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## I

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

## REGULATIONS

## COUNCIL REGULATION (EC) No 519/2007

of 7 May 2007

**amending Regulation (EC) No 527/2003 authorising the offer and delivery for direct human consumption of certain wines imported from Argentina which may have undergone oenological processes not provided for in Regulation (EC) No 1493/1999**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine <sup>(1)</sup>, and in particular Article 45(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) By way of derogation from Article 45(1) of Regulation (EC) No 1493/1999, Regulation (EC) No 527/2003 <sup>(2)</sup> authorises imports into the Community of wine produced in Argentina which has undergone oenological processes not authorised by Community rules, in particular the addition of malic acid. That authorisation expired on 31 December 2006.

(2) The use of malic acid is an oenological practice approved by the International Organisation of Vine and Wine.

(3) Negotiations are currently underway between the Community and Mercosur, of which Argentina is a

member, on an agreement on trade in wine. These negotiations concern, in particular, the respective oenological practices used by both parties and the protection of geographical indications.

(4) Pending the entry into force of an agreement between the Community and Mercosur on trade in wine mutually recognising the oenological practices of each Party and thus facilitating the import into the Community of wines originating in Argentina to which malic acid may have been added, the authorisation of this process for Argentinian wines should be extended until the date of that entry into force, but not later than 31 December 2008.

(5) Regulation (EC) No 527/2003 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

In the second subparagraph of Article 1(1) of Regulation (EC) No 527/2003, the date '31 December 2006' is hereby replaced by '31 December 2008'.

*Article 2*

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

<sup>(1)</sup> OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

<sup>(2)</sup> OJ L 78, 25.3.2003, p. 1. Regulation as last amended by Regulation (EC) No 1912/2005 (OJ L 307, 25.11.2005, p. 1).

It shall apply from 1 January 2007.

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

Done at Brussels, 7 May 2007.

*For the Council*  
*The President*  
H. SEEHOFER

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**COUNCIL REGULATION (EC) No 520/2007**

**of 7 May 2007**

**laying down technical measures for the conservation of certain stocks of highly migratory species  
and repealing Regulation (EC) No 973/2001**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) The Community has by Decision 98/392/EC <sup>(1)</sup> approved the United Nations Convention on the Law of the Sea which contains principles and rules relating to the conservation and management of the living resources of the sea. In the framework of its wider international obligations, the Community participates in efforts made in international waters to conserve fish stocks.

(2) Pursuant to Decision 86/238/EEC <sup>(2)</sup> the Community has been a Contracting Party to the International Convention for the Conservation of Atlantic Tunas, hereinafter 'the ICCAT Convention', since 14 November 1997.

(3) The ICCAT Convention provides a framework for regional cooperation on the conservation and management of tunas and tuna-like species in the Atlantic Ocean and adjoining seas through the setting up of an International Commission for the Conservation of Atlantic Tunas, hereinafter the 'ICCAT', and the adoption of recommendations on conservation and management in the Convention area which become binding on the Contracting Parties.

(4) ICCAT has recommended a number of technical measures for certain stocks of highly migratory species in the Atlantic and the Mediterranean, specifying inter alia authorised sizes and weights of fish, and restrictions on fishing within certain areas and time periods, with

certain gears, and on capacity. These recommendations are binding on the Community and should therefore be implemented.

(5) The Community has by Decision 95/399/EC <sup>(3)</sup> approved the Agreement for the establishment of the Indian Ocean Tuna Commission. The Agreement provides an appropriate framework for closer international cooperation and the rational use of tunas and related species in the Indian Ocean by setting up the Indian Ocean Tuna Commission, hereinafter the 'IOTC', and adopting recommendations on conservation and management in the IOTC area which become binding on the Contracting Parties.

(6) The IOTC has adopted a recommendation laying down technical measures for certain stocks of highly migratory species in the Indian Ocean and in particular the limiting of capacity. That recommendation is binding on the Community and should therefore be implemented.

(7) The Community has by Decision 2005/938/EC <sup>(4)</sup> approved the Agreement on the International Dolphin Conservation Programme. It should therefore apply the provisions laid down in that Agreement.

(8) The objectives of the Agreement include a progressive reduction of incidental dolphin mortalities in the tuna purse seine fishery in the Eastern Pacific Ocean to levels approaching zero, by setting annual limits, and the long-term sustainability of the tuna stocks in the Agreement Area.

(9) The Community has fishing interests in the Eastern Pacific Ocean and has participated in the procedure for the adoption of the Convention for the strengthening of the Inter-American Tropical Tuna Commission, hereinafter the 'Antigua Convention'. By Decision 2005/26/EC <sup>(5)</sup> it signed the Antigua Convention and launched the procedure for becoming a party to it. Pending the entry into force of the Antigua Convention, the Community, as a cooperating non-contracting party to the Inter-American Tropical Tuna Commission, hereinafter the 'IATTC', has decided to apply the technical measures adopted by the IATTC. These measures should therefore be incorporated in Community law.

<sup>(1)</sup> OJ L 179, 23.6.1998, p. 1.

<sup>(2)</sup> OJ L 162, 18.6.1986, p. 33.

<sup>(3)</sup> OJ L 236, 5.10.1995, p. 24.

<sup>(4)</sup> OJ L 348, 30.12.2005, p. 26.

<sup>(5)</sup> OJ L 15, 19.1.2005, p. 9.

- (10) Pursuant to Decision 2005/75/EC<sup>(1)</sup> and with effect from 25 January 2005 the Community is a Contracting Party to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, hereinafter the 'WCPFC Convention'.
- (11) The WCPFC Convention provides a framework for regional cooperation with a view to ensuring the long-term conservation and sustainable exploitation of highly migratory fish stocks in the Western and Central Pacific Ocean through the setting up of a Fisheries Commission for the Western and Central Pacific Ocean (WCPFC).
- (12) The Community should therefore apply the provisions laid down in the Convention and the technical measures adopted by the WCPFC.
- (13) The technical measures adopted by these regional fisheries organisations have been incorporated into Council Regulation (EC) No 973/2001 of 14 May 2001 laying down technical measures for the conservation of certain stocks of highly migratory species<sup>(2)</sup>.
- (14) The adoption of new technical measures by these organisations and the updating of those in force since the adoption of Regulation (EC) No 973/2001 require the repeal of that Regulation and its replacement by this Regulation.
- (15) The limits on capacity must be determined in accordance with Article 20 of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy<sup>(3)</sup>.
- (16) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>(4)</sup>.

HAS ADOPTED THIS REGULATION:

## TITLE I

### INTRODUCTORY PROVISIONS

#### Article 1

##### Object

This Regulation lays down technical conservation measures applicable to the capture and landing of certain stocks of highly migratory species as referred to in Annex I and to the capture of by-catches.

#### Article 2

##### Scope

Without prejudice to Article 9, this Regulation shall apply to vessels flying the flag of a Member State and registered in the Community, hereinafter 'Community fishing vessels'.

#### Article 3

##### Definitions

For the purposes of this Regulation:

1. 'Highly migratory species' means the species listed in Annex I.
2. 'Tunas and related species covered by ICCAT' means the species listed in Annex II.
3. 'Dolphin mortality limit' means the limit defined in Article V of the Agreement on the International Dolphin Conservation Programme<sup>(5)</sup>.
4. 'Leisure fisheries' means fishing activities exploiting living aquatic resources for recreation or sport.
5. 'Encircling nets' means nets which catch fish by surrounding them both from the sides and from below; they may or may not be equipped with a purse line.
6. 'Purse seines' means any encircling net the bottom of which is drawn together by means of a purse line at the bottom of the net, which passes through a series of rings along the groundrope, enabling the net to be pursed and closed. Purse seines may be used to catch small pelagic species, large pelagic species or demersal species.

<sup>(1)</sup> OJ L 32, 4.2.2005, p. 1.

