



**OJ TOOLBOX**

# Visual Guide

Official Journal  
typographical rules

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# Introduction

The Official Journal (OJ) is entirely set in the font EU Albertina; the only exceptions are forms, which are set in Helvetica, and some facsimile letters in agreements (usually in English). No other fonts are used; thus, if they are spotted, it is a printer's mistake.

In general terms, the OJ texts are composed as follows:

- acts: 9/10 (i.e. 9 dp size and 1 point between lines; dp: Didot points),
- footnotes of the acts: 8/9,
- annexes: 8/9,
- footnotes of the annexes: 7/8,
- tables: headings in 7, text in 8, notes at the end of the table in 7.

The PDF models contain all the instructions for the printer. For simplicity, various codes are used to indicate font sizes, bold or italic characters, etc. Familiarise yourself with them for better and faster proofreading. These codes are the following:

Codes	Description (FR)	Description (EN)	Examples
①	9 cap rom gras	9 caps rom bold	<b>RÈGLEMENT (CE) N° 22/2006 DU CONSEIL</b>
②	9 cap/bdc rom gras	9 ulc rom bold	<b>modifiant le règlement (CE) n° 54/2002 de la Commission</b>
③	8 cap rom maigre	8 caps rom not bold	LE CONSEIL DE L'UNION EUROPÉENNE,
④	9 cap/bdc ital maigre	9 ulc ital not bold	<i>Article 33</i>
⑤	8 cap ital maigre	8 caps ital not bold	<i>ANNEX III</i>
⑥	8 cap rom gras	8 caps rom bold	PROTOCOLE DE TEST
⑦	8 cap/bdc rom gras	8 ulc rom bold	<b>Droits à l'importation</b>
⑧	8 cap/bdc ital maigre	8 ulc ital not bold	<i>Notes:</i>
⑨	8 cap/bdc rom espacé	8 ulc rom spaced	<i>Sous-section</i>

⑩	9 <sup>o</sup> cap/bdc rom espacé	9 <sup>o</sup> ulc rom spaced	Section 1
11	9 <sup>o</sup> cap rom maigre	9 <sup>o</sup> caps rom not bold	TITRE VIII
12	9 <sup>o</sup> cap ital maigre	9 <sup>o</sup> caps ital not bold	APPENDIX
13	9 <sup>o</sup> cap/bdc ital gras	9 <sup>o</sup> ulc ital bold	Conclusions

Key

FR	EN
cap: capitales	caps: capitals
cap/bdc: capitales et bas de casse	ulc: upper and lower case
ital: italiques	ital: italics
rom: romain	rom: roman

### Proofreading priorities

Generally, the printer makes a single layout for all linguistic versions (LV). That means some mistakes are common: wrong font sizes in a heading, a title in a different language, table notes composed in Times New Roman, a wrong indent, etc., will be the same in all LVs.

As the manuscripts have been prepared by the correction teams, there should not be mistakes such as missing text, inconsistent synoptism, etc. Nevertheless, there could still be mistakes (spelling, missing spaces after punctuation signs, incorrect use of brackets,) to be corrected on the PDF file with the remark \*AC\* (author's correction): so, be careful, because \*AC\* corrections are paid for by the Office, and the other ones by the printer.

The following items must be checked carefully:

- contents within the text (Court of Auditors, Protocols, etc.),
- the contents page (if the text has mistakes, you'll find them again within the OJ), and the consistency of the OJ structure (*see the Annex regarding the classification of documents in the Official Journal*),
- page numbers in the contents page,
- word breaks according to your LV rules,
- headings and titles must follow the model according to the instructions (centred, bold, font size, etc.),
- blank spaces between lines, especially in the footnotes,
- correct numbering of titles, chapters, articles, paragraphs, etc.,
- consistent indentations in the whole text,
- footnotes and footnote numbers (in the same column), and footnotes within the text in the modifying acts. Besides a couple of exceptions, footnote numbering restarts at 1 on every new page,

- notes in tables: numbers, letters, asterisks,
- rules closing acts, annexes or OJs: 2, 4, 8 or 12 cic,
- consistent quotation marks in the whole text, following your LV rules,
- be sure there are no brackets, quotation marks, italics, points, etc., from a different language in your LV,
- the corrections made in the manuscript must have been done on the proofs (the printer can ignore them).

