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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COUNCIL REGULATION (EC) No 727/2008

of 24 July 2008

terminating the new exporter review of Regulation (EC) No 130/2006 imposing a definitive anti-dumping duty on imports of tartaric acid originating in the People's Republic of China

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾ (the basic Regulation), and in particular Articles 11(4) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

1. MEASURES IN FORCE

- (1) By Regulation (EC) No 130/2006⁽²⁾, the Council imposed a definitive anti-dumping duty on imports of tartaric acid originating in the People's Republic of China (PRC) (the original investigation). The measures in force consist of an *ad valorem* duty rate of 34,9 %, with the exception of several companies expressly mentioned which are subject to individual duty rates.
- (2) By Regulation (EC) No 150/2008⁽³⁾, following an interim review pursuant to Article 11(3) of the basic Regulation, the Council amended the scope of the measures.

2. CURRENT INVESTIGATION

2.1. Request for a review

- (3) Subsequent to the imposition of the definitive anti-dumping measures, the Commission received a request

for a 'new exporter' review pursuant to Article 11(4) of the basic Regulation. The request was based on the claim that the exporting producer, Fuyang Genebest Chemical Industry Co Ltd. (the applicant):

- did not export tartaric acid before or during the investigation period of the original investigation,
- was not related to any of the exporting producers subject to the measures imposed by Regulation (EC) No 130/2006,
- had started to export tartaric acid to the Community after the end of the investigation period of the original investigation,
- operates under market economy conditions as defined in Article 2(7)(c) of the basic Regulation or alternatively claims individual treatment in conformity with Article 9(5) of the basic Regulation.

2.2. Initiation of a 'new exporter' review

- (4) The Commission examined the *prima facie* evidence submitted by the applicant and considered it sufficient to justify the initiation of a review pursuant to Article 11(4) of the basic Regulation. After consultation of the Advisory Committee and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by Regulation (EC) No 1406/2007⁽⁴⁾, a review of Regulation (EC) No 130/2006 with regard to the applicant.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ L 23, 27.1.2006, p. 1.

⁽³⁾ OJ L 48, 22.2.2008, p. 1.

⁽⁴⁾ OJ L 312, 30.11.2007, p. 12.

- (5) Pursuant to Article 2 of Regulation (EC) No 1406/2007, the anti-dumping duty imposed by Regulation (EC) No 130/2006 on imports of tartaric acid produced by the applicant was repealed. Simultaneously, pursuant to Article 14(5) of the basic Regulation, customs authorities were directed to take appropriate steps to register the imports of tartaric acid produced by the applicant.

2.3. Product concerned

- (6) The product concerned by the current review is tartaric acid, the same as in the original investigation, subject, however, to the limitation in scope introduced by Regulation (EC) No 150/2008.

2.4. Parties concerned

- (7) The Commission officially advised the Community industry, the applicant and the representatives of the exporting country of the initiation of the review. Interested parties were given the opportunity to make their views known in writing and to be heard.
- (8) The Commission sent a market economy treatment claim and a questionnaire to the applicant and received a reply within the deadlines set for this purpose.
- (9) The Commission sought and verified all the information deemed necessary for its analysis and carried out a verification visit at the premises of the applicant.

2.5. Review investigation period

- (10) The investigation of dumping covered the period from 1 April 2006 – 30 September 2007 (review investigation period or RIP).

3. RESULTS OF THE INVESTIGATION

3.1. Findings

- (11) The questionnaire response indicated a number of export sales transactions which were identical to the information submitted in the application for the review and which were allegedly destined for the Community.
- (12) The investigation showed that the applicant did not directly export the product concerned (defined in section 2.3 above) during the RIP. The export transactions were in fact made by an independent trader in the PRC, to which the applicant issued a domestic invoice. The applicant could only provide customs

declaration forms which showed that the goods were exported from the PRC but which did not indicate the export destination. A further investigation was carried out at the premises of this trader in order to obtain and verify the necessary evidence of the alleged exports to the Community.

- (13) The verification of the export documentation did not show that the goods had been released for free circulation in the Community. The goods were unloaded in two Community ports, but the invoices were addressed to a customer located in a third country outside the Community. The trader confirmed that the final destination of the goods was outside the Community, where the final customer was located.
- (14) Eurostat import statistics of tartaric acid were also analysed. The analysis of the import statistics confirmed that the goods exported by the applicant were not released for free circulation within the Community.

3.2. Conclusion

- (15) On the basis of the above findings, it was concluded that the applicant could not demonstrate that it met the criteria for being considered a new exporter within the meaning of Article 11(4) of the basic Regulation.
- (16) The purpose of the present review was to determine the individual margin of dumping of the applicant, which was allegedly different from the current residual margin applicable to imports of the product concerned from the PRC. The request was mainly based on the allegation that the applicant had started to export tartaric acid to the Community after the end of the investigation period of the original investigation and that it had such exports to the Community during the RIP.
- (17) The investigation concluded that, in the absence of exports to the Community during the RIP, the Commission could not establish that the applicant's individual dumping margin was indeed different from the residual dumping margin established in the original investigation. Therefore, the request made by the applicant should be rejected and the new exporter review terminated. The residual anti-dumping duty found during the original investigation, i.e. 34,9 %, should consequently be maintained as far as the applicant is concerned.