<sup>(2)</sup> OJ L 137, 19.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 831/2004 (OJ L 127, 29.4.2004, p. 33).

<sup>(3)</sup> OJ L 358, 31.12.2002, p. 59.

<sup>(4)</sup> OJ L 184, 17.7.1999, p. 23. Decision as last amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

<sup>(5)</sup> OJ L 348, 30.12.2005, p. 28.

7. 'Longlines' means a fishing gear which comprises a main line carrying numerous hooks on branch lines (snoods) of variable length and spacing depending on the target species. It may be deployed either vertically or horizontally to the sea surface; it may be set either at or near the bottom (bottom-set longline) or drifting in midwater or near the surface (surface longline).
8. 'Hook' means a bent, sharpened piece of steel wire usually with barb. The point of a hook may be either straight or even reversed and curved. The shank can be of varying length and form and its cross section can be round (regular) or flattened (forged). The total length of a hook shall be measured as the maximum overall length of the shank from the tip of the hook which serves for fastening the line and is usually shaped as an eye, to the apex of the bend. The width of a hook shall be measured as the greatest horizontal distance from the external part of the shank to the external part of the barb.
9. 'Fish-aggregating devices (FADs)' means any equipment floating on the sea surface and with the objective of attracting fish.
10. 'Pole and line tuna vessel' means vessels equipped for catching tuna by pole and line.

#### Article 4

##### Areas

For the purposes of this Regulation, the following definitions of maritime waters shall apply:

#### 1. Area 1

all waters of the Atlantic Ocean and adjacent seas included in the ICCAT Convention area as specified in Article 1 of that Convention;

#### 2. Area 2

all waters of the Indian Ocean covered by the Agreement for the establishment of the IOTC as defined in Article 2 thereof;

#### 3. Area 3

all waters of the Eastern Pacific Ocean as defined in Article 3 of the Agreement on the International Dolphin Conservation Programme;

#### 4. Area 4

all waters of the Eastern and Central Pacific Ocean as defined in Article 3 of the WCPFC Convention.

## TITLE II

### TECHNICAL MEASURES APPLICABLE IN AREA 1

#### CHAPTER 1

#### *Restrictions on the use of certain types of vessels and gears*

##### Article 5

#### **Protection of bigeye tuna in certain tropical waters**

1. Fishing by purse seiners and pole-and-line tuna vessels shall be prohibited during the period 1 to 30 November in the following area:

— southern limit: latitude 0° S,

— northern limit: latitude 5° N,

— western limit: longitude 20° W,

— eastern limit: longitude 10° W.

2. Member States shall send the Commission each year by 15 August at the latest a report on the implementation of this measure, including where applicable a list of breaches committed by Community fishing vessels flying their flag and being pursued by their competent authorities.

##### Article 6

#### **Bluefin tuna fishing in the Mediterranean**

1. Fishing for bluefin tuna with purse seine in the Mediterranean Sea shall be prohibited from 16 July to 15 August.

2. Fishing for bluefin tuna in the Mediterranean using surface-set longlines from vessels greater than 24 metres in length shall be prohibited during the period from 1 June to 31 July. The length of the vessels shall be defined in accordance with Annex III.

3. The use of aeroplanes or helicopters in support of fishing operations for bluefin tuna in the Mediterranean Sea shall be prohibited during the period from 1 to 30 June.

4. The definition of the periods and areas referred to in this Article and the length of vessels given in Annex III may be amended by the Commission pursuant to ICCAT recommendations which are binding on the Community in accordance with the procedure referred to in Article 30.

*Article 7***Fishing for skipjack, bigeye and yellowfin tuna in certain Portuguese waters**

It shall be prohibited to retain on board any quantity of skipjack, bigeye or yellowfin tuna caught using purse seines in waters under the sovereignty or jurisdiction of Portugal in ICES subarea X north of 36°30' N or in CECAF areas north of 31° N and east of 17°30' W, or to fish for those species in the said areas with the said gears.

## CHAPTER 2

**Minimum size***Article 8***Sizes**

1. A species shall be considered undersized if its dimensions are smaller than the minimum dimensions specified in Annex IV for the relevant species.
2. The dimensions set out in Annex IV may be modified pursuant to ICCAT recommendations which are binding on the Community and in accordance with the procedure referred to in Article 30.

*Article 9***Prohibitions**

1. Undersized fish of the species listed in Annex IV which are captured in Area 1 shall not be retained on board or transhipped, landed, transported, stored, displayed or offered for sale, sold or marketed. These species shall be returned immediately to the sea.
2. The release for free circulation or marketing in the Community of undersized fish of the species listed in Annex IV originating in third countries and captured in Area 1 shall be prohibited.

*Article 10***Measurement of size**

1. All species with the exception of istiophoridae shall be measured fork length, that is to say the vertical distance drawn from the tip of the upper jaw to the extremity of the shortest caudal ray.
2. The size of istiophoridae shall be measured from the tip of the lower jaw to the fork of the caudal fin.

*Article 11***Sampling procedure for bluefin tuna cages**

1. Each Member State shall establish a sampling procedure for estimating the number by size of bluefin tuna captured.
2. Sampling by size in cages shall be carried out on a sample of 100 specimens per 100 tonnes of live fish or on a sample of 10 % of the total number of fish placed in a cage. The size sample shall be taken during harvesting at the farm, in accordance with the method adopted by the ICCAT for notifying data as part of Task II.
3. Additional methods and samplings shall be developed for fish reared for more than one year.
4. Sampling shall be carried out during a harvest taken at random and shall cover all cages. The data shall be notified to the ICCAT by 31 July for sampling carried out the previous calendar year.

## CHAPTER 3

**Restrictions on the number of vessels***Article 12***North Atlantic bigeye and albacore tuna**

1. The Council, acting in accordance with the procedure laid down in Article 20 of Regulation (EC) No 2371/2002, shall determine the number and total capacity in gross tonnage (GT) of Community fishing vessels greater than 24 metres in length fishing in Area 1 for bigeye tuna as a target species. These shall be determined:
  - (a) as the average number and the capacity in GT of Community fishing vessels fishing in Area 1 for bigeye tuna as a target species during the period 1991 to 1992; and
  - (b) on the basis of the restriction on the number of Community vessels fishing for bigeye tuna in 2005 notified to ICCAT on 30 June 2005.
2. The Council, acting in accordance with the procedure laid down in Article 20 of Regulation (EC) No 2371/2002, shall determine the number of Community fishing vessels fishing for North Atlantic albacore tuna as a target species. The number of vessels shall be fixed as the average number of Community fishing vessels fishing for North Atlantic albacore tuna as a target species during the period 1993 to 1995.



3. The Council, acting in accordance with the procedure laid down in Article 20 of Regulation (EC) No 2371/2002, shall distribute among the Member States:

- (a) the number and capacity in GT determined in accordance with paragraph 1;
- (b) the number of vessels determined in accordance with paragraph 2.

4. Before 15 May each year each Member State shall send the Commission by the customary means of data transmission:

- (a) a list of vessels flying its flag and greater than 24 metres in length fishing for bigeye tuna;
- (b) a list of vessels flying its flag and participating in a fishery targeting albacore tuna in the North Atlantic.

The Commission shall send this information to the ICCAT Secretariat before 31 May each year.

5. The lists referred to in paragraph 4 shall give the internal fishing fleet register number assigned to the vessel in accordance with Annex I to Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register <sup>(1)</sup> and the type of gear used.

#### CHAPTER 4

### ***Species not targeted and sport and recreational fishing***

#### *Article 13*

#### **Marlins**

Member States shall encourage the use of monofilament streamer lines on swivels so that live blue marlins and white marlins may be easily released.

#### *Article 14*

#### **Sharks**

1. Member States shall encourage the release of live sharks captured accidentally, in particular juveniles.

2. Member States shall encourage the reduction of discards of sharks by improving the selectivity of fishing gears.

#### *Article 15*

#### **Sea turtles**

Member States shall encourage the release of live sea turtles captured accidentally.

