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## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION REGULATION (EU) No 222/2010

of 17 March 2010

**entering a name in the register of protected designations of origin and protected geographical indications (Sedano Bianco di Sperlonga (PGI))**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Sedano Bianco di Sperlonga' was published in the *Official Journal of the European Union*<sup>(2)</sup>.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

*Article 1*

The name contained in the Annex to this Regulation is hereby entered in the register.

*Article 2*

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

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

Done at Brussels, 17 March 2010.

*For the Commission*

*The President*

José Manuel BARROSO

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 12.

<sup>(2)</sup> OJ C 185, 7.8.2009, p. 13.

## ANNEX

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

**Class 1.6. Fruit, vegetables and cereals, fresh or processed**

ITALY

Sedano Bianco di Sperlonga (PGI)

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**COMMISSION REGULATION (EU) No 223/2010****of 17 March 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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) <sup>(1)</sup>,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 <sup>(2)</sup>, 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 18 March 2010.

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

Done at Brussels, 17 March 2010.

*For the Commission,  
On behalf of the President,  
Jean-Luc DEMARTY  
Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> 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 <sup>(1)</sup>	Standard import value
0702 00 00	IL	106,9
	JO	58,4
	MA	73,2
	TN	135,7
	TR	114,2
	ZZ	97,7
0707 00 05	EG	219,6
	JO	135,1
	MK	134,1
	TR	132,8
	ZZ	155,4
	0709 90 70	MA
TR		136,3
ZZ		164,3
0709 90 80	EG	32,4
	ZZ	32,4
0805 10 20	EG	44,2
	IL	54,0
	MA	51,1
	TN	55,1
	TR	61,3
	ZZ	53,1
0805 50 10	EG	76,3
	IL	89,3
	MA	42,8
	TR	57,8
	ZZ	66,6
0808 10 80	AR	93,3
	BR	89,3
	CA	73,7
	CN	76,3
	MK	24,7
	US	110,2
	UY	70,1
	ZZ	76,8
0808 20 50	AR	84,8
	CL	75,7
	CN	81,6
	ZA	86,9
	ZZ	82,3

<sup>(1)</sup> 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 (EU) No 224/2010****of 17 March 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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) <sup>(1)</sup>,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 <sup>(2)</sup>, 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 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 <sup>(3)</sup>. These prices and duties have been last amended by Commission Regulation (EU) No 214/2010 <sup>(4)</sup>.

(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 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 18 March 2010.

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

Done at Brussels, 17 March 2010.

*For the Commission,  
On behalf of the President,*

Jean-Luc DEMARTY

*Director-General for Agriculture and  
Rural Development*<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24.<sup>(3)</sup> OJ L 253, 25.9.2009, p. 3.<sup>(4)</sup> OJ L 65, 13.3.2010, p. 25.

## ANNEX

**Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 18 March 2010**

(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 <sup>(1)</sup>	34,24	1,01
1701 11 90 <sup>(1)</sup>	34,24	4,63
1701 12 10 <sup>(1)</sup>	34,24	0,88
1701 12 90 <sup>(1)</sup>	34,24	4,34
1701 91 00 <sup>(2)</sup>	37,99	6,24
1701 99 10 <sup>(2)</sup>	37,99	2,94
1701 99 90 <sup>(2)</sup>	37,99	2,94
1702 90 95 <sup>(3)</sup>	0,38	0,29

<sup>(1)</sup> For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.

<sup>(2)</sup> For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.

<sup>(3)</sup> Per 1 % sucrose content.



**COMMISSION REGULATION (EU) No 225/2010****of 17 March 2010****on the issue of import licences for applications lodged during the first seven days of March 2010  
under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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) <sup>(1)</sup>,Having regard to 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>, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 533/2007 of 14 May 2007 opening and providing for the administration of tariff quotas in the poultrymeat sector <sup>(3)</sup>, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 533/2007 opened tariff quotas for imports of poultrymeat products.
- (2) The applications for import licences lodged during the first seven days of March 2010 for the subperiod from 1 April to 30 June 2010 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications have been lodged under Regulation (EC) No 533/2007 for the subperiod from 1 April to 30 June 2010 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 18 March 2010.