It is better to work systematically, problem after problem; you'll save time and mistakes.

Use a single correction sign when you have to do the same correction several times: send to the printer a proof as clear and clean as possible.

The blank space is standardized under titles and articles ('Chapter III', 'Article 2') and is always the same for every LV. The blank text above them can be larger or shorter in each LV in order to respect the synoptism.

Note that the proof comes from a PDF file and the printout is often reduced by 5 to 10 %; this means that the 4 cic rule above the footnotes appears as 3,6 cic on the printout. In case of typometry problems, make a printout with 100 % dimensions.

The following pages contain several examples of the most common problems encountered when proofreading the Official Journal.

### Remarks

The models are prepared using two colours: green is used for typographical instructions, red for textual corrections (and some highlighting for recurrent corrections). The aim is to make both our work and the printer's easier, and to avoid as many mistakes as possible.

In some acts, you'll see the indication 'SCHEMA: ACT/ANNEX/CORR/ETC.' within a box. Usually, our models have the indication 'DTD: ACT/ANNEX/CORR'. DTD (Document Type Definition) specifies the general structure of an XML document. Now, we use XML SCHEMA for the same purpose.

Note how the manuscripts have been prepared and corrected, and how those corrections have been done by the printer.




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Please remark that some acts of the examples have been published before 1 September 2008: since that day, the 'act amended/last amended' formula does not appear in the footnotes; only 'repealed by' or 'corrected by' stays.

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Édition  
de langue française

## Législation

51<sup>e</sup> année  
15 octobre 2008

Sommaire

### I Actes pris en application des traités CE/Euratom dont la publication est obligatoire

#### RÈGLEMENTS

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★ Règlement (CE) n° 998/2008 de la Commission du 14 octobre 2008 fixant, pour l'exercice comptable 2009, les coefficients de dépréciation à appliquer à l'achat des produits agricoles à l'intervention ..... 3

★ Règlement (CE) n° 999/2008 de la Commission du 14 octobre 2008 fixant, pour l'exercice comptable 2009 du FEAGA, les taux d'intérêt à appliquer pour le calcul des frais de financement des interventions consistant en achat, stockage et écoulement des stocks ..... 5

### II Actes pris en application des traités CE/Euratom dont la publication n'est pas obligatoire

#### DÉCISIONS

##### Conseil

2008/797/CE:

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Accord entre la Communauté européenne et le gouvernement de la République de l'Inde sur certains aspects des services aériens ..... 9

COVER PAGE – 1

As the concluding act of the L I section, this act ends, in the text, with a 12 cic rule.

The different L sections, including corrigenda, are separated by a line.

Agreements, protocols, etc., appearing in the contents pages, are preceded, in the text, by a 4 cic rule even if they are part of another act.

Contents pages are always set in 9 dp, but agreements, protocols and corrigenda are set in 8 dp.

As the following act comes from another institution (Commission), this act ends, in the text, with a 4 cic rule.

As they do not appear in the contents pages, annexes and appendixes are preceded, in the text, by a 2 cic rule.

Annexes, appendixes and other parts of an act finishing with a table or form do not end with a rule (which is the case in the first two acts of the present L I section).

- 2 cic rule \_\_\_\_\_
- 4 cic rule \_\_\_\_\_
- 8 cic rule \_\_\_\_\_
- 12 cic rule \_\_\_\_\_

1



Les actes dont les titres sont imprimés en caractères maigres sont des actes de gestion courante pris dans le cadre de la politique agricole et ayant généralement une durée de validité limitée.

Les actes dont les titres sont imprimés en caractères gras et précédés d'un astérisque sont tous les autres actes.

(Suite au verso.)