#### *Article 16*

### **Sport and recreational fishing in the Mediterranean**

1. Member States shall take the measures necessary to prohibit the use in the Mediterranean for sport and recreational fishing activities of towed nets, encircling nets, purse seines, dredges, gill nets, trammel nets and longlines to fish for tuna and related species.

2. Member States shall ensure that tuna and related species captured during sport and recreational fishing in the Mediterranean are not marketed.

#### *Article 17*

#### **Report**

Member States shall send the Commission not later than 15 August each year a report on the implementation of this Chapter.

#### TITLE III

### TECHNICAL MEASURES APPLICABLE IN AREA 2

#### CHAPTER 1

### ***Restrictions on the number of vessels***

#### *Article 18*

#### **Number of authorised vessels**

1. The Council, acting in accordance with the procedure laid down in Article 20 of Regulation (EC) No 2371/2002, shall determine the number of Community fishing vessels greater than 24 metres in length overall authorised to fish in Area 2. The number of vessels is set at the number of Community fishing vessels registered in the IOTC vessels register in 2003. The restriction on the number of vessels must correspond to the overall gross tonnage (GT). Where vessels are replaced the overall tonnage must not be exceeded.

2. The Council, acting in accordance with the procedure laid down in Article 20 of Regulation (EC) No 2371/2002, shall distribute among the Member States the number of vessels determined in accordance with paragraph 1 of this Article.

#### CHAPTER 2

### ***Species not targeted***

#### *Article 19*

#### **Sharks**

1. Member States shall do their utmost to encourage the release of live sharks caught accidentally, in particular juveniles.

2. Member States shall encourage the reduction of discards of sharks.

<sup>(1)</sup> OJ L 5, 9.1.2004, p. 25. Regulation as amended by Regulation (EC) No 1799/2006 (OJ L 341, 7.12.2006, p. 26).

*Article 20***Sea turtles**

1. Member States shall do their utmost to reduce the impact of fishing on sea turtles, in particular by applying the measures provided for in paragraphs 2, 3 and 4.
2. The use of all fishing gear shall be subject to the following conditions:
  - (a) appropriate handling, including the recovery or prompt release of sea turtles caught accidentally (by hooks or nets) or as by-catch;
  - (b) the presence on board of equipment necessary for the release of sea turtles caught accidentally or as by-catch.
3. The use of the purse seine shall be subject to the following conditions:
  - (a) an obligation to avoid, where possible, encircling sea turtles;
  - (b) the development and application of specifications for appropriate gear for minimising by-catches of sea turtles;
  - (c) the adoption of all the measures necessary for releasing encircled or caught sea turtles;
  - (d) the adoption of all the measures necessary for monitoring fish-aggregating devices in which sea turtles could be caught, to release those taken and recover devices that are not used.
4. The use of longlines shall be subject to the following conditions:
  - (a) the development and putting in place of combinations of hook shapes, type of lures, depth and design of nets and fishing practices to minimise accidental catches or by-catches and mortality of sea turtles;
  - (b) the presence on board of equipment necessary for releasing sea turtles caught accidentally or as by-catch, including tools for unhooking them or cutting the lines and landing nets.

## TITLE IV

**TECHNICAL MEASURES APPLICABLE IN AREA 3***Article 21***Transshipment**

1. The use of ancillary vessels to support vessels fishing with the aid of fish-aggregating devices shall be prohibited.

2. Transshipments at sea by seiners shall be prohibited.

*Article 22***Restrictions on the number of vessels**

1. The Council, acting in accordance with the procedure laid down in Article 20 of Regulation (EC) No 2371/2002, shall determine the number of Community seiners authorised to fish in Area 3. The number of vessels shall be set at the number of Community seiners registered in the IATTC register on 28 June 2002.
2. Member States shall forward to the Commission, before 10 December each year, a list of the vessels flying their flag and intending to fish for tuna in Area 3. Vessels which are not included in that list shall be regarded as inactive and shall not be authorised to fish during the current year.
3. The lists shall mention the internal fishing fleet register number assigned to the vessel in accordance with Annex I to Regulation (EC) No 26/2004 and the type of gear used.

*Article 23***Protection of dolphins**

Only Community fishing vessels operating under the conditions laid down in the Agreement on the International Dolphin Conservation Programme which have been allocated a Dolphin Mortality Limit (DML) shall be authorised to encircle schools or groups of dolphins with purse seines when fishing for yellowfin tuna in Area 3.

*Article 24***Requests for DMLs**

Member States shall send the Commission before 15 September each year:

- (a) a list of vessels flying their flag with a load capacity greater than 363 metric tonnes (400 net tonnes) which have applied for a DML for the whole of the following year;
- (b) a list of vessels flying their flag with a load capacity greater than 363 metric tonnes (400 net tonnes) which have applied for a DML for the first or second half of the following year;

(c) for each vessel requesting a DML, a certificate stating that the vessel has all the proper gears and equipment to protect dolphins and that its captain has completed an approved training course on rescuing and releasing dolphins;

(d) a list of vessels flying their flag which are likely to operate in the area in the course of the following year.

#### Article 25

##### Allocation of DMLs

1. Member States shall ensure that applications for DMLs comply with the conditions laid down in the Agreement on the International Dolphin Conservation Programme and the conservation measures adopted by the IATTC.

2. The Commission shall examine the lists and ensure that they comply with the provisions of the Agreement on the International Dolphin Conservation Program and the conservation measures adopted by the IATTC and shall send them to the Director of the IATTC. Where this examination reveals that the application does not meet the conditions referred to in this paragraph, the Commission shall immediately inform the Member State concerned that it cannot send all or part of an application to the Director of the IATTC, stating its reasons.

3. The Commission shall communicate to each Member State the overall DML to be distributed among the vessels flying their flag.

4. Each Member State shall send the Commission the breakdown of the DMLs among the vessels flying the flag of that Member State by 15 January each year.

5. The Commission shall send the Director of the IATTC the list and breakdown of the DMLs between Community fishing vessels by 1 February each year.

#### Article 26

##### Protection of other species not targeted

1. Purse seine vessels shall promptly release unharmed, to the extent practicable, all sea turtles, sharks, skipjack tuna, billfishes, rays, dorado, and other non-target species.

2. Fishermen shall be encouraged to develop and use techniques and equipment to facilitate the rapid and safe release of any such animals.

#### Article 27

##### Sea turtles

1. Whenever a sea turtle is sighted in the net, all reasonable efforts shall be made to rescue the turtle before it becomes entangled in the net, including, if necessary, the deployment of a speedboat.

2. If a sea turtle is entangled in the net, net roll shall stop as soon as the turtle comes out of the water and shall not start again until the turtle has been disentangled and released.

3. If a sea turtle is brought on board a vessel, all appropriate methods to assist in the recovery of the turtle shall be made before returning it to the water.

4. Tuna-fishing vessels shall be prohibited from disposing of salt bags or any other type of plastic rubbish at sea.

5. Where possible sea turtles caught in fish-aggregating devices and other fishing gear shall be released.

6. Fish-aggregating devices which are not used for fishing shall be recovered.

#### TITLE V

##### TECHNICAL MEASURES APPLICABLE IN AREA 4

#### Article 28

##### Waste reduction

Member States shall take measures to reduce to the minimum waste, discards, catches taken by lost or abandoned gear, pollution from fishing vessels, catches of fish and animals of species not targeted and repercussions for related or dependent species, in particular species threatened with extinction.

#### TITLE VI

##### GENERAL PROVISIONS

#### Article 29

##### Marine mammals

1. The encircling with purse seines of any school or group of marine mammals shall be prohibited.

2. Paragraph 1 shall apply to all Community fishing vessels with the exception of the vessels referred to in Article 23.

*Article 31*

**Repeal**

Regulation (EC) No 973/2001 is hereby repealed.

