland: Fribourg, Vaud, Valais, or',

— the text in the third column, protected zone(s), is replaced by the following:

'E, EE, F (Corsica), IRL, I (Abruzzo, Apúlia, Basilicata, Calabria, Campania, Emilia-Romagna (the provinces of Parma and Piacenza), Friuli-Venezia Giulia, Lazio, Liguria, Lombardy (except the province of Mantua), Marche, Molise, Piedmont, Sardinia, Sicily, Tuscany, Umbria, Valle d'Aosta, Veneto (except the province of Rovigo, the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi in the province of Padova and the area situated to the south of highway A4 in the province of Verona)), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria and Vienna), P, SI (except the regions Gorenjska, Koroška, Notranjska and Maribor), SK (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kľačany (Levice County), Veľké Ripňany (Topoľčany County), Málíneec (Poltár County), Hrhov (Rožňava County), Kazimír, Luhyňa, Malý Horeš, Svätuš and Zátín (Trebišov County)), FI, UK (Northern Ireland, Isle of Man and Channel Islands).'

(iii) Point 21.3 is amended as follows:

— in the second column, special requirements, point (b) is replaced by the following:

'(b) originate in one of the following Cantons of Switzerland: Fribourg, Vaud, Valais, or',

— The text in the third column, protected zone(s), is replaced by the following:

‘E, EE, F (Corsica), IRL, I (Abruzzo, Apúlia, Basilicata, Calabria, Campania, Emilia-Romagna (the provinces of Parma and Piacenza), Friuli-Venezia Giulia, Lazio, Liguria, Lombardy (except the province of Mantua), Marche, Molise, Piedmont, Sardinia, Sicily, Tuscany, Umbria, Valle d'Aosta, Veneto (except the province of Rovigo, the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi in the province of Padova and the area situated to the South of highway A4 in the province of Verona)), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria and Vienna), P, SI (except the regions Gorenjska, Koroška, Notranjska and Maribor), SK (except the communes of Blahová, Horné Mýto and Okoč (Dunajská Streda County), Hronovce and Hronské Kľačany (Levice County), Veľké Ripňany (Topoľčany County), Málinec (Poltár County), Hrhov (Rožňava County), Kazimír, Luhýňa, Malý Horeš, Svätušie and Zátin (Trebíšov County)), FI, UK (Northern Ireland, Isle of Man and Channel Islands).’;

(iv) Point 31 is amended as follows:

— the text in the third column, protected zone(s), is replaced by the following:

‘EL, F (Corsica), M, P (except Madeira)’.

COMMISSION DIRECTIVE 2008/65/EC
of 27 June 2008
amending Directive 91/439/EEC on driving licences

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Directive 91/439/EEC is amended as follows:

Having regard to Council Directive 91/439/EEC of 29 July 1991 on driving licences ⁽¹⁾, and in particular Article 7a (2) thereof,

1. in Annex I, point (2), concerning page 4 of the licence and in Annex Ia, point (2), concerning page 2 of the licence, point (a)(12), the wording of Community code 10.02 is replaced by the following:

Whereas:

- (1) The list of codes as described in Annex I and Ia to Directive 91/439/EEC needs to be adapted.

‘10.02. Vehicles without a clutch pedal (or lever operated manually for categories A or A1)’;
- (2) Community code 78, restricting the right to drive vehicles within a driving licence category to vehicles with automatic transmission only, should be amended in view of scientific and technical progress in the field.
 2. in Annex I, point (2), concerning page 4 of the licence and in Annex Ia, point (2), concerning page 2 of the licence, point (a)(12), the wording of Community code 78 is replaced by the following:
- (3) The minimum requirements for driving test vehicles as laid down in Annex II of Directive 91/439/EEC need to be aligned with the change in the definition of Community code 78.