II Actes pris en application des traités CE/Euratom dont la publication n'est pas obligatoire

DÉCISIONS

Conseil

2008/342/CE:

★ Décision du Conseil du 29 avril 2008 modifiant la décision 2007/868/CE mettant en œuvre l'article 2, paragraphe 3, du règlement (CE) n° 2580/2001 concernant l'adoption de mesures restrictives spécifiques à l'encontre de certaines personnes et entités dans le cadre de la lutte contre le terrorisme ..... 23

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★ Décision du Conseil du 29 avril 2008 modifiant la décision 2007/868/CE mettant en œuvre l'article 2, paragraphe 3, du règlement (CE) n° 2580/2001 concernant l'adoption de mesures restrictives spécifiques à l'encontre de certaines personnes et entités dans le cadre de la lutte contre le terrorisme ..... 25

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COVER PAGE – 2

This act ends, in the text, with a 4 cic rule.

As the following act comes from another institution (Commission), this act ends, in the text, with an 8 cic rule.

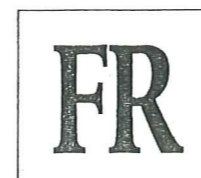
As the following act belongs to a different part of this L II section (Recommendations), this act ends, in the text, with an 8 cic rule.

As the concluding act of the L II section, this act ends, in the text, with a 12 cic rule.

In the text, any information which is not part of the title is set in a new line.

Note this may be different in the contents pages. Italic/not italic characters depend on the LV.

- 2 cic rule \_\_\_\_\_
- 4 cic rule \_\_\_\_\_
- 8 cic rule \_\_\_\_\_
- 12 cic rule \_\_\_\_\_



(1) Texte présentant de l'intérêt pour l'EEE

(Suite page 3 de la couverture.)

(This is the second cover page of OJ L 116, 30.4.2008)

# Journal officiel de l'Union européenne

# L 122

Édition  
de langue française

## Législation

51<sup>e</sup> année  
8 mai 2008

Sommaire

### I Actes pris en application des traités CE/Euratom dont la publication est obligatoire

#### RÈGLEMENTS

Règlement (CE) n° 405/2008 de la Commission du 7 mai 2008 établissant les valeurs forfaitaires à l'importation pour la détermination du prix d'entrée de certains fruits et légumes ..... 1

Règlement (CE) n° 406/2008 de la Commission du 7 mai 2008 fixant le coefficient d'attribution relatif à la délivrance de certificats d'importation demandés du 28 avril au 2 mai 2008 pour des produits du secteur du sucre dans le cadre des contingents tarifaires et des accords préférentiels ..... 3

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When there are no acts from one or more L sections to be published, no 'empty section' with a dotted line is necessary: the next section follows immediately.

As the following act comes from a different institution, this act ends, in the text, with an 8 cic rule.

- 2 cic rule \_\_\_\_\_
- 4 cic rule \_\_\_\_\_
- 8 cic rule \_\_\_\_\_
- 12 cic rule \_\_\_\_\_

# FR

Les actes dont les titres sont imprimés en caractères maigres sont des actes de gestion courante pris dans le cadre de la politique agricole et ayant généralement une durée de validité limitée.

Les actes dont les titres sont imprimés en caractères gras et précédés d'un astérisque sont tous les autres actes.

III Acts adopted under the EU Treaty

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★ Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast .....	33
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★ Corrigendum to Council Joint Action 2008/796/CFSP of 13 October 2008 amending the mandate of the European Union Special Representative for the South Caucasus (OJ L 272, 14.10.2008) .....	40

COVER PAGE – 4

As the following act belongs to a different part of the L III section (Acts adopted under title VI of the EU Treaty), this act ends, in the text, with an 8 cic rule.

As the concluding act of the L III section, this act ends, in the text, with a 12 cic rule.

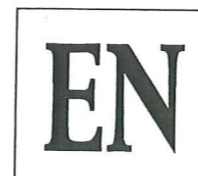
As the last text of this OJ issue, this corrigendum ends, in the text, with a 12 cic rule.

Corrigenda are set in 8 dp characters even though the contents pages are set in 9 dp.

Note that corrigenda follow the rule about light/bold characters mentioned at the bottom of the first cover page ('Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period. The titles of all other acts are printed in bold type and preceded by an asterisk').

- 2 cic rule \_\_\_\_\_
- 4 cic rule \_\_\_\_\_
- 8 cic rule \_\_\_\_\_
- 12 cic rule \_\_\_\_\_

(This is the third cover page of OJ L 301, 12.11.2008)





SCHEMA: ACT LI

9/10  
32 ac.