4. RETROACTIVE LEVYING OF THE ANTI-DUMPING DUTY

- (18) In the light of the above findings, the anti-dumping duty applicable to the applicant shall be levied retroactively on imports of the product concerned, which have been made subject to registration pursuant to Article 3 of Regulation (EC) No 1406/2007.

5. FINAL PROVISIONS

- (19) The applicant, the Community industry and the representatives of the exporting country were informed of the essential facts and considerations leading to the above conclusions and were given an opportunity to comment. No comments which were of a nature to change the above conclusions were received.
- (20) This review does not affect the date on which the measures imposed by Regulation (EC) No 130/2006, as amended by Regulation (EC) No 150/2008, will expire pursuant to Article 11(2) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The new exporter review initiated by Regulation (EC) 1406/2007 is hereby terminated and the anti-dumping duty

applicable, according to Article 1 of Regulation (EC) No 130/2006, as amended by Regulation (EC) No 150/2008, to 'all other companies' in the People's Republic of China is hereby imposed on imports identified in Article 1 of Regulation (EC) No 1406/2007.

2. The anti-dumping duty applicable, according to Article 1(2) of Regulation (EC) No 130/2006, as amended by Regulation (EC) No 150/2008, to 'all other companies' in the People's Republic of China is hereby levied with effect from 1 December 2007 on imports of tartaric acid which have been registered pursuant to Article 3 of Regulation (EC) No 1406/2007.

3. The customs authorities are hereby directed to cease the registration carried out pursuant to Article 3 of Regulation (EC) No 1406/2007.

4. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

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

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

Done at Brussels, 24 July 2008.

For the Council
The President
B. HORTEFEUX

COMMISSION REGULATION (EC) No 728/2008
of 28 July 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 Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

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 Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 July 2008.

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

Done at Brussels, 28 July 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽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 350, 31.12.2007, p. 1. Regulation as last amended by Regulation (EC) No 590/2008 (OJ L 163, 24.6.2008, p. 24).

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	28,9
	TR	80,1
	XS	27,8
	ZZ	45,6
0707 00 05	MK	27,4
	TR	106,2
	ZZ	66,8
0709 90 70	TR	90,4
	ZZ	90,4
0805 50 10	AR	94,3
	US	49,4
	UY	77,3
	ZA	88,7
	ZZ	77,4
0806 10 10	CL	67,1
	EG	130,7
	IL	145,6
	TR	124,0
	ZZ	116,9
0808 10 80	AR	106,0
	BR	94,7
	CL	97,9
	CN	87,9
	NZ	117,1
	US	112,4
	ZA	94,6
	ZZ	101,5
0808 20 50	AR	71,0
	CL	65,5
	NZ	97,1
	ZA	104,5
	ZZ	84,5
0809 10 00	TR	176,4
	US	186,2
	ZZ	181,3
0809 20 95	TR	450,3
	US	225,7
	ZZ	338,0
0809 30	TR	148,7
	ZZ	148,7
0809 40 05	BA	95,0
	IL	116,7
	TR	115,5
	XS	66,2
	ZZ	98,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 729/2008**of 28 July 2008****entering certain designations in the register of traditional specialities guaranteed (Czwórniak (TSG), Dwójniak (TSG), Półtorak (TSG), Trójniak (TSG))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽¹⁾, and in particular the first subparagraph of Article 9(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, and pursuant to Article 19(3) of the same Regulation, Poland's applications to enter the designations 'Czwórniak', 'Dwójniak', 'Półtorak' and 'Trójniak' in the register was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no objection under Article 9 of Regulation (EC) No 509/2006 has been received by the Commission, these names should be entered in the register.

- (3) Protection as referred to in Article 13(2) of Regulation (EC) No 509/2006 has not been requested,

HAS ADOPTED THIS REGULATION:

Article 1

The names in the Annex to this Regulation are hereby entered in the register of traditional specialities guaranteed.

*Article 2*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, 28 July 2008.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 1.

⁽²⁾ OJ C 266, 8.11.2007, p. 27, corrected in OJ C 83, 2.4.2008, p. 10 (Czwórniak), OJ C 268, 10.11.2007, p. 22, corrected in OJ C 43, 16.2.2008, p. 37 (Dwójniak), OJ C 267, 9.11.2007, p. 40, corrected in OJ C 83, 2.4.2008, p. 10 (Półtorak), OJ C 265, 7.11.2007, p. 29, corrected in OJ C 83, 2.4.2008, p. 10 (Trójniak).

ANNEX

Products of Annex I to the EC Treaty intended for human consumption:

Class 1.8. Other products of Annex I to the Treaty

Czwórniak (TSG)

Dwójniak (TSG)

Półtorak (TSG)

Trójniak (TSG)

COMMISSION REGULATION (EC) No 730/2008**of 28 July 2008****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Carnalentejana (PDO))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 9(1), and pursuant to Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined Portugal's application for the approval of amendments to the specification of the protected designation of origin 'Carnalentejana' registered on the basis of Commission Regulation (EC) No 1107/96 ⁽²⁾.

