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I

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

REGULATIONS

COMMISSION REGULATION (EC) No 995/2008**of 13 October 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 14 October 2008.

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

Done at Brussels, 13 October 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

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	MA	79,4
	MK	53,7
	TR	62,5
	ZZ	65,2
0707 00 05	JO	156,8
	MK	81,9
	TR	97,4
	ZZ	112,0
0709 90 70	TR	125,7
	ZZ	125,7
0805 50 10	AR	71,0
	BR	51,8
	TR	105,0
	UY	95,7
	ZA	86,6
	ZZ	82,0
0806 10 10	BR	224,6
	TR	85,5
	US	224,7
	ZZ	178,3
0808 10 80	AR	67,2
	CL	42,0
	CN	53,8
	CR	67,4
	MK	35,3
	NZ	89,4
	US	106,3
	ZA	81,5
	ZZ	67,9
0808 20 50	CN	39,1
	TR	129,5
	ZA	99,5
	ZZ	89,4

⁽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 996/2008**of 13 October 2008****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 945/2008 for the 2008/2009 marketing year**

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 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2008/2009 marketing year are fixed by Commission Regulation (EC) No 945/2008 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 991/2008 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 945/2008 for the 2008/2009, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 October 2008.

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

Done at Brussels, 13 October 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 258, 26.9.2008, p. 56.

⁽⁴⁾ OJ L 269, 10.10.2008, p. 3.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 14 October 2008

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	23,14	4,73
1701 11 90 ⁽¹⁾	23,14	9,96
1701 12 10 ⁽¹⁾	23,14	4,54
1701 12 90 ⁽¹⁾	23,14	9,53
1701 91 00 ⁽²⁾	24,05	13,57
1701 99 10 ⁽²⁾	24,05	8,69
1701 99 90 ⁽²⁾	24,05	8,69
1702 90 95 ⁽³⁾	0,24	0,40

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 25 February 2008

on the signing and provisional application of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

(2008/792/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 44(2), the third sentence of Article 47(2), and Articles 55, 57(2), 71, 80(2), 93, 94, 133 and 181a, in conjunction with the second sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the Treaty of Accession of the Republic of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of the Republic of Bulgaria and Romania, and in particular Article 6(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 23 October 2006, the Council authorised the Commission, on behalf of the Community and its Member States, to negotiate with the Republic of Uzbekistan a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union.
- (2) Subject to its possible conclusion at a later date, the Protocol should be signed on behalf of the European Communities and their Member States.

- (3) The Protocol should be applied on a provisional basis from 1 January 2007, pending completion of the relevant procedures for its formal conclusion,

HAS DECIDED AS FOLLOWS:

Article 1

The President of the Council is hereby authorised to designate the person(s) empowered to sign, on behalf of the European Communities and their Member States, the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union, subject to possible conclusion at a later stage.

The text of the Protocol is attached to this Decision.

Article 2

Pending its entry into force, the Protocol shall be applied on a provisional basis from 1 January 2007.

Done at Brussels, 25 February 2008.

For the Council
The President
A. VIZJAK

PROTOCOL

to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as the 'Member States', represented by the Council of the European Union, and

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter referred to as 'the Communities', represented by the Council of the European Union and the European Commission,

of the one part, and

THE REPUBLIC OF UZBEKISTAN,

of the other part,

hereinafter referred to as 'Parties' for the purposes of this Protocol,

HAVING REGARD TO the provisions of the Treaty between the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Republic of Bulgaria and Romania concerning the accession of the Republic of Bulgaria and Romania to the European Union, which was signed in Luxembourg on 25 April 2005 and is applied from 1 January 2007,

CONSIDERING the new situation in relations between the Republic of Uzbekistan and the European Union arising from the accession to the EU of two new Member States, which opens opportunities for further development of cooperation between the Republic of Uzbekistan and the European Union,

TAKING INTO ACCOUNT the desire of the Parties to ensure the attainment and implementation of the objectives and principles of the PCA,

HAVE AGREED AS FOLLOWS:

Article 1

The Republic of Bulgaria and Romania shall be Parties to the Partnership and Cooperation Agreement, establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, signed in Florence on 21 June 1996 and entered into force on 1 July 1999 (hereinafter the Agreement) and shall respectively adopt and take note, in the same manner, as the other Member States, of the texts of the Agreement, as well as of the Joint Declarations, Exchanges of Letters, and Declaration by the Republic of Uzbekistan annexed to the Final Act signed on the same date and the Protocol to the Agreement of 30 April 2004, which entered into force on 1 November 2005.