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

Done at Brussels, 17 March 2010.

*For the Commission,  
On behalf of the President,*

Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 125, 15.5.2007, p. 9.

## ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2010-30.6.2010 (%)
P1	09.4067	1,737395
P3	09.4069	0,586978

**COMMISSION REGULATION (EU) No 226/2010****of 17 March 2010****on the issue of import licences for applications lodged during the first seven days of March 2010 under the tariff quotas opened by Regulation (EC) No 539/2007 for certain products in the egg sector and for egg albumin**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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) <sup>(1)</sup>,Having regard to 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>, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 539/2007 of 15 May 2007 opening and providing for the administration of tariff quotas in the egg sector and for egg albumin <sup>(3)</sup>, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 539/2007 opened tariff quotas for imports of egg products and egg albumin.
- (2) The applications for import licences lodged during the first seven days of March 2010 for the subperiod from 1 April to 30 June 2010 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications have been lodged under Regulation (EC) No 539/2007 for the subperiod from 1 April to 30 June 2010 shall be multiplied by the allocation coefficients set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 18 March 2010.

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

Done at Brussels, 17 March 2010.

*For the Commission,  
On behalf of the President,**Jean-Luc DEMARTY  
Director-General for Agriculture and  
Rural Development*<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.<sup>(3)</sup> OJ L 128, 16.5.2007, p. 19.

## ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2010-30.6.2010 (%)
E2	09.4401	25,129987

**COMMISSION REGULATION (EU) No 227/2010****of 17 March 2010****on the issue of import licences for applications lodged during the first seven days of March 2010  
under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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) <sup>(1)</sup>,

Having regard to 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>, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 1385/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat <sup>(3)</sup>, and in particular Article 5(6) thereof,

Whereas:

The applications for import licences lodged during the first seven days of March 2010 for the subperiod from 1 April to 30 June 2010 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications have been lodged for the subperiod from 1 April to 30 June 2010 under Regulation (EC) No 1385/2007 shall be multiplied by the allocation coefficients set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 18 March 2010.

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

Done at Brussels, 17 March 2010.

*For the Commission,  
On behalf of the President,*

Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 309, 27.11.2007, p. 47.

## ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2010-30.6.2010 (%)
1	09.4410	0,450752
3	09.4412	0,502897
4	09.4420	0,654346
5	09.4421	6,711447
6	09.4422	0,729936

# DIRECTIVES

## COUNCIL DIRECTIVE 2010/18/EU

of 8 March 2010

**implementing the revised Framework Agreement on parental leave concluded by  
BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC**

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

tunities available to working parents in the Member States to better reconcile their work and family responsibilities through leave arrangements.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 155(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Article 153 of the Treaty on the Functioning of the European Union (the 'TFEU') enables the Union to support and complement the activities of the Member States, *inter alia* in the field of equality between men and women with regard to labour market opportunities and treatment at work.

(2) Social dialogue at Union level may, in accordance with Article 155(1) of the TFEU, lead to contractual relations, including agreements, should management and labour (the 'social partners') so desire. The social partners may, in accordance with Article 155(2) of the TFEU, request jointly that agreements concluded by them at Union level in matters covered by Article 153 of the TFEU be implemented by a Council decision on a proposal from the Commission.

(3) A Framework Agreement on parental leave was concluded by the European cross-industry social partner organisations (ETUC, UNICE and CEEP) on 14 December 1995 and was given legal effect by Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC<sup>(1)</sup>. That Directive was amended and extended to the United Kingdom of Great Britain and Northern Ireland by Council Directive 97/75/EC<sup>(2)</sup>. Directive 96/34/EC contributed greatly to improving the oppor-

(4) In accordance with Article 138(2) and (3) of the Treaty establishing the European Community (the 'EC Treaty')<sup>(\*)</sup>, the Commission consulted the European social partners in 2006 and 2007 on ways of further improving the reconciliation of work, private and family life and, in particular, the existing Community legislation on maternity protection and parental leave, and on the possibility of introducing new types of family-related leave, such as paternity leave, adoption leave and leave to care for family members.