- (2) Since the amendments in question are not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by the first subparagraph of Article 6(2) of that Regulation. As no statement of objection within the meaning of Article 7 of Regulation (EC) No 510/2006 has been sent to the Commission, the amendments should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name in the Annex to this Regulation are hereby approved.

Article 2

This Regulation shall enter into force on the twentieth 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, 28 July 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as last amended by Commission Regulation (EC) No 417/2008 (OJ L 125, 9.5.2008, p. 27).

⁽²⁾ OJ L 148, 21.6.1996, p. 1. Regulation as last amended by Regulation (EC) No 2156/2005 (OJ L 342, 24.12.2005, p. 54).

⁽³⁾ OJ C 255, 27.10.2007, p. 58.

ANNEX

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

Class 1.1. Fresh meat (and offal)**PORTUGAL**

Carnalentejana (PDO)

COMMISSION REGULATION (EC) No 731/2008**of 28 July 2008****derogating from Regulation (EC) No 1249/96 as regards the additional security required for the import of high-quality common wheat**

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 143(b) thereof, in conjunction with Article 4 thereof,

Whereas:

(1) Article 5(1), first subparagraph, point (b) of 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⁾, lays down the principle of a specific security for imports of high-quality common wheat, in addition to that required under Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾. This additional security of EUR 95 per tonne is justified by the different customs duties on imports in force for different categories of common wheat depending on whether the wheat is of high quality or low and medium quality.

(2) Commission Regulation (EC) No 608/2008 suspended customs duties on imports of certain cereals for the 2008/09 marketing year ⁽⁴⁾, which ends on 30 June 2009, while allowing them to be reintroduced before that date should the market situation so warrant.

⁽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 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

⁽³⁾ OJ L 189, 29.7.2003, p. 12. Regulation as last amended by Regulation (EC) No 514/2008 (OJ L 150, 10.6.2008, p. 7).

⁽⁴⁾ OJ L 166, 27.6.2008, p. 19.

(3) The temporary suspension of customs duties in respect of imports carried out on the basis of import licences issued from 1 July 2008, in accordance with Article 2 of Regulation (EC) No 608/2008, has meant the temporary removal of the specific circumstances justifying the establishment of a system of specific securities additional to those inherent in import licences. In view of those new conditions applicable to imports of common wheat since the entry into force of Regulation (EC) No 608/2008, the additional security of EUR 95 per tonne as provided for in the second subparagraph of Article 5(1) of Regulation (EC) No 1249/96 can no longer be justified until such time as customs duties on imports are reinstated.

(4) Regulation (EC) No 1249/96 should therefore be derogated from and this Regulation should apply on the same date as that established for the suspension of custom duties (i.e. 1 July 2008), to avoid operators having to lodge the additional security.

(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

By way of derogation from Article 5(1)(b) of Regulation (EC) No 1249/96, the additional security referred to in the said provision shall not be required during the period of suspension of customs duties on imports of common wheat as established by Regulation (EC) No 608/2008.

Article 2

This Regulation shall enter into force on the day following 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, 28 July 2008.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

DIRECTIVES

COMMISSION DIRECTIVE 2008/79/EC

of 28 July 2008

amending Directive 98/8/EC of the European Parliament and of the Council to include IPBC as an active substance in Annex I thereto

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ⁽¹⁾, and in particular the second subparagraph of Article 16(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market ⁽²⁾ establishes a list of active substances to be assessed, with a view to their possible inclusion in Annex I, IA or IB to Directive 98/8/EC. That list includes IPBC.
- (2) Pursuant to Regulation (EC) No 1451/2007, IPBC has been evaluated in accordance with Article 11(2) of Directive 98/8/EC for use in product-type 8, wood preservatives, as defined in Annex V to Directive 98/8/EC.
- (3) Denmark was designated as Rapporteur Member State and submitted the competent authority report, together with a recommendation, to the Commission on 29 September 2006 in accordance with Article 14(4) and (6) of Regulation (EC) No 1451/2007.
- (4) The competent authority report was reviewed by the Member States and the Commission. In accordance with Article 15(4) of Regulation (EC) No 1451/2007,

the findings of the review were incorporated, within the Standing Committee on Biocidal Products on 22 February 2008, in an assessment report.

- (5) It appears from the examinations made that biocidal products used as wood preservatives and containing IPBC may be expected to satisfy the requirements laid down in Article 5 of Directive 98/8/EC. It is therefore appropriate to include IPBC in Annex I, in order to ensure that in all Member States authorisations for biocidal products used as wood preservatives and containing IPBC can be granted, modified, or cancelled in accordance with Article 16(3) of Directive 98/8/EC.
- (6) In the light of the findings of the assessment report, it is appropriate to require that risk mitigation measures are applied at product authorisation level to products containing IPBC and used as wood preservatives to ensure that risks are reduced to an acceptable level in accordance with Article 5 of Directive 98/8/EC and Annex VI thereto. In particular, appropriate measures should be taken to protect the soil and aquatic compartments after application of the products since unacceptable risks in these compartments have been identified during the evaluation and products intended for industrial and/or professional use should be used with appropriate protective equipment if the risk identified for industrial and/or professional users cannot be reduced by other means.
- (7) It is important that the provisions of this Directive be applied simultaneously in all the Member States in order to ensure equal treatment of biocidal products on the market containing the active substance IPBC and also to facilitate the proper operation of the biocidal products market in general.
- (8) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements entailed and to ensure that applicants who have prepared dossiers can benefit fully from the 10-year period of data protection, which, in accordance with Article 12(1)(c)(ii) of Directive 98/8/EC, starts from the date of inclusion.