Article 2

This Protocol shall form an integral part of the Agreement.

Article 3

1. This Protocol shall be approved by the Communities, by the Council of the European Union on behalf of the Member States and by the Republic of Uzbekistan in accordance with their own procedures.

2. The Parties shall notify each other of the completion of the corresponding procedures referred to in the preceding paragraph. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 4

1. This Protocol shall enter into force on the first day of the first month following the date of the deposit of the last instrument of approval.
2. Pending the date of its entry into force, this Protocol shall apply provisionally with effect from 1 January 2007.

Article 5

1. The texts of the Agreement, the Final Act and all documents annexed to it, as well as the Protocol to the Agreement of 30 April 2004, are drawn up in the Bulgarian and Romanian languages.

2. They are annexed to this Protocol and are equally authentic with the texts in the other languages in which the Agreement, the Final Act and the documents annexed to it, as well as the Protocol to the Agreement of 30 April 2004, are drawn up.

Article 6

This Protocol is drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovene, Slovak, Spanish, Swedish and Uzbek languages, each of these texts being equally authentic.

Съставено в Брюксел на двадесетия ден от м. май две хиляди и осма година.

Hecho en Bruselas, el veinte de mayo de dos mil ocho.

V Bruselu dne dvacátého května dva tisíce osm.

Udfærdiget i Bruxelles den tyvende maj to tusind og otte.

Geschehen zu Brüssel am zwanzigsten Mai zweitausendacht.

Kahe tuhande kaheksanda aasta maikuu kahekümmendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι Μαΐου δύο χιλιάδες οκτώ.

Done at Brussels on the twentieth day of May in the year two thousand and eight.

Fait à Bruxelles, le vingt mai deux mille huit.

Fatto a Bruxelles, addì venti maggio duemilaotto.

Briselē, divtūkstoš astotā gada divdesmitajā maijā.

Priimta du tūkstančiai aštuntų metų gegužės dvidešimtą dieną Briuselyje.

Kelt Brüsszelben, a kétézer-nyolcadik év május huszadik napján.

Magħmul fi Brussell, fl-għoxrin jum ta' Mejju tas-sena elfejn u tmienja.

Gedaan te Brussel, de twintigste mei tweeduizend acht.

Sporządzono w Brukseli, dnia dwudziestego maja roku dwa tysiące ósmego.

Feito em Bruxelas, em vinte de Maio de dois mil e oito.

Înceiat la Bruxelles, la douăzeci mai două mii opt.

V Bruseli dvadsiateho mája dvetisícosem.

V Bruslju, dne dvajsetega maja leta dva tisoč osem.

Tehty Brysselissä kahdentenakymmenentenä päivänä toukokuuta vuonna kaksituhattakahdeksan.

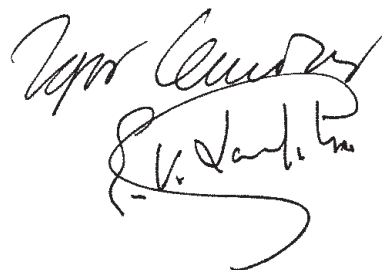
Utfärdat i Bryssel den tjugonde maj tjugohundraåtta.

Брюссель шаһрида икки миңг саккызинчи йил йигирманчи майда нмзоланди.

За държавите-членки
 Por los Estados miembros
 Za členské státy
 For medlemsstaterne
 Für die Mitgliedstaaten
 Liikmesriikide nimel
 Για τα κράτη μέλη
 For the Member States
 Pour les États membres
 Per gli Stati membri
 Dalīvalstu vārdā
 Valstybių narių vardu
 A tagállamok részéről
 Għall-Istati Membri
 Voor de lidstaten
 W imieniu państw członkowskich
 Pelos Estados-Membros
 Pentru statele membre
 Za členské štáty
 Za države članice
 Jäsenvaltioiden puolesta
 På medlemsstaternas vägnar
 Аъзо Давлатлар Номидан