‘78. Valid only for vehicles without a clutch pedal (or lever operated manually for categories A or A1)’;
- (4) The minimum requirements for theory and practical tests as laid down in Annex II of Directive 91/439/EEC should be reviewed in order to bring the testing requirements into line with the demands of daily traffic with regard to the use of tunnels so as to improve the road safety level of this particular part of the road infrastructure.
 3. Annex II is amended as follows:
 - (a) in point 2.1.3, the following indent is added:

‘— safe driving in road tunnels’;
 - (b) in point 5.1, the second and the third paragraphs are replaced by the following:

‘If an applicant takes the test of skills and behaviour on a vehicle without a clutch pedal (or lever operated manually for categories A and A1) this shall be recorded on any licence issued on the basis of such a test. Licences with this indication shall be valid only for driving vehicles without a clutch pedal (or lever operated manually for categories A or A1).’
- (5) The periods laid down in points 5.2 and 6.2.5 of Annex II to Directive 91/439/EEC have proved to be inadequate for the satisfactory implementation of the necessary measures. A supplementary period should be granted.
- (6) Directive 91/439/EEC should therefore be amended accordingly.
- (7) The measures provided for in this Directive are in conformity with the opinion of the Committee on driving licences,

⁽¹⁾ OJ L 237, 24.8.1991, p. 1. Directive as last amended by Directive 2006/103/EC (OJ L 363, 20.12.2006, p. 344).

- (c) in point 5.2, the final paragraph is replaced by the following:

'Testing vehicles for categories B+E, C, C+E, C1, C1+E, D, D+E, D1 and D1+E which are not in conformity with the minimum criteria given above but which were in use on or before the date specified in Article 3 of Commission Directive 2008/65/EC (*), may still be used until 30 September 2013. The requirements related to the load to be carried by these vehicles may be implemented by Member States up to 30 September 2013.

(*) OJ L 168, 28.6.2008, p. 36.'

- (d) in the second paragraph of point 6.2.5, 'five years after entry into force of this Directive' is replaced by 'by 30 September 2008';
- (e) in points 6.3.8, 7.4.8 and 8.3.8 the word 'tunnels' is added to the list of special road features covered.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 September 2008 at the latest. They shall forthwith inform the Commission thereof. When Member

States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the texts of the essential provisions of national law which they adopt in the field governed by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 27 June 2008.

For the Commission

Antonio TAJANI

Vice-President

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 27 June 2008

concerning interim protective measures against the dissemination of *Bursaphelenchus xylophilus* (Steiner et Buhner) Nickle *et al.* (the pine wood nematode) in Portugal

(notified under document number C(2008) 3312)

(2008/489/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular Article 16(5) thereof,

Whereas:

(1) In accordance with Commission Decision 2006/133/EC of 13 February 2006 requiring Member States temporarily to take additional measures against the dissemination of *Bursaphelenchus xylophilus* (Steiner et Buhner) Nickle *et al.* (the pine wood nematode — PWN) as regards areas in Portugal, other than those in which it is known not to occur⁽²⁾, Portugal is implementing an eradication plan against the dissemination of the pine wood nematode.

(2) Portugal has adopted a ministerial order (Portaria No 358/2008 of 12 May 2008) prohibiting movement of susceptible wood and plants out of continental Portugal unless the wood has been heat treated and the plants duly inspected.

(3) Portugal presented to the Commission a proposal for a survey plan, as provided for in the second paragraph of Article 4 of Decision 2006/133/EC, for the entire Portuguese territory. The proposal was discussed in the Standing Committee on Plant Health on 26 and 27 May 2008. However, the Commission, based on the conclusions of the Committee, did not approve the plan because of insufficient intensity of monitoring.

(4) Portugal informed the Commission on 5 June 2008 on the finding of new outbreaks of PWN, as a result of an extraordinary investigation by the Portuguese authorities in addition to the annual survey, in the part of Portugal where so far PWN was known not to occur.

(5) The inspection mission from the Food and Veterinary Office from 2 to 6 June 2008 revealed that the data available are not sufficient to confirm that there are areas in Portugal which are free from PWN. Moreover, the Community and national measures are not fully implemented.

(6) Therefore, the measures taken so far are considered to be inadequate and immediate risk of spread of PWN out of Portugal on account of movements of susceptible wood, bark and plants cannot be excluded any longer. Moreover, at present Member States other than Portugal should, as soon as possible, be allowed to control movements into their territory of susceptible wood, bark and plants originating in all parts of Portugal.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2007/41/EC (OJ L 169, 29.6.2007, p. 51).

⁽²⁾ OJ L 52, 23.2.2006, p. 34. Decision as last amended by Decision 2008/378/EC (OJ L 130, 20.5.2008, p. 22).