⁽¹⁾ OJ L 123, 24.4.1998, p. 1. Directive as last amended by Directive 2008/31/EC (OJ L 81, 20.3.2008, p. 57).

⁽²⁾ OJ L 325, 11.12.2007, p. 3.

- (9) After inclusion, Member States should be allowed a reasonable period to implement Article 16(3) of Directive 98/8/EC, and in particular, to grant, modify or cancel authorisations of biocidal products in product-type 8 containing IPBC to ensure that they comply with Directive 98/8/EC.
- (10) Directive 98/8/EC should therefore be amended accordingly.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 98/8/EC is amended in accordance with the Annex to this Directive.

Article 2

Transposition

1. Member States shall adopt and publish, by 30 June 2009 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 July 2010.

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 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 20th 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, 28 July 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

The following entry 'No 11' is inserted in Annex I to Directive 98/8/EC:

No	Common name	IUPAC name Identification numbers	Minimum purity of the active substance in the biocidal product as placed on the market	Date of inclusion	Deadline for compliance with Article 16(3) (except for products containing more than one active substance, for which the deadline to comply with Article 16(3) shall be the one set out in the last of the inclusion decisions relating to its active substances)	Expiry date of inclusion	Product type	Specific provisions (*)
11	IPBC	3-iodo-2-propynyl butylcarbamate EC No: 259-627-5 CAS No: 55406-53-6	980 g/kg	1 July 2010	30 June 2012	30 June 2020	8	Member States shall ensure that authorisations are subject to the following conditions: In view of the assumptions made during the risk assessment, products authorised for industrial and/or professional use, must be used with appropriate personal protective equipment, unless it can be demonstrated in the application for product authorisation that risks to industrial and/or professional users can be reduced to an acceptable level by other means. In view of the risks identified for the soil and aquatic compartments appropriate risk mitigation measures must be taken to protect those compartments. In particular, labels and/or safety data sheets of products authorised for industrial use shall indicate that freshly treated timber must be stored after treatment under shelter or on impermeable hardstanding to prevent direct losses to soil or water and that any losses must be collected for reuse or disposal.

(*) For the implementation of the common principles of Annex VI, the content and conclusions of assessment reports are available on the Commission website: <http://ec.europa.eu/comm/environment/biocides/index.htm>

COMMISSION DIRECTIVE 2008/80/EC

of 28 July 2008

amending Directive 98/8/EC of the European Parliament and of the Council to include cyclohexylhydroxydiazene 1-oxide, potassium salt (K-HDO) as an active substance in Annex I thereto

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the findings of the review were incorporated, within the Standing Committee on Biocidal Products on 22 February 2008, in an assessment report.

Having regard to the Treaty establishing the European Community,

Having regard to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ⁽¹⁾, and in particular the second subparagraph of Article 16(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market ⁽²⁾ establishes a list of active substances to be assessed, with a view to their possible inclusion in Annexes I, IA or IB to Directive 98/8/EC. That list includes cyclohexylhydroxydiazene 1-oxide, potassium salt (K-HDO).

(2) Pursuant to Regulation (EC) No 1451/2007, K-HDO has been evaluated in accordance with Article 11(2) of Directive 98/8/EC for use in product-type 8, wood preservatives, as defined in Annex V to Directive 98/8/EC.

(3) Austria was designated as Rapporteur Member State and submitted the competent authority report, together with a recommendation, to the Commission on 22 March 2006 in accordance with Article 14(4) and (6) of Regulation (EC) No 1451/2007.

(4) The competent authority report was reviewed by the Member States and the Commission. In accordance with Article 15(4) of Regulation (EC) No 1451/2007,

(5) Although the risk assessment was limited to very specific application systems, it appears from the examinations made that biocidal products used as wood preservatives and containing K-HDO may be expected to satisfy the requirements laid down in Article 5 of Directive 98/8/EC. It is therefore appropriate to include K-HDO in Annex I, in order to ensure that in all Member States authorisations for biocidal products used as wood preservatives and containing K-HDO can be granted, modified or cancelled in accordance with Article 16(3) of Directive 98/8/EC.

(6) Not all potential uses have been evaluated at the Community level. It is therefore appropriate that Member States pay particular attention to the risks to the compartments and populations that have not been representatively addressed in the Community level risk assessment and, when granting product authorisations, ensure that appropriate measures are taken or specific conditions imposed in order to mitigate the identified risks to acceptable levels.

(7) In particular, in view of the possible risks for the environment and workers, authorisations for products to be used in other systems than industrial, fully automated and closed ones should not be granted unless the application for product authorisation demonstrates that risks can be reduced to acceptable levels in accordance with Article 5 of Directive 98/8/EC and Annex VI thereto.