COUNCIL REGULATION (EC) No .../2008

of 13 October 2008

imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community (the basic Regulation), and in particular Articles 9 and 11(2) thereof,

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

Whereas:

**A. PROCEDURE**

**1. Measures in force**

(1) In July 2002, by Regulation (EC) No 1339/2002, the Council imposed a definitive anti-dumping duty (the existing measures) of 21 % on imports of sulphanilic acid falling within CN codes ex 2921 42 10 (TARIC code 2921 42 10 60) originating in the People's Republic of China (PRC) and a residual duty rate of 18,3% on imports originating in India. The measures imposed had been based on the results of an antidumping proceeding initiated pursuant to Article 5 of the basic Regulation (the original investigation).

OJ L 56, 6.3.1996, p. 1.  
OJ L 196, 25.7.2002, p. 11.

(2) At the same time, by Regulation (EC) No 1338/2002, the Council imposed a definitive countervailing duty of 7,1% on imports of the same product originating in India.

(3) Within the framework of the abovementioned antidumping and countervailing proceedings, the Commission, by Decision 2002/611/EC accepted a price undertaking offered by one Indian exporting producer, Kokan Synthetics and Chemicals Pvt. Ltd (Kokan).

(4) In February 2004, following an anti-absorption reinvestigation pursuant to Article 12 of the basic Regulation, the Council, by Regulation (EC) No 236/2004, increased the rate of the definitive anti-dumping duty applicable to imports of sulphanilic acid originating in the PRC from 21% to 33,7%.

(5) In December 2003, Kokan informed the Commission that it wished to withdraw its undertaking voluntarily. Accordingly, the Commission Decision accepting the undertaking was repealed by Commission Decision 2004/255/EC.

(6) In April 2005, following a request lodged by Kokan, the Commission initiated a partial interim review pursuant to Article 11(3) of the basic Regulation and Article 19 of Council Regulation (EC) No 2026/97 on protection against subsidized imports from countries not members of the European Community (the basic anti-subsidy Regulation), limited in scope to the examination of the acceptability of a subsequent undertaking to be offered by Kokan.

(7) By Decision 2006/37/EC, the Commission accepted the subsequent undertaking offered by Kokan in connection with the anti-dumping and countervailing proceedings concerning imports of sulphanilic acid originating in India.

OJ L 196, 25.7.2002, p. 1.  
OJ L 196, 25.7.2002, p. 36.  
OJ L 40, 12.2.2004, p. 17.  
OJ L 80, 18.3.2004, p. 29.  
OJ C 101, 27.4.2005, p. 34.  
OJ L 288, 21.10.1997, p. 1.  
OJ L 22, 26.1.2006, p. 52.

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

REGULATIONS

COUNCIL REGULATION (EC) No 1000/2008  
of 13 October 2008  
imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

7,1 % on imports of the same product originating in India.

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community (1) (the basic Regulation), and in particular Articles 9 and 11(2) thereof,

(3) Within the framework of the abovementioned anti-dumping and countervailing proceedings, the Commission, by Decision 2002/611/EC (4) accepted a price undertaking offered by one Indian exporting producer, Kokan Synthetics and Chemicals Pvt. Ltd (Kokan).

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

(4) In February 2004, following an anti-absorption reinvestigation pursuant to Article 12 of the basic Regulation, the Council, by Regulation (EC) No 236/2004 (5), increased the rate of the definitive anti-dumping duty applicable to imports of sulphanilic acid originating in the PRC from 21 % to 33,7 %.

Whereas:

**A. PROCEDURE**

**1. Measures in force**

(1) In July 2002, by Regulation (EC) No 1339/2002 (2), the Council imposed a definitive anti-dumping duty (the existing measures) of 21 % on imports of sulphanilic acid falling within CN codes ex 2921 42 10 (TARIC code 2921 42 10 60) originating in the People's Republic of China (PRC) and a residual duty rate of 18,3 % on imports originating in India. The measures imposed had been based on the results of an anti-dumping proceeding initiated pursuant to Article 5 of the basic Regulation (the original investigation).

(5) In December 2003, Kokan informed the Commission that it wished to withdraw its undertaking voluntarily. Accordingly, the Commission Decision accepting the undertaking was repealed by Commission Decision 2004/255/EC (6).