(5) The three European general cross-industry social partner organisations (ETUC, CEEP and BUSINESSEUROPE, formerly named UNICE) and the European cross-industry social partner organisation representing a certain category of undertakings (UEAPME) informed the Commission on 11 September 2008 of their wish to enter into negotiations, in accordance with Article 138(4) and Article 139 of the EC Treaty<sup>(\*\*)</sup>, with a view to revising the Framework Agreement on parental leave concluded in 1995.

(6) On 18 June 2009, those organisations signed the revised Framework Agreement on parental leave (the 'revised Framework Agreement') and addressed a joint request to the Commission to submit a proposal for a Council decision implementing that revised Framework Agreement.

(7) In the course of their negotiations, the European social partners completely revised the 1995 Framework Agreement on parental leave. Therefore Directive 96/34/EC should be repealed and replaced by a new directive rather than being simply amended.

<sup>(1)</sup> OJ L 145, 19.6.1996, p. 4.

<sup>(2)</sup> OJ L 10, 16.1.1998, p. 24

<sup>(\*)</sup> Renumbered: Article 154(2) and (3) of the TFEU.

<sup>(\*\*)</sup> Renumbered: Articles 154(4) and 155 of the TFEU.

- (8) Since the objectives of the Directive, namely to improve the reconciliation of work, private and family life for working parents and equality between men and women with regard to labour market opportunities and treatment at work across the Union, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.
- (9) When drafting its proposal for a Directive, the Commission took account of the representative status of the signatory parties to the revised Framework Agreement, their mandate and the legality of the clauses in that revised Framework Agreement and its compliance with the relevant provisions concerning small and medium-sized undertakings.
- (10) The Commission informed the European Parliament and the European Economic and Social Committee of its proposal.
- (11) Clause 1(1) of the revised Framework Agreement, in line with the general principles of Union law in the social policy area, states that the Agreement lays down minimum requirements.
- (12) Clause 8(1) of the revised Framework Agreement states that the Member States may apply or introduce more favourable provisions than those set out in the Agreement.
- (13) Clause 8(2) of the revised Framework Agreement states that the implementation of the provisions of the Agreement shall not constitute valid grounds for reducing the general level of protection afforded to workers in the field covered by the Agreement.
- (14) Member States should provide for effective, proportionate and dissuasive penalties in the event of any breach of the obligations under this Directive.
- (15) Member States may entrust the social partners, at their joint request, with the implementation of this Directive, as long as such Member States take all the steps necessary to ensure that they can at all times guarantee the results imposed by this Directive.
- (16) In accordance with point 34 of the Interinstitutional agreement on better law-making <sup>(1)</sup>, Member States are encouraged to draw up, for themselves and in the interests of the Union, their own tables which will, as far as possible, illustrate the correlation between this Directive and the transposition measures, and to make them public,

HAS ADOPTED THIS DIRECTIVE:

#### *Article 1*

This Directive puts into effect the revised Framework Agreement on parental leave concluded on 18 June 2009 by the European cross-industry social partner organisations (BUSINESSEUROPE, UEAPME, CEEP and ETUC), as set out in the Annex.

#### *Article 2*

Member States shall determine what penalties are applicable when national provisions enacted pursuant to this Directive are infringed. The penalties shall be effective, proportionate and dissuasive.

#### *Article 3*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive or shall ensure that the social partners have introduced the necessary measures by agreement by 8 March 2012 at the latest. They shall forthwith inform the Commission thereof.

When those provisions are adopted by Member States, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States may have a maximum additional period of one year to comply with this Directive, if this is necessary to take account of particular difficulties or implementation by collective agreement. They shall inform the Commission thereof by 8 March 2012 at the latest, stating the reasons for which an additional period is required.