TITLE VII

**FINAL PROVISIONS**

*Article 30*

**Comitology**

The measures to be taken under Articles 6(4) and 8(2) shall be adopted in accordance with the procedure laid down in Article 30(3) of Regulation (EC) No 2371/2002.

*Article 32*

**Entry into force**

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, 7 May 2007.

*For the Council*

*The President*

H. SEEHOFER

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## ANNEX I

**List of highly migratory species**

- Albacore: *Thunnus alalunga*
  - Bluefin tuna: *Thunnus thynnus*
  - Bigeye tuna: *Thunnus obesus*
  - Skipjack tuna: *Katsuwonus pelamis*
  - Atlantic bonito: *Sarda sarda*
  - Yellowfin tuna: *Thunnus albacares*
  - Blackfin tuna: *Thunnus atlanticus*
  - Little tuna: *Euthynnus spp.*
  - Southern bluefin tuna: *Thunnus maccoyii*
  - Frigate tuna: *Auxis spp.*
  - Oceanic sea breams: *Bramidae*
  - Marlins: *Tetrapturus spp.*; *Makaira spp.*
  - Sailfish: *Istiophorus spp.*
  - Swordfish: *Xiphias gladius*
  - Sauries: *Scomberesox spp.*; *Cololabis spp.*
  - Dolphinfish; common dolphinfish: *Coryphaena hippurus*; *Coryphaena equiselis*
  - Sharks: *Hexanchus griseus*; *Cetorhinus maximus*; *Alopiidae Rhincodon typus*; *Carcharhinidae*; *Sphyrnidae*; *Isuridae*; *Lamnidae*
  - Cetaceans (whales and porpoises): *Physeteridae*; *Balenidae*; *Eschrichtiidae*; *Monodontidae*; *Ziphiidae*; *Delphinidae*
-

## ANNEX II

**ICCAT list of tunas and related species**

- Bluefin tuna: *Thunnus thynnus*
  - Southern bluefin tuna: *Thunnus maccoyii*
  - Yellowfin tuna: *Thunnus albacares*
  - Albacore tuna: *Thunnus alalunga*
  - Bigeye tuna: *Thunnus obesus*
  - Blackfin tuna: *Thunnus atlanticus*
  - Little tuna: *Euthynnus alletteratus*
  - Skipjack: *Katsuwonus pelamis*
  - Atlantic bonito: *Sarda sarda*
  - Frigate tuna: *Auxis thazard*
  - Frigate tuna: *Auxis rochei*
  - Palomette: *Orcynopsis unicolor*
  - Wahoo: *Acanthocybium solandri*
  - Chub mackerel: *Scomberomorus maculatus*
  - King mackerel: *Scomberomourus cavalla*
  - West African Spanish mackerel: *Scomberomorus tritor*
  - Serra Spanish mackerel: *Scomberomorus brasiliensis*
  - Cero: *Scomberomorus regalis*
  - Sailfish: *Istiophorus albicans*
  - Black marlin: *Makaira indica*
  - Blue marlin: *Makaira nigricans*
  - White marlin: *Tetrapturus albidus*
  - Swordfish: *Xiphias gladius*
  - Long-bill spearfish: *Tetrapturus pfluegeri*
-

## ANNEX III

**Length of vessels (Article 6(2))**

ICCAT definition of the length of vessels:

- for any fishing vessel built after 18 July 1982, 96 % of the total length on a waterline at 85 % of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if this be greater. In ships designed with a rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline,
- for any fishing vessel built before 18 July 1982, registered length as entered in the national registers or other record of vessels.

## ANNEX IV

**MINIMUM SIZES**

(Article 8(1))

Species	Minimum size
Bluefin tuna ( <i>Thunnus thynnus</i> ) <sup>(1)</sup>	6,4 kg or 70 cm
Bluefin tuna ( <i>Thunnus thynnus</i> ) <sup>(2)</sup>	10 kg or 80 cm
Swordfish ( <i>Xiphias gladius</i> ) <sup>(3)</sup>	25 kg or 125 cm (lower mandible)

<sup>(1)</sup> this minimum size is applicable only in the Eastern Atlantic Ocean

<sup>(2)</sup> this minimum size is applicable only in the Mediterranean Sea

<sup>(3)</sup> this minimum size is applicable only in the Atlantic Ocean

**COMMISSION REGULATION (EC) No 521/2007****of 11 May 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 12 May 2007.

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

Done at Brussels, 11 May 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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



## ANNEX

**to Commission Regulation of 11 May 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MA	39,4
	TN	110,8
	TR	113,3
	ZZ	87,8
0707 00 05	JO	171,8
	MK	35,1
	TR	115,6
	ZZ	107,5
0709 90 70	TR	107,0
	ZZ	107,0
0805 10 20	EG	43,2
	IL	62,2
	MA	44,8
	ZZ	50,1
0805 50 10	AR	50,0
	ZZ	50,0
0808 10 80	AR	86,7
	BR	79,9
	CL	81,7
	CN	96,5
	NZ	123,8
	US	127,6
	UY	88,5
	ZA	85,4
ZZ	96,3	

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

**COMMISSION REGULATION (EC) No 522/2007****of 11 May 2007****fixing the minimum selling prices for butter for the 31st individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter on the Community market <sup>(2)</sup>, the intervention agencies may sell by standing invitation to tender certain quantities of butter from intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further

laid down that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 31st individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 the minimum selling prices for butter from intervention stocks and the amount of the processing security, as referred to in Articles 25 and 28 of that Regulation respectively, are fixed as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 12 May 2007.

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

Done at Brussels, 11 May 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

## ANNEX

**Minimum selling prices for butter and processing security for the 31th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	265,2	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	30	—	—
		Concentrated	—	—	—	—

**COMMISSION REGULATION (EC) No 523/2007****of 11 May 2007****concerning the 31st special invitation to tender opened under the standing invitation to tender provided for in Regulation (EC) No 1898/2005, Chapter II**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market <sup>(2)</sup>, the intervention agencies may sell by standing invitation to tender certain quantities of butter of intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further laid down

that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

- (2) On the basis of the examination of the offers received, the tendering procedure should not proceed.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 31st individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 Chapter II, the tendering procedure should not proceed.

*Article 2*

This Regulation shall enter into force on 12 May 2007.

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

Done at Brussels, 11 May 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

**COMMISSION REGULATION (EC) No 524/2007****of 11 May 2007****concerning the 31st special invitation to tender opened under the standing invitation to tender provided for in Regulation (EC) No 1898/2005, Chapter III**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Article 47 of Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market <sup>(2)</sup>, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter. Article 54 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 %.

- (2) An end-use security provided for in Article 53(4) of Regulation (EC) No 1898/2005 is to be lodged to ensure the taking over of the concentrated butter by the retail trade.
- (3) On the basis of the examination of the offers received, the tendering procedure should not be proceeded with.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 31st tender under the standing invitation to tender opened by Regulation (EC) No 1898/2005, Chapter III no award shall be made.

*Article 2*

This Regulation shall enter into force on 12 May 2007.

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

Done at Brussels, 11 May 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

**COMMISSION REGULATION (EC) No 525/2007****of 11 May 2007****fixing the minimum selling price for butter for the 63rd individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, and in particular Article 10(c) thereof,

Whereas:

- (1) Pursuant to Article 21 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream <sup>(2)</sup>, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them.
- (2) In the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no

award, in accordance with Article 24a of Regulation (EC) No 2771/1999.

- (3) In the light of the tenders received, a minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 63rd individual invitation to tender pursuant to Regulation (EC) No 2771/1999, in respect of which the time limit for the submission of tenders expired on 8 May 2007, the minimum selling price for butter is fixed at 248,00 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 12 May 2007.