(8) In the light of the findings of the assessment report, it is appropriate to require that products containing K-HDO be used with appropriate protective equipment. In view of the risks identified for infants, it is also appropriate to require that K-HDO not be used for the treatment of wood that may come in direct contact with infants.

(9) It is important that the provisions of this Directive be applied simultaneously in all the Member States in order to ensure equal treatment of biocidal products on the market containing the active substance K-HDO and also to facilitate the proper operation of the biocidal products market in general.

⁽¹⁾ OJ L 123, 24.4.1998, p. 1. Directive as last amended by Directive 2008/31/EC (OJ L 81, 20.3.2008, p. 57).

⁽²⁾ OJ L 325, 11.12.2007, p. 3.

- (10) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements entailed and to ensure that applicants who have prepared dossiers can benefit fully from the 10-year period of data protection, which, in accordance with Article 12(1)(c)(ii) of Directive 98/8/EC, starts from the date of inclusion.
- (11) After inclusion, Member States should be allowed a reasonable period to implement Article 16(3) of Directive 98/8/EC, and in particular, to grant, modify or cancel authorisations of biocidal products in product-type 8 containing K-HDO to ensure that they comply with Directive 98/8/EC.
- (12) Directive 98/8/EC should therefore be amended accordingly.
- (13) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 98/8/EC is amended in accordance with the Annex to this Directive.

Article 2

Transposition

1. Member States shall adopt and publish, by 30 June 2009 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 July 2010.

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 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 20th 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, 28 July 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

The following entry 'No 10' is inserted in Annex I to Directive 98/8/EC

No	Common Name	IUPAC Name Identification Numbers	Minimum purity of the active substance in the biocidal product as placed on the market	Date of inclusion	Deadline for compliance with Article 16(3) (except for products containing more than one active substance, for which the deadline to comply with Article 16(3) shall be the one set out in the last of the inclusion decisions relating to its active substances)	Expiry date of inclusion	Product type	Specific provisions (*)
'10	K-HDO	Cyclohexylhydroxydiazene 1-oxide, potassium salt EC No: n/a CAS No: 66603-10-9 (This entry also covers the hydrated forms of K-HDO)	977 g/kg	1 July 2010	30 June 2012	30 June 2020	8	<p>When assessing the application for authorisation of a product in accordance with Article 5 and Annex VI, Member States shall assess, when relevant for the particular product, the populations that may be exposed to the product and the use or exposure scenarios that have not been representatively addressed at the Community level risk assessment.</p> <p>Member States shall ensure that authorisations are subject to the following conditions:</p> <p>(1) in view of the possible risks for the environment and workers, products shall not be used in other systems than industrial, fully automated and closed ones unless the application for product authorisation demonstrates that risks can be reduced to acceptable levels in accordance with Article 5 and Annex VI;</p> <p>(2) in view of the assumptions made during the risk assessment, products must be used with appropriate personal protective equipment, unless the application for product authorisation demonstrates that risks to users can be reduced to acceptable levels by other means;</p> <p>(3) in view of the risk identified for infants, products shall not be used for the treatment of wood that may enter in direct contact with infants.'</p>

(*) For the implementation of the common principles of Annex VI, the content and conclusions of assessment reports are available on the Commission website: <http://ec.europa.eu/comm/environment/biocides/index.htm>

RULES OF PROCEDURE

AMENDMENTS TO THE RULES OF PROCEDURE OF THE COURT OF JUSTICE

THE COURT,

Having regard to the Treaty establishing the European Community, and in particular the sixth paragraph of Article 223 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the sixth paragraph of Article 139 thereof,

Whereas:

- (1) Article 225(2) and (3) of the EC Treaty and Article 140a(2) and (3) of the EAEC Treaty provide that there is to be a procedure for the review by the Court of Justice of the decisions of the Court of First Instance where that Court has ruled on an appeal brought against a decision of a judicial panel or has given a ruling on questions referred for a preliminary ruling in specific areas laid down by the Statute.
- (2) The conditions and limits applying to the review procedure have been laid down in Articles 62 to 62b of the Protocol on the Statute of the Court of Justice.
- (3) The Rules of Procedure should regulate the conduct of the review procedure and lay down certain detailed rules to govern it.

With the Council's approval given on 23 June 2008.

HAS ADOPTED THE FOLLOWING AMENDMENTS TO ITS RULES OF PROCEDURE:

Article 1

The Rules of Procedure of the Court of Justice of the European Communities of 19 June 1991 (OJ L 176, 4.7.1991, p. 7, with corrigendum in OJ L 383, 29.12.1992, p. 117), as amended on 21 February 1995 (OJ L 44, 28.2.1995, p. 61), 11 March 1997 (OJ L 103, 19.4.1997, p. 1, with corrigendum in OJ L 351, 23.12.1997, p. 72), 16 May 2000 (OJ L 122, 24.5.2000, p. 43), 28 November 2000 (OJ L 322, 19.12.2000, p. 1), 3 April 2001 (OJ L 119, 27.4.2001, p. 1), 17 September 2002 (OJ L 272, 10.10.2002, p. 24, with corrigendum in OJ