(7) As a consequence of the recent increase of the outbreaks of PWN in Portugal measures should be taken, as soon as possible, to safeguard the territory of other Member States against PWN and to protect the Community trade interests in relation to third countries. The movements of susceptible wood, bark and plants from Portugal to other Member States and third countries should be prohibited unless this material has undergone appropriate treatment or, for plants, appropriate inspection. Therefore, the requirements for movements of susceptible wood, bark and plants from demarcated areas into areas in Portugal, other than demarcated areas, or into other Member States should be extended to all movements from Portugal into other Member States and third countries. Traceability should be ensured by attaching the plant passport or the mark to each unit within a consignment. The scope of control activities carried out by Member States should be widened to allow control of susceptible wood, bark and plants moved from Portugal into their territory.

(8) Pending the meeting of the Standing Committee on Plant Health, interim protective measures should be taken to inhibit the spread of PWN from Portugal to other Member States and third countries.

(9) The measures provided for in this Decision will be reviewed by the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. Portugal shall ensure that the conditions set out in the Annex in relation to susceptible wood, bark and plants which are to be moved from its territory to other Member States or third countries are met.

2. Member States of destination other than Portugal may subject consignments of susceptible wood, bark and plants, coming from Portugal and moved into their territory, to testing for the presence of *Bursaphelenchus xylophilus* (Steiner et Buhner) Nickle et al. (the pine wood nematode — PWN).

3. This Decision is without prejudice to Decision 2006/133/EC.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 June 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

ANNEX

In the case of movements from Portugal to other Member States and third countries, of:

(a) susceptible plants, those plants shall be accompanied by a plant passport prepared and issued in accordance with the provisions of Commission Directive 92/105/EEC ⁽¹⁾, after:

- the plants have been officially inspected and found free from signs or symptoms of PWN, and
- no symptoms of PWN have been observed at the place of production or in its immediate vicinity since the beginning of the last complete cycle of vegetation;

(b) susceptible wood and isolated bark, other than wood in the form of:

- chips, particles, wood waste or scrap obtained in whole or part from these conifers,
- packing cases, crates or drums,
- pallets, box pallets or other load boards,
- dunnage, spacers and bearers,

but including that which has not kept its natural round surface, that wood and isolated bark shall be accompanied by the plant passport referred to in point (a), after the wood or the isolated bark has undergone an appropriate heat treatment to achieve a minimum wood core temperature of 56 °C for 30 minutes in order to ensure freedom from live PWNs;

(c) susceptible wood in the form of chips, particles, wood waste or scrap obtained in whole or part from these conifers, that wood shall be accompanied by the plant passport referred to in point (a) after having undergone an appropriate fumigation treatment in order to ensure freedom from live PWNs;

(d) susceptible wood, in the form of dunnage, spacers and bearers, including that which has not kept its natural round surface, as well as in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars, whether or not actually in use in the transport of objects of all kinds, that wood shall be subject to one of the approved measures as specified in Annex I to the FAO International Standard for Phytosanitary Measures No 15 on *Guidelines for regulating wood packaging material in international trade*. It shall display a mark enabling the identification of where and by whom the treatment has been carried out or be accompanied by the plant passport referred to in point (a) attesting to the measures carried out.

Portugal shall ensure that the plant passport referred to in point (a) or the mark in accordance with the FAO International Standard for Phytosanitary Measures No 15 is attached to each unit of susceptible wood, bark and plants that is moved.

⁽¹⁾ OJ L 4, 8.1.1993, p. 22.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

POLITICAL AND SECURITY COMMITTEE DECISION EUSEC/2/2008

of 24 June 2008

on the appointment of the Head of Mission for the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo)

(2008/490/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular Article 25, third paragraph thereof,

Having regard to Council Joint Action 2007/406/CFSP of 12 June 2007 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo) ⁽¹⁾, and in particular Article 8 thereof,

Whereas:

(1) On 1 March 2008 Michel SIDO was appointed Head of Mission for the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo ('EUSEC RD Congo').

(2) On 23 June 2008 Michel SIDO presented his resignation as Head of Mission.

(3) The Secretary General/High Representative has proposed the appointment of Jean-Paul MICHEL as the new Head of Mission for EUSEC RD Congo,

HAS DECIDED AS FOLLOWS:

Article 1

Jean-Paul MICHEL is hereby appointed Head of Mission for EUSEC RD Congo.

Article 2

This Decision shall take effect on 1 July 2008.

Done at Brussels, 24 June 2008.

For the Political and Security Committee

The President

M. IPAVIC

⁽¹⁾ OJ L 151, 13.6.2007, p. 52.