За Европейската общност
 Por las Comunidades Europeas
 Za Evropská společenství
 For De Europæiske Fællesskaber
 Für die Europäischen Gemeinschaften
 Euroopa ühenduste nimel
 Για τις Ευρωπαϊκές Κοινότητες
 For the European Communities
 Pour les Communautés européennes
 Per le Comunità europee
 Eiropas Kopienų vārdā
 Europos Bendrijų vardu
 Az Európai Közösségek részéről
 Għall-Komunitajiet Ewropej
 Voor de Europese Gemeenschappen
 W imieniu Wspólnot Europejskich
 Pelas Comunidades Europeias
 Pentru Comunitatea Europeană
 Za Európske spoločenstvá
 Za Evropske skupnosti
 Euroopan yhteisöjen puolesta
 På Europeiska gemenskapernas vägnar
 Европа Ҳамжамиятлари Номидан



За Република Узбекистан
Por la República de Uzbekistán
Za Uzbekou republiku
For Republikken Usbekistan
Für die Republik Usbekistan
Uzbekistani Vabariigi nimel
Για τη Δημοκρατία του Ουζμπεκιστάν
For the Republic of Uzbekistan
Pour la République d'Ouzbékistan
Per la Repubblica dell'Uzbekistan
Uzbekistānas Republikas vārdā
Uzbekistano Respublikos vardu
Az Üzbég Köztársaság részéről
Ghar-Republika ta' l-Uzbekistan
Voor de Republiek Oezbekistan
W imieniu Republiki Uzbekistanu
Pela República do Usbequistão
Pentru Republica Uzbekistan
Za Uzbekú republiku
Za Republiko Uzbekistan
Uzbekistanin tasavallan puolesta
På Republiken Uzbekistans vägnar
Ўзбекистон Республикаси Номидан



COMMISSION

COMMISSION DECISION

of 1 October 2008

on the eligibility of expenditure incurred by certain Member States in 2008 for the collection and management of the data needed to conduct the common fisheries policy

(notified under document number C(2008) 4013)

(2008/793/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Regulation (EC) No 861/2006 of 22 May 2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea ⁽¹⁾, and in particular Article 24(1) thereof,

Whereas:

- (1) Regulation (EC) No 861/2006 lays down the conditions whereby Member States may receive a contribution from the Community for expenditure incurred in their national programmes of collection and management of data.
- (2) Those programmes are to be drawn up in accordance with Council Regulation (EC) No 1543/2000 of 29 June 2000 establishing a Community framework for the collection and management of the data needed to conduct the common fisheries policy ⁽²⁾ and Commission Regulation (EC) No 1639/2001 of 25 July 2001 establishing the minimum and extended Community programmes for the collection of data in the fisheries sector and laying down detailed rules for the application of Council Regulation (EC) No 1543/2000 ⁽³⁾.
- (3) Belgium, Bulgaria, Denmark, Germany, Estonia, Greece, Spain, France, Ireland, Italy, Cyprus, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Finland, Romania, Slovenia, Sweden and the United Kingdom have submitted national programmes for 2008 as provided for in Article 6(1) of Regulation (EC) No 1543/2000. Those Member States have also submitted applications for a financial contribution by the Community.
- (4) The Commission has examined Member States' programmes and has assessed the eligibility of the expenditures.
- (5) Article 5(1) of Regulation (EC) No 1543/2000 lays down the basis for a minimum Community programme covering the information absolutely needed for the scientific evaluations and an extended programme that shall include, in addition to the information contained in the minimum programme, information likely to improve substantially the scientific evaluations.
- (6) Article 24(3)(b) of Regulation (EC) No 861/2006 establishes that a Commission Decision shall fix the rate of the financial contribution. Article 16 of Regulation (EC) No 861/2006 provides that Community financial measures in the area of basic data collection shall not exceed 50 % of the costs incurred by Member States in carrying out the programme of collection and management of data. Article 24(2) stipulates that priority shall be given to the actions which are most appropriate in order to improve the collection of data necessary for the CFP.
- (7) An advance payment should be granted to the Member States to facilitate the implementation of their national programme. The payment of the total Community financial contribution to the National Programmes should be subject to the approval by the Commission of the annual technical report referred to in Article 6(2) of Regulation (EC) No 1639/2001 and its associated costs.
- (8) This Decision shall constitute the financial decision within the meaning of Article 75(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁴⁾.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

⁽¹⁾ OJ L 160, 14.6.2006, p. 1.

⁽²⁾ OJ L 176, 15.7.2000, p. 1.

⁽³⁾ OJ L 222, 17.8.2001, p. 53.