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

<sup>(1)</sup> OJ C 321, 31.12.2003, p. 1.



*Article 4*

Directive 96/34/EC shall be repealed with effect from 8 March 2012. References to Directive 96/34/EC shall be construed as references to this Directive.

*Article 5*

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

*Article 6*

This Directive is addressed to the Member States.

Done at Brussels, 8 March 2010.

*For the Council*

*The President*

C. CORBACHO

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## ANNEX

**FRAMEWORK AGREEMENT ON PARENTAL LEAVE (REVISED)****18 June 2009****Preamble**

This framework agreement between the European social partners, BUSINESSSEUROPE, UEAPME, CEEP and ETUC (and the liaison committee Eurocadres/CEC) revises the framework agreement on parental leave, concluded on 14 December 1995, setting out the minimum requirements on parental leave, as an important means of reconciling professional and family responsibilities and promoting equal opportunities and treatment between men and women.

The European social partners request the Commission to submit this framework agreement to the Council for a Council decision making these requirements binding in the Member States of the European Union.

*I. General considerations*

1. Having regard to the EC Treaty and in particular Articles 138 and 139 thereof (\*);
2. Having regard to Articles 137(1)(c) and 141 of the EC Treaty (\*\*) and the principle of equal treatment (Articles 2, 3 and 13 of the EC Treaty (\*\*\*)) and the secondary legislation based on this, in particular Council Directive 75/117/EEC on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women <sup>(1)</sup>; Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding <sup>(2)</sup>; Council Directive 96/97/EC amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes <sup>(3)</sup>; and Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) <sup>(4)</sup>;
3. Having regard to the Charter of Fundamental Rights of the European Union of 7 December 2000 and Articles 23 and 33 thereof relating to equality between men and women and reconciliation of professional, private and family life;
4. Having regard to the 2003 Report from the Commission on the Implementation of Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC;
5. Having regard to the objective of the Lisbon strategy on growth and jobs of increasing overall employment rates to 70 %, women's employment rates to 60 % and the employment rates of older workers to 50 %; to the Barcelona targets on the provision of childcare facilities; and to the contribution of policies to improve reconciliation of professional, private and family life in achieving these targets;
6. Having regard to the European social partners' Framework of Actions on Gender Equality of 22 March 2005 in which supporting work-life balance is addressed as a priority area for action, while recognising that, in order to continue to make progress on the issue of reconciliation, a balanced, integrated and coherent policy mix must be put in place, comprising of leave arrangements, working arrangements and care infrastructures;
7. Whereas measures to improve reconciliation are part of a broader policy agenda to address the needs of employers and workers and improve adaptability and employability, as part of a flexicurity approach;
8. Whereas family policies should contribute to the achievement of gender equality and be looked at in the context of demographic changes, the effects of an ageing population, closing the generation gap, promoting women's participation in the labour force and the sharing of care responsibilities between women and men;

(\*) Renumbered: Articles 154 and 155 of the TFEU.

(\*\*) Renumbered: Articles 153(1)c and 157 of the TFEU.

(\*\*\*) Article 2 of the EC Treaty is repealed and replaced, in substance, by Article 3 of the Treaty on the European Union. Article 3(1) of the EC Treaty is repealed and replaced, in substance, by Articles 3 to 6 of the TFEU. Article 3(2) of the EC Treaty is renumbered as Article 8 of the TFEU. Article 13 of the EC Treaty is renumbered as Article 19 of the TFEU.

<sup>(1)</sup> OJ L 45, 19.2.1975, p. 19–20.

<sup>(2)</sup> OJ L 348, 28.11.1992, p. 1–8.

<sup>(3)</sup> OJ L 46, 17.2.1997, p. 20–24.

<sup>(4)</sup> OJ L 204, 26.7.2006, p. 23–36.