COUNCIL JOINT ACTION 2008/491/CFSP**of 26 June 2008****amending and extending Council Joint Action 2007/406/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

(1) Since 2 May 2005 the European Union has conducted a mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC), (EUSEC RD Congo). The mission's current mandate is specified by Joint Action 2007/406/CFSP ⁽¹⁾ and ends on 30 June 2008.

(2) The mission's mandate should be extended for a period of 12 months from 1 July 2008.

(3) The support provided by the European Union to the Congolese authorities in the sphere of security sector reform in the DRC could henceforth also involve focusing on drawing up the arrangements for the organisation of the future Rapid Reaction Force specified by the Government of the DRC as part of the overall plan for reforming the army. Particular emphasis should be placed on the 'human resources' function.

(4) The statements of commitment signed in Goma on 23 January 2008 by the Government of the DRC and armed groups operating in the Kivus began a process of pacification of the Kivus. This process receives back-up from the international community, including the European Union by way of the European Union Special Representative (EUSR) for the African Great Lakes Region. The EUSEC RD Congo mission should play a part in the efforts made by the EUSR in the work being done to implement the statements of commitment for the Kivus.

(5) A new financial reference amount should be provided to cover expenditure relating to the mission for the period from 1 July 2008 to 30 June 2009.

(6) The current security situation in the DRC could deteriorate, producing potentially serious consequences for the process of democratic reform, the rule of law and security at international and regional level. Sustained commitment by the EU in terms of political effort and resources will help to establish stability in the region.

(7) Joint Action 2007/406/CFSP should be amended accordingly,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2007/406/CFSP is hereby amended as follows:

1. In Article 2, points (a) to (e) shall be replaced by the following:

'(a) providing advice and assistance to the Congolese authorities in their work to integrate, restructure and rebuild the Congolese army, particularly by:

— contributing to the development of various national plans and policies, including work on horizontal issues which cover all the areas involved in the reform of the security sector in the DRC,

— providing support for the committees and bodies involved in that work, and contributing to the definition of the priorities and practical needs of the Congolese,

— contributing, *inter alia* by supplying expertise in the selection, training and education of staff and the assessment of infrastructure and equipment requirements, to the drawing up of the arrangements for the organisation and gradual establishment of the Rapid Reaction Force as part of the overall plan for reforming the army with due respect for the principles of human rights, international humanitarian law, gender issues and children affected by armed conflicts;

⁽¹⁾ OJ L 151, 13.6.2007, p. 52.

- (b) running and bringing to completion the technical assistance project on the modernisation of the chain of payments of the Ministry of Defence of the DRC, hereinafter referred to as the “chain of payments project”, so as to carry out the tasks specified in the General Concept for the project;
 - (c) on the basis of the chain of payments project, providing support for the human resources function and for the development of a general human resources policy;
 - (d) identifying and contributing to the development of various projects and options that the European Union or its Member States may decide to support relating to the reform of the security sector;
 - (e) supervising specific projects financed or initiated by the Member States in pursuit of the objectives of the mission and overseeing their implementation, in coordination with the Commission;
 - (f) providing support for the EUSR, as and when necessary, in the context of the work carried out by the committees for the process of pacification of the Kivus;
- and
- (g) contributing to ensuring that all efforts made as regards SSR are consistent.’;
2. In Article 3(a), the second indent shall be replaced by the following:
- ‘— a support cell, and’;
3. In the second indent of Article 3(c), the words ‘a mobile team’ shall be replaced by ‘mobile teams’;
4. Article 5 shall be amended as follows:
- (a) Paragraph 1 shall be replaced by:

‘1. The Head of Mission shall assume day to day management of the mission and shall be responsible for staff and disciplinary matters.’;

(b) the first sentence of paragraph 2 shall be replaced by:

‘2. In implementing the mission statement as set out in Article 2(e), the Head of Mission shall be authorised to have recourse to financial contributions from the Member States.’;

5. Article 9(1) shall be replaced by the following:

‘1. The financial reference amount to cover expenditure relating to the mission for the period from 1 July 2007 to 30 June 2008 shall be EUR 9 700 000.

The financial reference amount to cover expenditure relating to the mission for the period from 1 July 2008 to 30 June 2009 shall be EUR 8 450 000.’;

6. Article 15 is hereby deleted;

7. In Article 16, the second paragraph shall be replaced by the following:

‘It shall apply until 30 June 2009.’.

Article 2

This Joint Action shall enter into force on 1 July 2008.

Article 3

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

Done at Brussels, 26 June 2008.

For the Council
The President
D. RUPEL