L 281, 19.10.2002, p. 24), 8 April 2003 (OJ L 147, 14.6.2003, p. 17), 19 April 2004 (OJ L 132, 29.4.2004, p. 2), 20 April 2004 (OJ L 127, 29.4.2004, p. 107), 12 July 2005 (OJ L 203, 4.8.2005, p. 19), 18 October 2005 (OJ L 288, 29.10.2005, p. 51), 18 December 2006 (OJ L 386, 29.12.2006, p. 44) and 15 January 2008 (OJ L 24, 29.1.2008, p. 39) are hereby amended as follows:

1. The following shall be inserted after Article 123:

TITLE IVA

REVIEW OF DECISIONS OF THE COURT OF FIRST INSTANCE

Article 123b

A special Chamber shall be set up for the purpose of deciding, in accordance with Article 123d, whether a decision of the Court of First Instance is to be reviewed in accordance with Article 62 of the Statute.

That Chamber shall be composed of the President of the Court and of four of the Presidents of the Chambers of five Judges designated according to the order of precedence laid down in Article 6 of these Rules.

Article 123c

As soon as the date for the delivery of a decision to be given under Article 225(2) or (3) of the EC Treaty or Article 140a(2) or (3) of the EAEC Treaty is fixed, the Registry of the Court of First Instance shall inform the Registry of the Court of Justice. The decision shall be communicated immediately upon its delivery.

Article 123d

The proposal of the First Advocate General to review a decision of the Court of First Instance shall be forwarded to the President of the Court of Justice and notice of that transmission shall be given to the Registrar at the same time. Where the decision of the Court of First Instance has been given under Article 225(3) of the EC Treaty or Article 140a(3) of the EAEC Treaty, the Registrar shall forthwith inform the Court of First Instance, the national court, the parties to the proceedings before the national court and the other interested parties referred to in the second paragraph of Article 62a of the Statute of the proposal to review.

As soon as the proposal to review has been received, the President shall designate the Judge-Rapporteur from among the Judges of the Chamber referred to in Article 123b.

That Chamber, acting on a report from the Judge-Rapporteur, shall decide whether the decision of the Court of First Instance is to be reviewed. The decision to review the decision of the Court of First Instance shall indicate the questions which are to be reviewed.

Where the decision of the Court of First Instance has been given under Article 225(2) of the EC Treaty or Article 140a(2) of the EAEC Treaty, the Court of First Instance, the parties to the proceedings before it and the other interested parties referred to in the second paragraph of Article 62a of the Statute shall forthwith be informed by the Registrar of the decision of the Court of Justice to review the decision of the Court of First Instance.

Where the decision of the Court of First Instance has been given under Article 225(3) of the EC Treaty or Article 140a(3) of the EAEC Treaty, the Court of First Instance, the national court, the parties to the proceedings before the national court and the other interested parties referred to in the second paragraph of Article 62a of the Statute shall forthwith be informed by the Registrar of the decision of the Court of Justice as to whether or not the decision of the Court of First Instance is to be reviewed. Notice of a decision to review the decision of the Court of First Instance shall be given in the *Official Journal of the European Union*.

Article 123e

The decision to review a decision of the Court of First Instance shall be notified to the parties and the other interested parties referred to in the second paragraph of Article 62a of the Statute. The notification to the Member States, and the States, other than the Member States, which are parties to the EEA Agreement, as well as the EFTA Surveillance Authority, shall be accompanied by a translation of the decision of the Court of Justice in accordance with the provisions of the first and second subparagraphs of Article 104(1) of these Rules. The decision of the Court of Justice shall also be communicated to the Court of First Instance and, in cases involving a decision given by that

Court under Article 225(3) of the EC Treaty or Article 140a(3) of the EAEC Treaty, to the national court concerned.

Within one month of the notification referred to in the preceding paragraph, the parties and other persons to whom the decision of the Court of Justice has been notified may lodge statements or written observations on the questions which are subject to review.

As soon as a decision to review a decision of the Court of First Instance has been taken, the First Advocate General shall assign the review to an Advocate General.

After designating the Judge-Rapporteur, the President shall fix the date on which the latter is to present a preliminary report to the general meeting of the Court. That report shall contain the recommendations of the Judge-Rapporteur as to whether any preparatory steps should be taken, as to the formation of the Court to which the review should be assigned and as to whether a hearing should take place, and also as to the manner in which the Advocate General should present his views. The Court shall decide, after hearing the Advocate General, what action to take upon the recommendations of the Judge-Rapporteur.

Where the decision of the Court of First Instance which is subject to review was given under Article 225(2) of the EC Treaty or Article 140a(2) of the EAEC Treaty, the Court of Justice shall make a decision as to costs.'

2. Article 123a shall become Article 123f and Article 123b shall become Article 123g.

Article 2

These amendments to the Rules of Procedure, which are authentic in the languages referred to in Article 29(1) of these Rules, shall be published in the *Official Journal of the European Union* and shall enter into force on the first day of the second month following their publication.

Done at Luxembourg, 8 July 2008.