9. Whereas the Commission has consulted the European social partners in 2006 and 2007 in a first and second stage consultation on reconciliation of professional, private and family life, and, among other things, has addressed the issue of updating the regulatory framework at Community level, and has encouraged the European social partners to assess the provisions of their framework agreement on parental leave with a view to its review;
10. Whereas the Framework agreement of the European social partners of 1995 on parental leave has been a catalyst for positive change, ensured common ground on work life balance in the Member States and played a significant role in helping working parents in Europe to achieve better reconciliation; however, on the basis of a joint evaluation, the European social partners consider that certain elements of the agreement need to be adapted or revised in order to better achieve its aims;
11. Whereas certain aspects need to be adapted, taking into account the growing diversity of the labour force and societal developments including the increasing diversity of family structures, while respecting national law, collective agreements and/or practice;
12. Whereas in many Member States encouraging men to assume an equal share of family responsibilities has not led to sufficient results; therefore, more effective measures should be taken to encourage a more equal sharing of family responsibilities between men and women;
13. Whereas many Member States already have a wide variety of policy measures and practices relating to leave facilities, childcare and flexible working arrangements, tailored to the needs of workers and employers and aiming to support parents in reconciling their professional, private and family life; these should be taken into account when implementing this agreement;
14. Whereas this framework agreement provides one element of European social partners' actions in the field of reconciliation;
15. Whereas this agreement is a framework agreement setting out minimum requirements and provisions for parental leave, distinct from maternity leave, and for time off from work on grounds of force majeure, and refers back to Member States and social partners for the establishment of conditions for access and modalities of application in order to take account of the situation in each Member State;
16. Whereas the right of parental leave in this agreement is an individual right and in principle non-transferable, and Member States are allowed to make it transferable. Experience shows that making the leave non-transferable can act as a positive incentive for the take up by fathers, the European social partners therefore agree to make a part of the leave non-transferable;
17. Whereas it is important to take into account the special needs of parents with children with disabilities or long term illness;
18. Whereas Member States should provide for the maintenance of entitlements to benefits in kind under sickness insurance during the minimum period of parental leave;
19. Whereas Member States should also, where appropriate under national conditions and taking into account the budgetary situation, consider the maintenance of entitlements to relevant social security benefits as they stand during the minimum period of parental leave as well as the role of income among other factors in the take-up of parental leave when implementing this agreement;
20. Whereas experiences in Member States have shown that the level of income during parental leave is one factor that influences the take up by parents, especially fathers;
21. Whereas the access to flexible working arrangements makes it easier for parents to combine work and parental responsibilities and facilitates the reintegration into work, especially after returning from parental leave;
22. Whereas parental leave arrangements are meant to support working parents during a specific period of time, aimed at maintaining and promoting their continued labour market participation; therefore, greater attention should be paid to keeping in contact with the employer during the leave or by making arrangements for return to work;
23. Whereas this agreement takes into consideration the need to improve social policy requirements, to enhance the competitiveness of the European Union economy and to avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium sized undertakings;

24. Whereas the social partners are best placed to find solutions that correspond to the needs of both employers and workers and shall therefore play a special role in the implementation, application, monitoring and evaluation of this agreement, in the broader context of other measures to improve the reconciliation of professional and family responsibilities and to promote equal opportunities and treatment between men and women.

THE SIGNATORY PARTIES HAVE AGREED THE FOLLOWING:

## II. Content

### Clause 1: Purpose and scope

1. This agreement lays down minimum requirements designed to facilitate the reconciliation of parental and professional responsibilities for working parents, taking into account the increasing diversity of family structures while respecting national law, collective agreements and/or practice.
2. This agreement applies to all workers, men and women, who have an employment contract or employment relationship as defined by the law, collective agreements and/or practice in force in each Member State.
3. Member States and/or social partners shall not exclude from the scope and application of this agreement workers, contracts of employment or employment relationships solely because they relate to part-time workers, fixed-term contract workers or persons with a contract of employment or employment relationship with a temporary agency.