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

Done at Brussels, 11 May 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 1802/2005 (OJ L 290, 4.11.2005, p. 3).

**COMMISSION REGULATION (EC) No 526/2007****of 11 May 2007****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat <sup>(2)</sup>,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal meeting the definition laid down therein which may

be imported on special terms for the period 1 July 2006 to 30 June 2007 at 11 500 t.

- (3) It should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. All applications for import licences from 1 to 5 May 2007 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of June 2007 for 9 751,474 t.

*Article 2*

This Regulation shall enter into force on 12 May 2007.

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

Done at Brussels, 11 May 2007.

*For the Commission*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 137, 28.5.1997, p. 10. Regulation as last amended by Regulation (EC) No 317/2007 (OJ L 84, 24.3.2007, p. 4).

**COMMISSION REGULATION (EC) No 527/2007****of 10 May 2007****establishing a prohibition of fishing for tusk in EC and international waters of ICES zones V, VI and VII by vessels flying the flag of Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy <sup>(1)</sup>, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required <sup>(3)</sup>, lays down quotas for 2007.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transshipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2007 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

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, 10 May 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 59.

<sup>(2)</sup> OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11, as corrected by OJ L 36, 8.2.2007, p. 6).

<sup>(3)</sup> OJ L 15, 20.1.2007, p. 1. Regulation as amended by Commission Regulation (EC) No 444/2007 (OJ L 106, 24.4.2007, p. 22).



## ANNEX

No	06
Member State	Spain
Stock	USK/567EI.
Species	Tusk ( <i>Brosme brosme</i> )
Zone	EC and international waters of ICES zones V, VI and VII
Date	31 March 2007

**COMMISSION REGULATION (EC) No 528/2007****of 10 May 2007****establishing a prohibition of fishing for cod in Norwegian waters of ICES zones I and II by vessels flying the flag of Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy <sup>(1)</sup>, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required <sup>(3)</sup>, lays down quotas for 2007.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2007 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

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

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

Done at Brussels, 10 May 2007.

*For the Commission*

Fokion FOTIADIS

*Director-General for Fisheries and Maritime Affairs*

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 59.

<sup>(2)</sup> OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11, as corrected by OJ L 36, 8.2.2007, p. 6).

<sup>(3)</sup> OJ L 15, 20.1.2007, p. 1. Regulation as amended by Commission Regulation (EC) No 444/2007 (OJ L 106, 24.4.2007, p. 22).

## ANNEX

No	07
Member State	Portugal
Stock	COD/1N2AB.
Species	Cod ( <i>Gadus morhua</i> )
Zone	Norwegian waters of ICES zones I and II
Date	13 April 2007

## COMMISSION REGULATION (EC) No 529/2007

of 11 May 2007

**opening and providing for the administration of an import tariff quota for frozen meat of bovine animals covered by CN code 0202 and products covered by CN code 0206 29 91 (1 July 2007 to 30 June 2008)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to the Act of Accession of Bulgaria and Romania, and in particular the first subparagraph of Article 41 thereof,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal <sup>(1)</sup>, and in particular Article 32(1) thereof,

Whereas:

- (1) The WTO schedule CXL requires the Community to open an annual import tariff quota of 53 000 tonnes of frozen beef covered by CN code 0202 and products covered by CN code 0206 29 91 (order number 09.4003). Implementing rules should be laid down for the quota year 2007/08 starting on 1 July 2007.
- (2) Pursuant to Article 29(1) of Regulation (EC) No 1254/1999, imports into the Community should be managed using import licences. However, it is appropriate to manage this quota by attributing import rights as a first step and issuing import licences as a second, as provided for in Article 6(3) of Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences <sup>(2)</sup>. In this way,

operators that have obtained import rights should be able to decide, during the course of the quota period, the moment when they wish to apply for import licences, in view of their actual trade flows. That Regulation limits the period of validity of licences to the last day of the import tariff quota period.

- (3) Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 <sup>(3)</sup> and Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products <sup>(4)</sup> should be applicable to import licences issued under this Regulation, save where derogations are appropriate.
- (4) The 2006/07 quota was managed in conformity with the provisions of Commission Regulation (EC) No 704/2006 of 8 May 2006 opening and providing for the administration of a tariff quota for frozen meat of bovine animals covered by CN code 0202 and products covered by CN code 0206 29 91 (1 July 2006 to 30 June 2007) <sup>(5)</sup>. That Regulation provided for a method of administration based on an import performance criterion ensuring that the quota is allocated to professional operators able to import beef without undue speculation.
- (5) The experience obtained from the application of that method shows that there are positive results and therefore it is appropriate to maintain the same method of administration for the quota period 1 July 2007 to 30 June 2008. It is therefore appropriate to determine a reference period for eligible imports which is long enough to provide for a representative performance while also sufficiently recent to reflect the latest development in trade.

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

<sup>(3)</sup> OJ L 143, 27.6.1995, p. 35. Regulation as last amended by Regulation (EC) No 1965/2006 (OJ L 408, 30.12.2006, p. 26), as corrected by OJ L 47, 16.2.2007, p. 21.

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

<sup>(5)</sup> OJ L 122, 9.5.2006, p. 8. Regulation as amended by Regulation (EC) No 1965/2006.

- (6) In order to ensure a level playing field for all applicants throughout the Community, a transitional measure related to imports into Bulgaria and Romania before 31 December 2006 shall be provided. The application submitted shall include proof, to the satisfaction of the competent national authorities, that such imports used as reference quantity for the purposes of this quota originated from establishments and third countries or parts of third countries referred to in Article 9 of Council Decision 79/542/EEC<sup>(1)</sup>, in Article 8(1) of Council Directive 2002/99/EC<sup>(2)</sup> and in Articles 11 and 12 of Regulation (EC) No 854/2004 of the European Parliament and of the Council<sup>(3)</sup>.
- (7) Regulation (EC) No 1301/2006 lays down in particular detailed provisions on applications for import rights, the status of applicants and the issue of import licences. The provisions of Regulation (EC) No 1301/2006 should apply, from 1 July 2007, to import licences issued pursuant to this Regulation, without prejudice to additional conditions laid down in this Regulation.
- (8) In order to prevent speculation, a security relating to import rights should be fixed for each applicant under the quota.
- (9) To oblige operators to apply for import licences for all the import rights allocated, it should be established that such obligation constitutes a primary requirement within the meaning of Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products<sup>(4)</sup>.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

#### Article 1

1. An import tariff quota totalling 53 000 tonnes expressed in weight of boneless meat is hereby opened for frozen meat of bovine animals covered by CN code 0202 and products covered by CN code 0206 29 91 for the period 1 July 2007 to 30 June 2008.

<sup>(1)</sup> OJ L 146, 14.6.1979, p. 15. Decision as last amended by Regulation (EC) No 1797/2006 (OJ L 363, 20.12.2006, p. 1).

<sup>(2)</sup> OJ L 18, 23.1.2003, p. 11.

<sup>(3)</sup> OJ L 139, 30.4.2004, p. 206, as corrected by OJ L 226, 25.6.2004, p. 83. Regulation as last amended by Regulation (EC) No 1791/2006.

<sup>(4)</sup> OJ L 205, 3.8.1985, p. 5. Regulation as last amended by Regulation (EC) No 1913/2006.

The order number of the tariff quota shall be 09.4003.

2. The Common Custom Tariff duty applicable to the quota provided for in paragraph 1 shall be 20 % ad valorem.

#### Article 2

1. The import tariff quota referred to in Article 1(1) shall be managed by attributing import rights as a first step and issuing import licences as a second.

2. Regulations (EC) No 1445/95, (EC) No 1291/2000 and (EC) No 1301/2006 shall apply, save as otherwise provided for in this Regulation.

#### Article 3

For the purposes of this Regulation,

(a) 100 kilograms of bone-in meat shall be equivalent to 77 kilograms of boneless meat;

(b) 'frozen meat' means meat that is frozen and has an internal temperature of -12 °C or lower when it enters the customs territory of the Community.