⁽⁴⁾ OJ L 248, 16.9.2002, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

This Decision establishes for 2008 the amount of the eligible expenditure for each Member State and the rates of the Community financial contribution for the collection and management of the data needed to conduct the common fisheries policy.

Article 2

Expenditure incurred for collecting and managing the data needed to conduct the common fisheries policy, as set out in Annex I, shall qualify for a financial contribution from the Community not exceeding 50 % of the eligible expenditure for the minimum programme as provided for in Article 5 of Regulation (EC) No 1543/2000.

Article 3

Expenditure incurred for collecting and managing the data needed to conduct the common fisheries policy, as set out in Annex II, shall qualify for a financial contribution from the Community not exceeding 35 % of the eligible expenditure for the extended programme as provided for in Article 5 of Regulation (EC) No 1543/2000.

Article 4

1. The Community shall pay a first instalment of 50 % of the financial contribution from the Community set out in Annexes I and II after notification of the present Decision to Member States.

2. Member States shall submit by 31 May 2009 at the latest:

(a) a technical report as referred to in Article 6(2) of Regulation (EC) No 1639/2000;

(b) their applications for the reimbursement of expenditure incurred in 2008 with a financial report and supporting documents.

3. A second instalment of the Community contribution shall be paid after the reception and approval of the financial and technical reports referred to in the paragraph 2.

Article 5

1. The euro exchange rate used to calculate the amounts eligible under this Decision shall be the rate in force in May 2007.

2. The expenditure declarations in national currency received from the Member States not participating in the third stage of economic and monetary union shall be converted into euro at the rate in force for the month in which those declarations are received by the Commission.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 1 October 2008.

For the Commission

Joe BORG

Member of the Commission

ANNEX I

MINIMUM PROGRAMME

(EUR)

Member State	Eligible expenditure	Max. Community contribution
BELGIUM	1 258 218	629 109
BULGARIA	196 760	98 380
CYPRUS	524 938	262 469
DENMARK	5 314 755	2 657 377
GERMANY	3 032 194	1 516 097
ESTONIA	588 717	294 359
GREECE	1 890 488	945 244
SPAIN	8 041 538	4 020 769
FRANCE	7 894 314	3 947 157
IRELAND	4 572 608	2 286 304
ITALY	4 272 453	2 136 227
LATVIA	407 811	203 905
LITHUANIA	141 602	70 801
MALTA	485 022	242 511
NETHERLANDS	3 356 144	1 678 072
POLAND	729 794	364 897
PORTUGAL	3 398 883	1 699 441
ROMANIA	420 866	210 433
SLOVENIA	178 910	89 455
FINLAND	1 447 228	723 614
SWEDEN	3 345 165	1 672 582
UNITED KINGDOM	7 266 446	3 633 223
Total	58 764 854	29 382 426

ANNEX II

EXTENDED PROGRAMME

(EUR)

Member State	Eligible expenditure	Max. Community contribution
BELGIUM	—	—
BULGARIA	—	—
CYPRUS	—	—
DENMARK	—	—
GERMANY	744 300	260 505
ESTONIA	37 300	13 055
GREECE	243 180	85 113
SPAIN	1 377 713	482 200
FINLAND	159 392	55 787
FRANCE	438 480	153 468
IRELAND	540 267	189 093
ITALY	581 666	203 583
LATVIA	10 817	3 786
LITHUANIA		
MALTA	—	—
NETHERLANDS	437 111	152 989
POLAND		
PORTUGAL	247 515	86 630
ROMANIA	—	—
SLOVENIA	—	—
SWEDEN	60 457	21 160
UNITED KINGDOM	1 024 755	358 664
Total	5 902 953	2 066 033

COMMISSION DECISION

of 9 October 2008

on the allocation to the United Kingdom of additional days at sea within ICES division VIIe

(notified under document number C(2008) 5657)

(Only the English text is authentic)

(2008/794/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 40/2008 of 16 January 2008 fixing for 2008 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required⁽¹⁾, and in particular point 9 of Annex IIC thereto,

Having regard to the requests made by the United Kingdom,

Whereas:

- (1) Point 7 of Annex IIC to Regulation (EC) No 40/2008 specifies the maximum number of days at sea (192) for which Community vessels of length overall equal to or greater than 10 meters carrying on board beam trawls of mesh size equal to or greater than 80 mm or static nets, including gill-nets, trammel-nets and tangle-nets, with mesh size less than 220 mm may be present within ICES division VIIe from 1 February 2008 to 31 January 2009.
- (2) Point 9 of that Annex enables the Commission to allocate an additional number of days at sea for which a vessel may be present within that area when carrying on board such beam trawls or static nets, on the basis of permanent cessations of fishing activities that have taken place since 1 January 2004.
- (3) The United Kingdom has submitted data demonstrating that vessels which ceased activities since 1 January 2004, excluding those already taken into account in earlier years, deployed 3,36 % of the fishing effort expended during the year 2003, taken as reference period for vessels present in the area and carrying on board beam trawls of mesh size equal to or greater than 80 mm.
- (4) In view of the data submitted and applying the calculation method foreseen under point 9.1, six additional

days at sea should be allocated to the United Kingdom for the period between 1 February 2008 and 31 January 2009 for vessels carrying on board such beam trawls.

- (5) For reasons of clarity this Decision reflects the total amount of additional days allocated to the United Kingdom, and takes into account the 22 additional days at sea that have been previously allocated by Commission Decisions 2006/461/EC⁽²⁾ and 2007/487/EC⁽³⁾ on the allocation to the United Kingdom of additional fishing days within ICES division VIIe, as these additional days remain allocated in 2008.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION:

Article 1

To the 192 maximum number of days a fishing vessel flying the flag of the United Kingdom and carrying on board beam trawls of mesh size equal to or greater than 80 mm may be present in ICES division VIIe, as laid down in table I of Annex IIC to Regulation (EC) No 40/2008, 28 days shall be added. The number of 192 shall thus be amended to 220.

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 9 October 2008.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 19, 23.1.2008, p. 1.

⁽²⁾ OJ L 180, 4.7.2006, p. 25.

⁽³⁾ OJ L 182, 12.7.2007, p. 33.

COMMISSION DECISION

of 10 October 2008

concerning certain interim protection measures in relation to highly pathogenic avian influenza of subtype H5N1 in poultry in Germany

(notified under document number C(2008) 6026)

(Text with EEA relevance)

(2008/795/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(3) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(3) thereof,

Having regard to Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽³⁾, and in particular the first paragraph of Article 18 thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in birds, including poultry. Infection with avian influenza viruses in domestic poultry causes two main forms of that disease that are distinguished by their virulence. The low pathogenic form generally only causes mild symptoms, while the highly pathogenic form results in very high mortality rates in most poultry species. That disease may have a severe impact on the profitability of poultry farming.
- (2) Avian influenza is mainly found in birds, but under certain circumstances infections can also occur in humans even though the risk is generally very low.
- (3) In the event of an outbreak of avian influenza, there is a risk that the disease agent might spread to other poultry

holdings and to wild birds. As a result it may spread from one Member State to another Member State and to third countries through trade in live birds or their products and by migration of wild birds.

- (4) Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽⁴⁾ sets out measures for the control of both the low pathogenic and highly pathogenic forms of avian influenza. Article 16 of that Directive provides for the establishment of protection, surveillance and further restricted zones in the event of outbreaks of highly pathogenic avian influenza.
- (5) Commission Decision 2006/415/EC of 14 June 2006 concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community and repealing Decision 2006/135/EC ⁽⁵⁾ lays down additional protection measures to be applied in a Member State affected by the highly pathogenic avian influenza virus of the H5N1 subtype in order to prevent the spread of that disease, taking into account the specific epidemiology of that particular virus strain.
- (6) Article 4 of Decision 2006/415/EC requires that Member States immediately following a suspected or confirmed outbreak of highly pathogenic avian influenza of subtype H5N1 establish a high risk area consisting of protection and surveillance zones (area A) and a low risk area separating area A from the disease-free parts of the affected Member State (area B). Those areas are listed in the Annex to that Decision.
- (7) Germany has notified the Commission of a confirmed outbreak of highly pathogenic avian influenza of subtype H5N1 on its territory and has taken the appropriate measures as provided for in Decision 2006/415/EC, including the establishment of areas A and B.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ OJ L 146, 13.6.2003, p. 1.

⁽⁴⁾ OJ L 10, 14.1.2006, p. 16.

⁽⁵⁾ OJ L 164, 16.6.2006, p. 51.