### Clause 2: Parental leave

1. This agreement entitles men and women workers to an individual right to parental leave on the grounds of the birth or adoption of a child to take care of that child until a given age up to eight years to be defined by Member States and/or social partners.
2. The leave shall be granted for at least a period of four months and, to promote equal opportunities and equal treatment between men and women, should, in principle, be provided on a non-transferable basis. To encourage a more equal take-up of leave by both parents, at least one of the four months shall be provided on a non-transferable basis. The modalities of application of the non-transferable period shall be set down at national level through legislation and/or collective agreements taking into account existing leave arrangements in the Member States.

### Clause 3: Modalities of application

1. The conditions of access and detailed rules for applying parental leave shall be defined by law and/or collective agreements in the Member States, as long as the minimum requirements of this agreement are respected. Member States and/or social partners may, in particular:
  - (a) decide whether parental leave is granted on a full-time or part-time basis, in a piecemeal way or in the form of a time-credit system, taking into account the needs of both employers and workers;
  - (b) make entitlement to parental leave subject to a period of work qualification and/or a length of service qualification which shall not exceed one year; Member States and/or social partners shall ensure, when making use of this provision, that in case of successive fixed term contracts, as defined in Council Directive 1999/70/EC on fixed-term work, with the same employer the sum of these contracts shall be taken into account for the purpose of calculating the qualifying period;
  - (c) define the circumstances in which an employer, following consultation in accordance with national law, collective agreements and/or practice, is allowed to postpone the granting of parental leave for justifiable reasons related to the operation of the organisation. Any problem arising from the application of this provision should be dealt with in accordance with national law, collective agreements and/or practice;
  - (d) in addition to (c), authorise special arrangements to meet the operational and organisational requirements of small undertakings.
2. Member States and/or social partners shall establish notice periods to be given by the worker to the employer when exercising the right to parental leave, specifying the beginning and the end of the period of leave. Member States and/or social partners shall have regard to the interests of workers and of employers in specifying the length of such notice periods.
3. Member States and/or social partners should assess the need to adjust the conditions for access and modalities of application of parental leave to the needs of parents of children with a disability or a long-term illness.

#### Clause 4: Adoption

1. Member States and/or social partners shall assess the need for additional measures to address the specific needs of adoptive parents.

#### Clause 5: Employment rights and non-discrimination

1. At the end of parental leave, workers shall have the right to return to the same job or, if that is not possible, to an equivalent or similar job consistent with their employment contract or employment relationship.
2. Rights acquired or in the process of being acquired by the worker on the date on which parental leave starts shall be maintained as they stand until the end of parental leave. At the end of parental leave, these rights, including any changes arising from national law, collective agreements and/or practice, shall apply.
3. Member States and/or social partners shall define the status of the employment contract or employment relationship for the period of parental leave.
4. In order to ensure that workers can exercise their right to parental leave, Member States and/or social partners shall take the necessary measures to protect workers against less favourable treatment or dismissal on the grounds of an application for, or the taking of, parental leave in accordance with national law, collective agreements and/or practice.
5. All matters regarding social security in relation to this agreement are for consideration and determination by Member States and/or social partners according to national law and/or collective agreements, taking into account the importance of the continuity of the entitlements to social security cover under the different schemes, in particular health care.

All matters regarding income in relation to this agreement are for consideration and determination by Member States and/or social partners according to national law, collective agreements and/or practice, taking into account the role of income – among other factors – in the take-up of parental leave.

#### Clause 6: Return to work

1. In order to promote better reconciliation, Member States and/or social partners shall take the necessary measures to ensure that workers, when returning from parental leave, may request changes to their working hours and/or patterns for a set period of time. Employers shall consider and respond to such requests, taking into account both employers' and workers' needs.

The modalities of this paragraph shall be determined in accordance with national law, collective agreements and/or practice.

2. In order to facilitate the return to work following parental leave, workers and employers are encouraged to maintain contact during the period of leave and may make arrangements for any appropriate reintegration measures, to be decided between the parties concerned, taking into account national law, collective agreements and/or practice.