#### Article 4

1. For the purposes of application of Article 5 of Regulation (EC) No 1301/2006, applicants for import rights shall demonstrate that a quantity of beef falling under CN codes 0201, 0202, 0206 10 95 or 0206 29 91 has been imported by them or on their behalf under the relevant customs provisions, between 1 May 2006 and 30 April 2007 (hereinafter 'reference quantity').

2. A company formed by the merger of companies each having imported reference quantities may use those reference quantities as basis for its application.

3. In case where the reference quantity relates to imports into Bulgaria and Romania before 31 December 2006 the applicants for import rights shall demonstrate that the imports originated from establishments and third countries or parts of third countries referred to in Article 9 of Decision 79/542/EEC, in Article 8(1) of Directive 2002/99/EC and in Articles 11 and 12 of Regulation (EC) No 854/2004.

The competent national authorities shall decide what is acceptable documentary evidence of compliance with the condition provided for in the first subparagraph.

#### Article 5

1. Applications for import rights shall be lodged no later than 13:00, Brussels time, on 1 June 2007.

The total quantity covered by applications for import rights submitted in the import tariff quota period may not exceed the applicant's reference quantities. Applications not complying with this rule shall be rejected by the competent authorities.

2. A security of EUR 6 per 100 kilogram boneless equivalent shall be lodged together with the application for import rights.

3. No later than 13:00, Brussels time, on the third Friday following the end of the period for the submission of applications referred to in paragraph 1, Member States shall notify the Commission of the total quantities applied for.

#### Article 6

1. Import rights shall be awarded as from the 7th and no later than the 16th working day following the end of the period for the notifications referred to in Article 5(3).

2. If application of the allocation coefficient referred to in Article 7(2) of Regulation (EC) No 1301/2006 results in fewer import rights to be allocated than had been applied for, the security lodged in accordance with Article 5(2) of this Regulation shall be released proportionally without delay.

#### Article 7

1. The release into free circulation of the quantities awarded under the quota referred to in Article 1(1) is subject to the presentation of an import licence.

2. Import licence applications shall cover the total quantity allocated. This obligation shall constitute a primary requirement within the meaning of Article 20(2) of Regulation (EEC) No 2220/85.

#### Article 8

1. Licence applications may be lodged solely in the Member State where the applicant has applied and obtained import rights under the quota referred to in Article 1(1).

Each issuing of import licence shall result in a corresponding reduction of the import rights obtained and the security lodged in accordance with Article 5(2) shall be released proportionally without delay.

2. Import licences shall be issued on application by and in the name of the operator who has obtained the import rights.

3. Licence applications and import licences shall contain:

(a) in box 16, one of the following groups of CN codes:

— 0202 10 00, 0202 20

— 0202 30, 0206 29 91;

(b) in box 20, the order number of the quota (09.4003) and one of the entries listed in the Annex to this Regulation.

#### Article 9

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

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

Done at Brussels, 11 May 2007.

For the Commission  
Mariann FISCHER BOEL  
Member of the Commission

## ANNEX

**Entries referred to in Article 8(3)(b)**

- *In Bulgarian:* Замразено говеждо или телешко месо [Регламент (ЕО) № 529/2007]
  - *In Spanish:* Carne de vacuno congelada [Reglamento (CE) nº 529/2007]
  - *In Czech:* Zmrazené maso hovězího skotu (nařízení (ES) č. 529/2007)
  - *In Danish:* Frosset oksekød (forordning (EF) nr. 529/2007)
  - *In German:* Gefrorenes Rindfleisch (Verordnung (EG) Nr. 529/2007)
  - *In Estonian:* Külmutatud veiseliha (määrus (EÜ) nr 529/2007)
  - *In Greek:* Κατεψυγμένο βόειο κρέας [κανονισμός (ΕΚ) αριθ. 529/2007]
  - *In English:* Frozen meat of bovine animals (Regulation (EC) No 529/2007)
  - *In French:* Viande bovine congelée [Règlement (CE) nº 529/2007]
  - *In Italian:* Carni bovine congelate [Regolamento (CE) n. 529/2007]
  - *In Latvian:* Saldēta liellopu gaļa (Regula (EK) Nr. 529/2007)
  - *In Lithuanian:* Sušaldyta galvijų mėsa (Reglamentas (EB) Nr. 529/2007)
  - *In Hungarian:* Szarvasmarhafélék húsa fagyasztva (529/2007/EK rendelet)
  - *In Maltese:* Laham iffriżat ta' annimali bovini (Regolament (KE) Nru 529/2007)
  - *In Dutch:* Bevroren rundvlees (Verordening (EG) nr. 529/2007)
  - *In Polish:* Mięso wołowe mrożone (Rozporządzenie (WE) nr 529/2007)
  - *In Portuguese:* Carne de bovino congelada [Regulamento (CE) n.º 529/2007]
  - *In Romanian:* Carne de vită congelată [Regulamentul (CE) nr. 529/2007]
  - *In Slovak:* Mrazené hovädzie mäso [Nariadenie (ES) č. 529/2007]
  - *In Slovenian:* Zamrznjeno goveje meso (Uredba (ES) št. 529/2007)
  - *In Finnish:* Jäädetyttä naudanlihaa (asetus (EY) N:o 529/2007)
  - *In Swedish:* Fryst kött av nötkreatur (förordning (EG) nr 529/2007)
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## II

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

## DECISIONS

## COMMISSION

## COMMISSION DECISION

of 4 May 2007

**lifting prohibitions on the movement of certain animal products on the island of Cyprus under Council Regulation (EC) No 866/2004 and laying down conditions for the movement of those products**

(notified under document number C(2007) 1911)

(Text with EEA relevance)

(2007/330/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Republic of Cyprus does not exercise effective control, prohibitions can be lifted for fresh fish and honey.

Having regard to the Treaty establishing the European Community,

- (4) It is necessary to ensure that public and animal health are not compromised by the lifting of the prohibitions. It is also necessary to guarantee food safety in accordance with Commission Regulation (EC) No 1480/2004 <sup>(2)</sup> which lays down specific rules concerning goods arriving from the areas of the Republic of Cyprus not under the effective control of the Government of the Republic of Cyprus, in the areas of the Republic of Cyprus in which the Government exercises effective control. Accordingly, trade in the products concerned should be subject to certain conditions.

Having regard to Council Regulation (EC) No 866/2004 of 29 April 2004 on a regime under Article 2 of Protocol 10 to the Act of Accession <sup>(1)</sup>, and in particular Article 4(9) thereof,

Whereas:

- (1) Pending the reunification of Cyprus, Article 1(1) of Protocol 10 to the Act of Accession suspends the application of the *acquis* in the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.
- (2) For public and animal health reasons, Regulation (EC) No 866/2004 prohibits the movement of animal products across the line between those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control, to areas in which it does.
- (3) As a first step and in the light of production in areas of the Republic of Cyprus in which the Government of the

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

HAS ADOPTED THIS DECISION:

*Article 1*

The prohibitions under Article 4(9) of Regulation (EC) No 866/2004 on the movement of animal products across the line between the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control and the areas in which it does, shall no longer apply in respect of the animal products referred to in Annexes I and II to this Decision.

<sup>(1)</sup> OJ L 161, 30.4.2004, p. 128; corrected version in OJ L 206, 9.6.2004, p. 51. Regulation as last amended by Commission Regulation (EC) No 1283/2005 (OJ L 203, 4.8.2005, p. 8).

<sup>(2)</sup> OJ L 272, 20.8.2004, p. 3.



Trade in those products shall be subject to the conditions set out in the respective Annex.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 4 May 2007.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

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ANNEX I

**Fresh Fish**

A. Animal Product: Fresh fish

B. Conditions

1. Fresh fish must be directly landed from fishing vessels on which catches are kept for less than 24 hours. Those fishing vessels must operate in compliance with the requirements in Annex III, Section VIII, Chapters I(l)(A) and II of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin <sup>(1)</sup>.