(6) In April 2005, following a request lodged by Kokan, the Commission initiated (7) a partial interim review pursuant to Article 11(3) of the basic Regulation and Article 19 of Council Regulation (EC) No 2026/97 (8) on protection against subsidized imports from countries not members of the European Community (the basic anti-subsidy Regulation), limited in scope to the examination of the acceptability of a subsequent undertaking to be offered by Kokan.

(2) At the same time, by Regulation (EC) No 1338/2002 (3), the Council imposed a definitive countervailing duty of

(1) OJ L 56, 6.3.1996, p. 1.  
(2) OJ L 196, 25.7.2002, p. 11.  
(3) OJ L 196, 25.7.2002, p. 1.  
(4) OJ L 196, 25.7.2002, p. 36.  
(5) OJ L 40, 12.2.2004, p. 17.  
(6) OJ L 80, 18.3.2004, p. 29.  
(7) OJ C 101, 27.4.2005, p. 34.  
(8) OJ L 288, 21.10.1997, p. 1.

(8) At the same time, Regulation (EC) No 1338/2002 imposing a definitive countervailing duty on imports of sulphanilic acid originating in India and Regulation (EC) No 1339/2002 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating, *inter alia*, in India, were amended by Council Regulation (EC) No 123/2006, to take into account the acceptance of the said undertaking.

**2. Request for a review**

(9) Following the publication of a notice of impending expiry, the Commission, on 24 April 2007, received a request for an expiry review pursuant to Article 11(2) of the basic Regulation. This request was lodged by two Community producers (the applicants) representing 100% of the Community production of sulphanilic acid.

(10) The applicants alleged and provided sufficient *prima facie* evidence that there was a likelihood of continuation and/or recurrence of dumping and recurrence of injury to the Community industry with regard to imports of sulphanilic acid originating in the PRC and India (the countries concerned).

(11) Having determined, after consulting the Advisory Committee, that sufficient evidence existed for the initiation of an expiry review, the Commission announced on 24 July 2007, by a notice of initiation published in the *Official Journal of the European Union*, the initiation of an expiry review pursuant to Article 11(2) of the basic Regulation.

**3. Parallel investigations**

(12) By a notice of initiation published in the *Official Journal of the European Union* on 24 July 2007, the Commission also initiated an expiry review investigation pursuant to Article 18 of the basic anti-subsidy Regulation on the countervailing measures in force on imports of sulphanilic acid originating in India. This investigation is still on-going.

OJ L 22, 26.1.2006, p. 5.  
OJ C 272, 9.11.2006, p. 18.  
OJ C 171, 24.7.2007, p. 18.  
OJ C 171, 24.7.2007, p. 14.

FIRST ACT OF L I

As the first act of the L I section, it begins with the corresponding roman number (I), then the heading 'Acts adopted under the EC/Euratom Treaty whose publication is obligatory', and is followed by the type of act published. No institution name is needed in the L I section.

Note that the type of act must always appear above the title of the first act published. The order of the acts of the L I section is: regulations, directives, decisions adopted jointly by the European Parliament and the Council and regulations on internal rules and procedures (for further details about OJ structure, see pages 59 and 66).

When titles in bold and/or italic characters have a number or letter, they are always in roman and not bold and/or italic characters.

Except when continuous numbering is specially requested, the footnotes numbering restarts on every new page and the footnote appears in the column where its reference is.

9/10  
32 ac. [ DÉCISION DE LA COMMISSION ] ①  
[ du 7 novembre 2008 ] ②  
concernant la non-inscription du napropamide à l'annexe I de la directive 91/414/CEE du Conseil et le retrait des autorisations de produits phytopharmaceutiques contenant cette substance ②  
[ notifiée sous le numéro C(2008) 6281 ] ④  
[ (Texte présentant de l'intérêt pour l'EEE) ] ③  
[ (2008/.../CE) ] q. majeure