#### Clause 7: Time off from work on grounds of force majeure

1. Member States and/or social partners shall take the necessary measures to entitle workers to time off from work, in accordance with national legislation, collective agreements and/or practice, on grounds of force majeure for urgent family reasons in cases of sickness or accident making the immediate presence of the worker indispensable.
2. Member States and/or social partners may specify the conditions of access and detailed rules for applying clause 7.1 and limit this entitlement to a certain amount of time per year and/or per case.

#### Clause 8: Final provisions

1. Member States may apply or introduce more favourable provisions than those set out in this agreement.
2. Implementation of the provisions of this agreement shall not constitute valid grounds for reducing the general level of protection afforded to workers in the field covered by this agreement. This shall not prejudice the right of Member States and/or social partners to develop different legislative, regulatory or contractual provisions, in the light of changing circumstances (including the introduction of non-transferability), as long as the minimum requirements provided for in the present agreement are complied with.

3. This agreement shall not prejudice the right of social partners to conclude, at the appropriate level including European level, agreements adapting and/or complementing the provisions of this agreement in order to take into account particular circumstances.
4. Member States shall adopt the laws, regulations and administrative provisions necessary to comply with the Council decision within a period of two years from its adoption or shall ensure that social partners introduce the necessary measures by way of agreement by the end of this period. Member States may, if necessary to take account of particular difficulties or implementation by collective agreements, have up to a maximum of one additional year to comply with this decision.
5. The prevention and settlement of disputes and grievances arising from the application of this agreement shall be dealt with in accordance with national law, collective agreements and/or practice.
6. Without prejudice to the respective role of the Commission, national courts and the European Court of Justice, any matter relating to the interpretation of this agreement at European level should, in the first instance, be referred by the Commission to the signatory parties who will give an opinion.
7. The signatory parties shall review the application of this agreement five years after the date of the Council decision if requested by one of the parties to this agreement.

Done at Brussels, 18 June 2009.

For ETUC  
John Monks  
General Secretary  
On behalf of the trade union delegation

For BUSINESSEUROPE  
Philippe de Buck  
Director General

For UEAPME  
Andrea Benassi  
Secretary General

For CEEP  
Ralf Resch  
General Secretary

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# DECISIONS

## COMMISSION DECISION

of 17 March 2010

### amending Decision 2005/176/EC laying down the codified form and the codes for the notification of animal diseases pursuant to Council Directive 82/894/EEC

(notified under document C(2010) 1585)

(Text with EEA relevance)

(2010/160/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community <sup>(1)</sup>, and in particular Article 5(1) thereof,

Whereas:

- (1) Directive 82/894/EEC concerns notifications of outbreaks of the animal diseases listed in Annex I thereto.
- (2) Commission Decision 2005/176/EC <sup>(2)</sup> lays down the codified form and the codes for the notification of animal diseases pursuant to Directive 82/894/EEC. Annexes X/09 and X/11 to that Decision list the codes for the veterinary regions in Denmark and Spain, respectively.
- (3) Denmark and Spain have changed the names and boundaries of their veterinary regions. The adjustment of those regions affects the Animal Disease Notification System. The new regions should therefore replace those currently listed in that system. It is therefore appropriate to amend Annexes X/09 and X/11 to Decision 2005/176/EC accordingly.
- (4) Decision 2005/176/EC should therefore be amended accordingly.

(5) In order to protect confidentiality of the transmitted information, the Annexes to this Decision should not be published in the *Official Journal of the European Union*.

(6) 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

Decision 2005/176/EC is amended as follows:

1. Annex X/09 is replaced by the text in Annex I to this Decision;
2. Annex X/11 is replaced by the text in Annex II to this Decision.

#### Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 March 2010.

For the Commission

John DALLI

Member of the Commission

<sup>(1)</sup> OJ L 378, 31.12.1982, p. 58.

<sup>(2)</sup> OJ L 59, 5.3.2005, p. 40.