Independent experts appointed by the Commission must inspect the vessels and forward the list of compliant vessels to the Commission. The Commission will communicate that list to the competent veterinary authority of the Republic of Cyprus and make it available on its website.

2. Each consignment of fresh fish must be accompanied by a document issued in accordance with Article 2 of Regulation (EC) No 1480/2004. That document must be issued by the Turkish Cypriot Chamber of Commerce, duly authorised for that purpose by the Commission in agreement with the Government of the Republic of Cyprus, or by another body so authorised in agreement with the latter. That document must be issued in accordance with the procedure laid down in Article 4(5) and (6) of Regulation (EC) No 866/2004 and must state that the fish are directly landed from fishing vessels which are on the list of compliant vessels mentioned in point 1, which will be duly provided.
3. Fresh fish must be intended for retail shops, restaurants or sale direct to consumers.

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<sup>(1)</sup> OJ L 139, 30.4.2004, p. 55; corrected version in OJ L 226, 25.6.2004, p. 22.

## ANNEX II

**Honey for human consumption**

## A. Animal Product: Honey for human consumption

## B. Conditions

1. The honey must be wholly produced by producers residing in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.
2. The honey must be transported either:
  - (a) in bulk; or
  - (b) packaged in individual containers suitable for the market in an undertaking equipped for this purpose in accordance with Annex I, Part A, II of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs<sup>(1)</sup>.
3. Each consignment of honey must be accompanied by a document issued in accordance with Article 2 of Regulation (EC) No 1480/2004. That document must be issued by the Turkish Cypriot Chamber of Commerce, duly authorised for that purpose by the Commission in agreement with the Government of the Republic of Cyprus, or by another body so authorised in agreement with the latter. That document must be issued in accordance with the procedure laid down in Article 4(5) and (6) of Regulation (EC) No 866/2004 and must state that the honey meets the conditions set out in point 1.
4. Before trade in honey may begin 10 samples of honey must be taken in the production chain by independent experts appointed by the Commission and analysed, and the results of the analysis must be transmitted to the Commission. The Commission will communicate the results of the analyses to the competent veterinary authority of the Republic of Cyprus and make it available on its website.

The analyses must be carried out in an approved laboratory as defined in Article 2(f) of Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC<sup>(2)</sup>. The breakdown of the samples must be the following:

  - (a) six of the samples for testing antibiotics (group B(1)) and carbamates and pyrethroids (group B(2) antiparasitic substances);
  - (b) four of the samples for testing pesticides (group B(3)(a) for organochlorines, group B(3)(b) for organophosphorus) and heavy metals (group B(3)(c)).
5. The sampling and analysis referred to in point 4 must be repeated each year.
6. Honey which is moved pursuant to this Decision shall be subject to the requirements set out in Council Directive 2001/110/EC of 20 December 2001 relating to honey<sup>(3)</sup>.

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<sup>(1)</sup> OJ L 139, 30.4.2004, p. 1; corrected version in OJ L 226, 25.6.2004, p. 3.

<sup>(2)</sup> OJ L 125, 23.5.1996, p. 10.

<sup>(3)</sup> OJ L 10, 12.1.2002, p. 47.

## RECOMMENDATIONS

## COMMISSION

## COMMISSION RECOMMENDATION

of 3 May 2007

## on the monitoring of acrylamide levels in food

*(notified under document number C(2007) 1873)*

(Text with EEA relevance)

(2007/331/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

have already been undertaken since 2002 in order to reduce the levels of acrylamide in processed foods.

Having regard to the Treaty establishing the European Community, and in particular the second indent of Article 211 thereof,

Whereas,

(1) The Scientific Panel on Contaminants in the Food Chain of the European Food Safety Authority (EFSA) adopted on 19 April 2005 a statement on acrylamide in food in which it endorsed the risk assessment on acrylamide in food carried out by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) in February 2005. In that assessment JECFA concluded that the margins of exposure for average and high consumers were low for a compound that is genotoxic and carcinogenic and that this may indicate a human health concern. Therefore, appropriate efforts to reduce acrylamide concentrations in foodstuffs should continue.

(2) The food industry and the Member States have investigated pathways of formation of acrylamide. The food industry has developed voluntary measures, such as the so-called 'toolbox' <sup>(1)</sup> approach, which provides guidance to help producers and processors identify ways to lower acrylamide in their respective products. Extensive efforts

(3) It is necessary to collect reliable data on acrylamide levels in food over at least a three-year time span across the Community in order to get a clear picture of the levels of acrylamide in those foodstuffs that are known to contain high acrylamide levels and/or contribute significantly to the dietary intake of the whole population and of specific vulnerable groups, such as infants and young children.

(4) It is important that these data are reported once a year to EFSA who will ensure the compilation of these data into a database.

(5) The analytical results will be evaluated in order to assess the effectiveness of voluntary measures. The monitoring programme provided for by this Recommendation may be adapted at any time if this is appropriate in view of the experiences gained,

HEREBY RECOMMENDS:

<sup>(1)</sup> The 'toolbox' contains 13 different parameters ('tools'), grouped together in four main categories ('toolbox compartments') that can be used selectively by food producers in line with their particular needs in order to lower acrylamide levels in their products. The four compartments refer to agronomical factors, the food recipe, processing and final preparation.

1. That Member States perform annually in 2007, 2008 and 2009, in accordance with Annex 1 the monitoring of acrylamide levels in the foodstuffs referred to in that Annex.

2. That Member States provide by 1 June each year the monitoring data of the previous year to EFSA with the information and in the format as set out in Annex II for compilation into one database.
3. That Member States, for the purpose of the monitoring programme, follow the sampling procedures as laid down in part B of the Annex to Commission Regulation (EC) No 333/2007 of 28 March 2007 on the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs <sup>(1)</sup> in order to ensure that the samples are representative for the sampled lot.
4. That Member States carry out the analysis of acrylamide in accordance with the criteria laid down in points 1 and 2 of Annex III to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls to ensure the verification of compliance with feed and food law, animal health and animal welfare rules <sup>(2)</sup>.

Done at Brussels, 3 May 2007.

*For the Commission*  
Markos KYPRIANOU  
*Member of the Commission*

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<sup>(1)</sup> OJ L 88, 29.3.2007, p. 29.

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<sup>(2)</sup> OJ L 165, 30.4.2004, p. 1; corrected version in OJ L 191, 28.5.2004, p. 1. Regulation as amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

## ANNEX I

**A. Sampling points and procedure:**

1. The sampling of the products should be carried out at market level (e.g. at supermarkets, smaller shops, bakeries, French fries outlets and restaurants), where there is a good traceability, or at production sites. Products with origin in one of the Member States should be sampled wherever possible <sup>(1)</sup>.
2. Sampling and analysis should be carried out before the expiry date of the sample.

**B. Products, sample numbers and frequencies, analytical requirements**

1. Table 1 gives an overview on the recommended minimum number of samples to analyse annually for each product category. Member States are invited to take more samples when possible. The distribution of samples per Member State is based on population figures with a minimum sample number of four per product and Member State.
2. The sample numbers refer to the minimum number of samples to be taken annually. Where specific conditions apply (e.g. sampling twice yearly) this is specified in Annex I, point C for each product group.
3. Since each product category comprises a wide variety of products with different specifications, additional information should be provided for each of the products sampled (as specified in Annex I, point C). In order to see time trends it is important that products with the same specifications (e.g. same type of bread, same brand, etc.) are sampled every year where possible. For French fries sampled at small shops, the same shops should be chosen every year if possible.
4. If in products with the same specification results below the limit of quantification (LOQ) are obtained repeatedly, the product can be exchanged with another product provided that it falls in the same product category and a description of the product is given.
5. To ensure comparability of analytical results methods should be chosen that can achieve an LOQ of 30 µg/kg (most intense ion/ion transition) for bread and baby foods and 50 µg/kg for potato products, other cereal products, coffee and other products. Results shall be reported corrected for recovery.