LA COMMISSION DES COMMUNAUTÉS EUROPÉENNES, ③  
vu le traité instituant la Communauté européenne,  
vu la directive 91/414/CEE du Conseil du 15 juillet 1991 concernant la mise sur le marché des produits phytopharmaceutiques, et notamment son article 8, paragraphe 2, quatrième alinéa, ①  
considérant ce qui suit:  
(1) L'article 8, paragraphe 2, de la directive 91/414/CEE prévoit qu'un État membre peut, pendant une période de douze ans à compter de la date de notification de cette directive, autoriser la mise sur le marché de produits phytopharmaceutiques contenant des substances actives non mentionnées à l'annexe I de cette directive, qui sont déjà sur le marché deux ans après la date de notification, tandis qu'un examen graduel de ces substances est réalisé dans le cadre d'un programme de travail. ②  
(2) Les règlements (CE) n° 451/2000 et (CE) n° 1490/2002 de la Commission établissent les modalités de mise en œuvre de la troisième phase du programme de travail visé à l'article 8, paragraphe 2, de la directive 91/414/CEE et dressent une liste de substances actives à évaluer ④ ac.  
JO L 230 du 19.8.1991, p. 1.  
JO L 55 du 29.2.2000, p. 25.  
JO L 224 du 21.8.2002, p. 23.

(6) La Commission a invité le notifiant à lui présenter ses observations concernant les résultats de l'examen collégial et à lui faire savoir s'il avait l'intention de continuer à demander l'inscription de la substance à l'annexe. Le notifiant a présenté des observations qui ont été examinées attentivement. Toutefois, en dépit de ses arguments, les sujets de préoccupation évoqués plus haut ont subsisté, et les évaluations effectuées sur la base des informations fournies et examinées lors des réunions des experts de l'EFSA n'ont pas démontré que, dans les conditions d'utilisation proposées, les produits phytopharmaceutiques contenant du napropamide devraient satisfaire, de manière générale, aux exigences fixées à l'article 5, paragraphe 1, points a) et b), de la directive 91/414/CEE.  
(7) Il convient donc de ne pas inscrire le napropamide à l'annexe I de la directive 91/414/CEE.  
(8) Il y a lieu d'adopter des mesures garantissant que les autorisations accordées pour des produits phytopharmaceutiques contenant du napropamide seront retirées dans un délai déterminé et ne seront pas reconduites, et qu'aucune nouvelle autorisation ne sera accordée pour de tels produits.  
(9) Aucun délai de grâce accordé par un État membre pour l'élimination, l'entreposage, la mise sur le marché et l'utilisation des stocks existants de produits phytopharmaceutiques contenant du napropamide ne peut excéder douze mois, de sorte que l'utilisation desdits stocks soit limitée à une seule période de végétation supplémentaire, ce qui garantit que les produits phytosanitaires contenant du napropamide resteront à la disposition des exploitants pendant une période de dix-huit mois à compter de l'adoption de la présente décision.  
(10) La présente décision n'exclut pas qu'une demande concernant le napropamide soit introduite conformément aux dispositions de l'article 6, paragraphe 2, de la directive 91/414/CEE, dont les modalités d'application figurent dans le règlement (CE) n° 33/2008 de la Commission, en vue de l'inscription éventuelle de cette substance à l'annexe I de cette directive.  
4 ac.  
JO L 224 du 21.8.2002, p. 23.