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 23 June 2008

amending the Rules of Procedure of the Court of Justice of the European Communities as regards the rules governing the language arrangements applicable to the review procedure

(2008/621/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to Article 64 of the Protocol on the Statute of the Court of Justice,

In accordance with the procedure laid down in the second paragraph of Article 245 of the Treaty establishing the European Community and the second paragraph of Article 160 of the Treaty establishing the European Atomic Energy Committee,

Having regard to the request of the Court of Justice of 4 February 2008,

Having regard to the opinion of the European Parliament of 17 June 2008,

Having regard to the opinion of the Commission of 14 March 2008,

Whereas the Rules of Procedure should specify certain detailed rules governing the review procedure laid down in Article 225(2) and (3) of the Treaty establishing the European Community and Article 140a(2) and (3) of the Treaty establishing the European Atomic Energy Committee, the principles governing which are set out in Articles 62 to 62b of the Protocol on the Statute of the Court of Justice, and, in particular, should lay down the detailed rules governing the language arrangements applicable to that procedure,

Article 1

The Rules of Procedure of the Court of Justice of the European Communities of 19 June 1991 (OJ L 176, 4.7.1991, p. 7, with corrigendum in OJ L 383, 29.12.1992, p. 117), as amended on 21 February 1995 (OJ L 44, 28.2.1995, p. 61), 11 March 1997 (OJ L 103, 19.4.1997, p. 1, with corrigendum in OJ L 351, 23.12.1997, p. 72), 16 May 2000 (OJ L 122, 24.5.2000, p. 43), 28 November 2000 (OJ L 322, 19.12.2000, p. 1), 3 April 2001 (OJ L 119, 27.4.2001, p. 1), 17 September 2002 (OJ L 272, 10.10.2002, p. 24, with corrigendum in OJ L 281, 19.10.2002, p. 24), 8 April 2003 (OJ L 147, 14.6.2003, p. 17), 19 April 2004 (OJ L 132, 29.4.2004, p. 2), 20 April 2004 (OJ L 127, 29.4.2004, p. 107), 12 July 2005 (OJ L 203, 4.8.2005, p. 19), 18 October 2005 (OJ L 288, 29.10.2005, p. 51) and 18 December 2006 (OJ L 386, 29.12.2006, p. 44) are hereby amended as follows:

After Article 123, there shall be inserted in the Title headed 'Title IVa: Review of Decisions of the Court of First Instance' an Article 123a, to be worded as follows:

'Article 123a

Without prejudice to the arrangements laid down in Article 29(2)(b) and (c) and the fourth and fifth subparagraphs of Article 29(3) of these Rules, where, in accordance with the second paragraph of Article 62 of the Statute, the Court decides to review a decision of the Court of First Instance, the language of the case shall be the language of the decision of the Court of First Instance which is subject to review.'

Article 2

This Decision shall enter into force on the first day of the second month following its publication in the *Official Journal of the European Union*.

Done at Luxembourg, 23 June 2008.

For the Council
The President
I. JARC

COUNCIL DECISION

of 8 July 2008

abrogating Decision 2005/183/EC on the existence of an excessive deficit in Poland

(2008/622/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Article 104(7), on a recommendation from the Commission, confirming the 2007 deadline for the correction. The recommendation was made public.

Having regard to the Treaty establishing the European Community, and in particular Article 104(12) thereof,

Having regard to the recommendation from the Commission,

(4) In accordance with Article 104(12) of the Treaty, a Council Decision on the existence of an excessive deficit is to be abrogated when the excessive deficit in the Member State concerned has, in the view of the Council, been corrected.

Whereas:

(1) By Council Decision 2005/183/EC⁽¹⁾, following a recommendation from the Commission in accordance with Article 104(6) of the Treaty, it was decided that an excessive deficit existed in Poland. The Council noted that the general government deficit was 4,1 % of GDP in 2003, above the 3 % of GDP Treaty reference value, while general government gross debt stood at 45,4 % of GDP, below the 60 % of GDP Treaty reference value. The Council decision stated that the deficit and the debt figures would have to be adjusted upward if the funded pension schemes were excluded from the general government sector following the Eurostat decision on the classification of the funded pension schemes⁽²⁾.

(5) In accordance with the Protocol on the excessive deficit procedure annexed to the Treaty, the Commission provides the data for the implementation of the procedure. As part of the application of this Protocol, Member States are to notify data on government deficits and debt and other associated variables twice a year, namely before 1 April and before 1 October, in accordance with Article 4 of Council Regulation (EC) No 3605/93 of 22 November 1993 on the application of the Protocol on the excessive deficit procedure annexed to the Treaty establishing the European Community⁽⁵⁾.

(2) On 5 July 2004, in accordance with Article 104(7) of the Treaty and Article 3(4) of Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure⁽³⁾, the Council made, based on a recommendation from the Commission, a recommendation addressed to Poland with a view to bringing the excessive deficit situation to an end by 2007 at the latest. The recommendation was made public.

(6) Based on data provided by the Commission (Eurostat) in accordance with Article 8g(1) of Regulation (EC) No 3605/93 following the notification by Poland before 1 April 2008 and on the Commission services' spring 2008 forecast, the following conclusions are warranted:

(3) On 28 November 2006, the Council decided in accordance with Article 104(8), on a recommendation from the Commission, that action taken until then by the Polish authorities was inadequate⁽⁴⁾. On 27 February 2007, the Council issued a new recommendation under

— the general government deficit was reduced from 3,8 % of GDP in 2006 to 2,0 % of GDP in 2007, which is below the 3 % of GDP deficit reference value. This compares with a target of 3,4 % of GDP set in the November 2006 update of the convergence programme,

⁽¹⁾ OJ L 62, 9.3.2005, p. 18.