# RECOMMENDATIONS

## COMMISSION RECOMMENDATION

of 17 March 2010

### on the monitoring of perfluoroalkylated substances in food

(Text with EEA relevance)

(2010/161/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Perfluoroalkylated substances (PFAS) are widely used in industrial and consumer applications including stain-resistant coatings for fabrics and carpets, oil-resistant coatings for paper products approved for food contact, fire fighting foams, mining and oil well surfactants, floor polishes and insecticide formulations. An important subset are the (per)fluorinated organic surfactants, to which perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) belong.
- (2) Due to this large use PFOS, PFOA, their salts and precursors have been found in the environment, fish, birds and mammals. The European Food Safety Authority (the EFSA) therefore asked its Scientific Panel on Contaminants in the Food chain to prepare an opinion on the importance of food and the relative contribution of the different foodstuffs and food contact materials to human exposure to PFOS and its salts and to advise on further steps in relation to the risk assessment of perfluorinated organic compounds.
- (3) The Scientific Panel on Contaminants in the Food chain adopted a scientific opinion PFOS, PFOA and their salts on 21 February 2008 <sup>(1)</sup>.
- (4) In this scientific opinion the EFSA considered it unlikely that adverse effects of PFOS and PFOA are occurring in the general population, but noted uncertainties with regards to developmental effects in living organisms.

The EFSA recommended that further data on PFAS levels in food and in humans would be desirable, particularly with respect to monitoring trends in exposure.

- (5) The Stockholm Convention on persistent organic pollutants (POPs) requires contracting parties to undertake monitoring of POPs, their alternatives and candidate POPs and has included PFOS, its salts and perfluorooctane sulfonyl fluoride (PFOSF) in Annex B to the Convention among the substances subject to restrictions on production and use,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should monitor during 2010 and 2011 the presence of perfluoroalkylated substances in food. The monitoring should include a wide variety of foodstuffs reflecting consumption habits including food of animal origin such as fish, meat, eggs, milk and derived products and food of plant origin in order to enable an accurate estimation of exposure.
2. Member States should follow the sampling procedures as laid down in Annex I to Commission Regulation (EC) No 1883/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs in certain foodstuffs <sup>(2)</sup> in order to ensure that the samples are representative for the sampled lot.
3. It is recommended that the Member States carry out the analysis of perfluoroalkylated substances in order to detect the presence of the compounds PFOS and PFOA and, if possible, their precursors such as perfluorooctane sulphonamide (PFOSA), N-ethyl perfluorooctane sulfonamidoethanol (NEtFOSE) and 8:2 fluorotelomer alcohol. The Member States should, if possible, include compounds similar to PFOS and PFOA but with different chain length (C4 – C15) and polyfluoroalkyl phosphate surfactants (PAPS) such as 8:2 diPAPS and 8:2 monoPAPS in order to estimate the relevance of their presence in food.

<sup>(1)</sup> Opinion of the Scientific Panel on Contaminants in the Food chain on Perfluorooctane sulfonate (PFOS), perfluorooctanoic acid (PFOA) and their salts, *The EFSA Journal* (2008) 653, pp. 1-131.

<sup>(2)</sup> OJ L 364, 20.12.2006, p. 32.



4. Member States should carry out the analysis of perfluoroalkylated substances in accordance with Annex III to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules <sup>(1)</sup> by making use of a method of analysis that has been proven to generate reliable results. Ideally, the recovery rates should be in the 70-120 % range, with limits of quantitation of 1 µg/kg.

5. It is recommended that the Member States provide on a regular basis to the EFSA the monitoring data expressed on whole weight basis with the information and in the

electronic reporting format as set out by the EFSA for compilation into one database. They should also provide the data available from previous years obtained by making use of a method of analysis that has been proven to generate reliable results in order to monitor trends in exposure.

Done at Brussels, 17 March 2010.

*For the Commission*

John DALLI

*Member of the Commission*

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<sup>(1)</sup> OJ L 165, 30.4.2004, p. 1.





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