<sup>(1)</sup> In exceptional cases a specific product may only be on the market as imported from a third country. In such cases samples of the imported product can be taken.

Table 1  
Minimum sample numbers per product category

Country of sale	French fries sold as ready to eat (1)	Potato crisps (2)	Pre-cooked French fries/potato products for home cooking (3)	Bread (4)	Breakfast cereals (5)	Biscuits, including infant biscuits (6)	Roasted coffee (7)	Jarred baby foods (8)	Processed cereal-based baby foods (9)	Other products (10)	Total
AT	4	4	4	4	4	4	4	4	4	8	44
BE	4	4	4	4	4	4	4	4	4	8	44
CY	4	4	4	4	4	4	4	4	4	4	40
CZ	4	4	4	4	4	4	4	4	4	8	44
DE	24	24	24	24	24	24	24	24	24	14	230
DK	4	4	4	4	4	4	4	4	4	8	44
ES	14	14	14	14	14	14	14	14	14	14	140
EE	4	4	4	4	4	4	4	4	4	4	40
GR	4	4	4	4	4	4	4	4	4	8	44
FR	20	20	20	20	20	20	20	20	20	14	194
FI	4	4	4	4	4	4	4	4	4	8	44
HU	4	4	4	4	4	4	4	4	4	8	44
IT	20	20	20	20	20	20	20	20	20	14	194
IE	4	4	4	4	4	4	4	4	4	8	44
LU	4	4	4	4	4	4	4	4	4	4	40
LT	4	4	4	4	4	4	4	4	4	4	40
LV	4	4	4	4	4	4	4	4	4	4	40
MT	4	4	4	4	4	4	4	4	4	4	40
NL	6	6	6	6	6	6	6	6	6	8	62
PT	4	4	4	4	4	4	4	4	4	8	44
PL	14	14	14	14	14	14	14	14	14	14	140
SE	4	4	4	4	4	4	4	4	4	8	44
SI	4	4	4	4	4	4	4	4	4	4	40
SK	4	4	4	4	4	4	4	4	4	8	44
UK	20	20	20	20	20	20	20	20	20	14	194
BG	4	4	4	4	4	4	4	4	4	8	44
RO	8	8	8	8	8	8	8	8	8	8	80
Total	202	202	202	202	202	202	202	202	202	224	2 042

### C. Minimum additional information to be provided for each product

The minimum additional information which should be provided for each product sampled is specified in points 1 to 10. Member States are invited to provide more detailed information.

1. *French fries, sold as ready-to-eat*: sampling twice a year in March and November <sup>(1)</sup>, resulting in the total number of samples specified in the table. Ready-to-eat products should be sampled at small outlets, fast food chains and restaurants. Each year sampling should take place at the same outlets whenever possible.

Specific information to be provided: starting material fresh potatoes or pre-fabricates, addition of other ingredients.

2. *Potato crisps*: sampling twice a year in March and November <sup>(1)</sup>, resulting in the total number of samples specified in the table.

Specific information to be provided: starting material fresh potatoes or pre-fabricates, addition of other ingredients, flavours or additives.

3. *Pre-cooked French fries/potato products for home cooking*: including products sold frozen. Sampling twice a year in March and November <sup>(1)</sup>, resulting in the total number of samples specified in the table. Analysis of each sample should be carried out on the product after preparation (e.g. frying, baking, etc). The preparation should take place in the laboratory according to the instructions on the label. Specific information to be provided: starting material potatoes or pre-fabricates, addition of other ingredients, product sold fresh or frozen, conditions used for preparation according to the label.

4. *Bread*:

Specific information to be provided: soft or crisp bread, fibre content, type of grain, fermented/not fermented, type of fermentation (e.g. yeast), other ingredients. The choice of the type of bread to be sampled should reflect the eating habits of each country.

5. *Breakfast cereals*: excluding muesli and porridge.

Specific information to be provided: type of grain, other ingredients (e.g. sugar, nuts, honey, chocolate).

6. *Biscuits (including infant biscuits)*:

Specific information to be provided: soft or hard, for normal population or for diabetics, full list of ingredients.

7. *Roasted coffee*:

Specific information to be provided: degree of roasting (e.g. medium, dark), type of beans if available, sold as ground coffee or as beans.

8. *Jarred baby foods*:

Potato, root vegetable or cereals containing food should be targeted. Specific information to be provided: composition of the jar.

9. *Processed cereal-based baby foods*: analysed as sold.

Specific information to be provided: type of grain, other ingredients.

<sup>(1)</sup> In case the foodstuff is produced from potato pre-fabricates sampling twice a year is not necessary.

10. *Other products:*

This category includes potato products, cereal products, coffee products, cocoa products and infant food other than those products specified in one of the categories above (e.g. potato rösti, gingerbread, coffee substitutes). Samples should be chosen to reflect the national dietary habits of the Member States. They may need to be analysed after cooking according to the label. If so, the conditions used should be specified.

Specific information to be provided: detailed product description (e.g. major ingredients), conditions used for preparation according to the label.

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## B. Explanatory notes to the reporting format

*Reporting country:* Member State in which the monitoring has been carried out.

*Year:* year of sampling.

*Sample code:* laboratory identification code of the sample.

*Product class number:* number of product class according to Annex I, Table 1 (insert figures from 1 to 10, e.g. French fries (1), potato crisps (2), etc.

*Product name:* includes the product name in English and the original language.

*Product description:* a short product description should be given taking into account at least the information required under Annex I, point C.

*Producer:* name of producer if available.

*Country of production:* if available. Use ISO codes for the country of production (for ISO Codes see Annex I, Table 1, first column). According to Annex I, point A the sampled product should originate in one of the Member States where this is possible (see footnote 4).

*Best before date:* as indicated on the label. Provide the date in the format dd/mm/yy.

*Production date:* where available as indicated on the label. Provide the date in the format dd/mm/yy.

*Sampling date:* date the sample was taken. Provide the date in the format dd/mm/yy.

*Sampling point:* place where the sample was collected, e.g. supermarket, small shop, bakery, fast food chain, etc.

*Pack size:* pack size (g) of the product of which the incremental samples were taken where applicable.

*Sample weight:* sample weight (g) of the aggregate sample.

*Preparation conditions:* preparation conditions should be specified in the case of pre-cooked French fries or other potato products for home cooking (product class 3) which should be sampled and analysed after cooking. The cooking instructions of the label should be followed and specified in this field. The same might apply to some 'other products' (product class 10).

*Date of analysis:* if the sample was homogenised and stored before analysis the date of the actual start of the analytical procedure should be given. Details should be given about storage conditions in this case.

*Method accredited:* please indicate with 'Y' (yes) or 'N' (no) if the analytical result has been generated by a method accredited according to EN ISO 17025.

*Analytical method:* please indicate which analytical method has been used (GC-MS with derivatisation, GC-MS without derivatisation, LC-MS-MS or other) and give a short description of the sample preparation (e.g. clean-up procedure, etc.).

*Details on proficiency tests:* please give information on the organiser of the proficiency test, the number of the scheme, the number of the round, the matrix and the z-score<sup>(1)</sup> achieved in the following short format: organiser/scheme/round/matrix/z-score. (Example: FAPAS/30/6/crispbread/1,6).

*Acrylamide level:* in µg/kg corrected for recovery.

*Limit of detection:* in µg/kg.

*Limit of quantification:* in µg/kg.

*Measurement uncertainty:* if available, please provide information on the measurement uncertainty (range to be given in %).

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<sup>(1)</sup> Please note that the z-scores will only be used to judge the quality of the data. They will be kept confidential.