- (8) The Commission has now examined those protection measures in collaboration with Germany, and is satisfied that the borders of areas A and B established by the competent authority in that Member State are at a sufficient distance to the actual location of the confirmed outbreak.
- (9) In order to prevent any unnecessary disturbance to intra-community trade and to avoid the adoption of unjustified barriers to trade by third countries, it is necessary to promptly establish a list of the areas A and B in Germany at Community level.
- (10) Accordingly, pending the next meeting of the Standing Committee on the Food Chain and Animal Health, areas A and B in Germany, where the protection measures laid down in Decision 2006/415/EC are to apply, should be listed in the present Decision and the duration of that regionalisation fixed.
- (11) This Decision will be reviewed at the next meeting of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

This Decision defines the areas within which the interim protection measures provided for in Decision 2006/415/EC shall apply and the period of application of such measures.

Article 2

1. The area listed in Part A of the Annex to this Decision shall be considered the high risk area ('area A') as referred to in Article 3(1) of Decision 2006/415/EC.

2. The area listed in Part B of the Annex to this Decision shall be considered the low risk area ('area B') as referred to in Article 3(2) of Decision 2006/415/EC.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 October 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

ANNEX

PART A

Area A as referred to in Article 3(1) of Decision 2006/415/EC:

ISO Country Code	Member State	Area A		Date until applicable Article 4(4) (b)(iii)
		Code (if available)	Name	
DE	GERMANY	Görlitz 14292	Görlitz Markersdorf Schöpstal Königshain Reichenbach/O.L. Sohland a. Rotstein Bernstadt a. d. Eigen Schönau-Berzdorf a. d. Eigen Kodersdorf Vierkirchen Waldhufen	8.11.2008

PART B

Area B as referred to in Article 3(2) of Decision 2006/415/EC:

ISO Country Code	Member State	Area B		Date until applicable Article 4(4) (b)(iii)
		Code (if available)	Name	
DE	GERMANY	Görlitz 14292	Neißeau Horka Niesky Quitzdorf am See Hohendubrau Kittlitz Löbau Rosenbach Berthelsdorf Großhennersdorf Schlegel Ostritz	8.11.2008
		Bautzen 14272	Weißenberg	

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2008/796/CFSP

of 13 October 2008

amending the mandate of the European Union Special Representative for the South Caucasus

THE COUNCIL OF THE EUROPEAN UNION,

1. In Article 3, a new paragraph shall be inserted:

Having regard to the Treaty on European Union, and in particular Articles 14, 18(5) and 23(2) thereof,

‘(d) provide the Head of the European Union Monitoring Mission in Georgia (EUMM Georgia) with local political guidance;’.

Whereas:

2. Article 12 shall be replaced by the following:

(1) On 18 February 2008, the Council adopted Joint Action 2008/132/CFSP amending and extending the mandate of the European Union Special Representative for the South Caucasus ⁽¹⁾.

‘Article 12

Coordination

1. The EUSR shall promote overall EU political coordination. He shall help to ensure that all EU instruments in the field are engaged coherently to attain the EU’s policy objectives. The activities of the EUSR shall be coordinated with those of the Presidency and the Commission, as well as those of other EUSRs active in the region, and in particular the EUSR in Georgia, while taking into account the specific objectives of the latter’s mandate. The EUSR shall provide Member States’ missions and the Commission’s delegations with regular briefings.

(2) On 15 September 2008, the Council adopted Joint Action 2008/736/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia ⁽²⁾.

(3) On 25 September 2008, the Council adopted Joint Action 2008/760/CFSP appointing a European Union Special Representative in Georgia ⁽³⁾,

2. In the field, close liaison shall be maintained with the Presidency, Commission and Member States’ Heads of Mission. They shall make best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall provide the Head of the European Union Monitoring Mission in Georgia (EUMM Georgia) with local political guidance. The EUSR and the Civilian Operations Commander shall consult each other as required. The EUSR shall also liaise with other international and regional actors in the field.’.

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2008/132/CFSP is amended as follows:

*Article 2***Entry into force**

This Joint Action shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 43, 19.2.2008, p. 30.

⁽²⁾ OJ L 248, 17.9.2008, p. 26.

⁽³⁾ OJ L 259, 27.9.2008, p. 16.

*Article 3***Publication**

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

Done at Luxembourg, 13 October 2008.

For the Council
The President
B. KOUCHNER

NOTE TO THE READER

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.