⁽²⁾ Eurostat News Releases No 30/2004 of 2 March 2004 and No 117/2004 of 23 September 2004.

⁽³⁾ OJ L 209, 2.8.1997, p. 6. Regulation as amended by Regulation (EC) No 1056/2005 (OJ L 174, 7.7.2005, p. 5).

⁽⁴⁾ OJ L 414, 30.12.2006, p. 81.

⁽⁵⁾ OJ L 332, 31.12.1993, p. 7. Regulation as last amended by Regulation (EC) No 2103/2005 (OJ L 337, 22.12.2005, p. 1).

— the much better 2007 deficit out-turn compared to the target was supported by much higher real GDP growth than assumed in the November 2006 convergence programme. In addition, relative to GDP, the government spent less on social transfers (due to lack of indexation in 2007), subsidies, investment and compensation of employees. Overall, total expenditure was lower by 1,5 percentage points than planned in the November 2006 convergence programme. The improvement in the structural balance (i.e. the cyclically-adjusted balance net of one-off and other temporary measures) is estimated at 1½ percentage points of GDP in 2007,

— with lower GDP growth than in 2007, the spring 2008 forecast projects the deficit to increase in 2008 to 2,5 % of GDP, but remain below the reference value, driven mainly by cuts in social contributions, personal income tax relief and an increase of social transfers together with higher investment. This is the same as the official deficit target set in the March 2008 update of the convergence programme. For 2009, the spring forecast projects the deficit to broadly stabilise on a no-policy-change basis. This indicates that the deficit has been brought below the 3 % of GDP reference value in a credible and sustainable manner,

— nonetheless, the structural balance is projected to deteriorate slightly by ¼ percentage point of GDP in 2008 and, on a no-policy-change basis, improve by about ⅓ percentage point in 2009. This has to be seen against the need to make progress towards the medium-term objective (MTO) for the budgetary position, which for Poland is a structural deficit of 1 % of GDP,

— government debt declined from 47,6 % of GDP in 2006 to 45,2 % in 2007. According to the spring 2008 forecast, the debt ratio is projected to remain well below the 60 % of GDP threshold and fall further to around 44 % by the end of 2009.

- (7) In the view of the Council, the excessive deficit in Poland has been corrected and Decision 2005/183/EC should therefore be abrogated,

HAS ADOPTED THIS DECISION:

Article 1

From an overall assessment it follows that the excessive deficit situation in Poland has been corrected.

Article 2

Decision 2005/183/EC is hereby abrogated.

Article 3

This Decision is addressed to the Republic of Poland.

Done at Brussels, 8 July 2008.

For the Council
The President
C. LAGARDE

COMMISSION

COMMISSION DECISION

of 24 July 2008

on a financial contribution from the Community towards emergency measures to combat Newcastle disease in Estonia in 2007

(notified under document number C(2008) 3723)

(Only the Estonian text is authentic)

(2008/623/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, and in particular Articles 3(3) and 4(2) thereof,

Whereas:

- (1) Decision 90/424/EEC lays down the procedures governing the Community's financial contribution towards specific veterinary measures, including emergency measures. Pursuant to Article 4(2) of that Decision, Member States shall obtain a financial contribution towards the costs of certain measures to eradicate Newcastle disease.
- (2) Articles 3(5) and 4(2) of Decision 90/424/EEC lay down rules on the percentage of the costs incurred by the Member State that may be covered by the Community's financial contribution.
- (3) The payment of a Community financial contribution towards emergency measures to eradicate Newcastle disease is subject to the rules laid down in Commission Regulation (EC) No 349/2005 of 28 February 2005 laying down rules on the Community financing of emergency measures and of the campaign to combat certain animal diseases under Council Decision 90/424/EEC ⁽²⁾.
- (4) Outbreaks of Newcastle disease occurred in Estonia in 2007. The emergence of that disease represents a serious risk to the Community's livestock population. Estonia took measures, in accordance with Article 3(2) of Decision 90/424/EEC, to combat those outbreaks.

(5) Estonia has fully complied with its technical and administrative obligations as set out in Article 3(3) of Decision 90/424/EEC and Article 6 of Regulation (EC) No 349/2005.

(6) On 6 October 2007, Estonia submitted an estimate of the costs incurred in taking measures to eradicate Newcastle disease.

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

HAS ADOPTED THIS DECISION:

Article 1

Financial contribution from the Community to Estonia

A financial contribution from the Community may be granted to Estonia towards the costs incurred by that Member State in taking measures pursuant to Article 3(2) and 4(2) of Decision 90/424/EEC, to combat Newcastle disease in 2007.

Article 2

Addressee

This Decision is addressed to the Republic of Estonia.

Done at Brussels, 24 July 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

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

⁽²⁾ OJ L 55, 1.3.2005, p. 12.