en vue de leur éventuelle inscription à l'annexe I de ladite directive. Le napropamide figure sur cette liste.  
(3) Les effets du napropamide sur la santé humaine et l'environnement ont été évalués conformément aux dispositions des règlements (CE) n° 451/2000 et (CE) n° 1490/2002 pour une série d'utilisations proposées par le notifiant. Par ailleurs, lesdits règlements désignent les États membres rapporteurs chargés de soumettre les rapports d'évaluation et recommandations correspondants à l'Autorité européenne de sécurité des aliments (EFSA) conformément à l'article 10, paragraphe 1, du règlement (CE) n° 1490/2002. Le Danemark a été désigné État membre rapporteur pour le napropamide et toutes les informations utiles ont été présentées le 6 septembre 2005.  
(4) Le rapport d'évaluation a été soumis à un examen collégial par les États membres et l'EFSA, au sein de son groupe de travail «Évaluation», puis présenté à la Commission le 26 mars 2008 sous la forme de conclusion de l'EFSA relative à l'examen collégial de l'évaluation des risques de la substance active napropamide utilisée en tant que pesticide. Ce rapport a été examiné par les États membres et la Commission au sein du comité permanent de la chaîne alimentaire et de la santé animale, ce qui a abouti, le 11 juillet 2008, à l'établissement du rapport de réexamen du napropamide par la Commission.  
(5) Un certain nombre de sujets de préoccupation ont été identifiés au cours de l'évaluation de cette substance active. Il a été impossible, en particulier, de réaliser une évaluation fiable des risques concernant la lixiviation dans les eaux souterraines du métabolite NOPA, à l'aide des données disponibles. Celles-ci n'ont, en outre, pas permis de démontrer que les risques pour les organismes aquatiques, les oiseaux se nourrissant de poissons et les mammifères sont acceptables. Il a, par conséquent, été impossible de conclure, sur la base des informations disponibles, que le napropamide satisfaisait aux critères fixés pour une inscription à l'annexe I de la directive 91/414/CEE.  
4 ac.  
EFSA Scientific Report no 140, 2008, p. 1-72. Conclusion sur l'examen collégial des risques liés à la substance active napropamide utilisée en tant que pesticide, finalisée le 26 mars 2008.

II  
(Actes pris en application des traités CE/Euratom dont la publication n'est pas obligatoire)

DÉCISIONS  
COMMISSION

DÉCISION DE LA COMMISSION  
du 7 novembre 2008

concernant la non-inscription du napropamide à l'annexe I de la directive 91/414/CEE du Conseil et le retrait des autorisations de produits phytopharmaceutiques contenant cette substance  
[notifiée sous le numéro C(2008) 6281]  
(Texte présentant de l'intérêt pour l'EEE)  
(2008/902/CE)

LA COMMISSION DES COMMUNAUTÉS EUROPÉENNES,  
vu le traité instituant la Communauté européenne,  
vu la directive 91/414/CEE du Conseil du 15 juillet 1991 concernant la mise sur le marché des produits phytopharmaceutiques (1), et notamment son article 8, paragraphe 2, quatrième alinéa,

de travail visé à l'article 8, paragraphe 2, de la directive 91/414/CEE et dressent une liste de substances actives à évaluer en vue de leur éventuelle inscription à l'annexe I de ladite directive. Le napropamide figure sur cette liste.

considérant ce qui suit:  
(1) L'article 8, paragraphe 2, de la directive 91/414/CEE prévoit qu'un État membre peut, pendant une période de douze ans à compter de la date de notification de cette directive, autoriser la mise sur le marché de produits phytopharmaceutiques contenant des substances actives non mentionnées à l'annexe I de cette directive, qui sont déjà sur le marché deux ans après la date de notification, tandis qu'un examen graduel de ces substances est réalisé dans le cadre d'un programme de travail.

(3) Les effets du napropamide sur la santé humaine et l'environnement ont été évalués conformément aux dispositions des règlements (CE) n° 451/2000 et (CE) n° 1490/2002 pour une série d'utilisations proposées par le notifiant. Par ailleurs, lesdits règlements désignent les États membres rapporteurs chargés de soumettre les rapports d'évaluation et recommandations correspondants à l'Autorité européenne de sécurité des aliments (EFSA) conformément à l'article 10, paragraphe 1, du règlement (CE) n° 1490/2002. Le Danemark a été désigné État membre rapporteur pour le napropamide et toutes les informations utiles ont été présentées le 6 septembre 2005.

(2) Les règlements (CE) n° 451/2000 (2) et (CE) n° 1490/2002 (3) de la Commission établissent les modalités de mise en œuvre de la troisième phase du programme  
(1) JO L 230 du 19.8.1991, p. 1.  
(2) JO L 55 du 29.2.2000, p. 25.  
(3) JO L 224 du 21.8.2002, p. 23.

(4) Le rapport d'évaluation a été soumis à un examen collégial par les États membres et l'EFSA, au sein de son groupe de travail «Évaluation», puis présenté à la Commission le 26 mars 2008 sous la forme de conclusion de l'EFSA relative à l'examen collégial de l'évaluation des risques de la substance active napropamide utilisée en tant que pesticide (4). Ce rapport a été examiné par les États membres et la Commission au sein du comité permanent de la chaîne alimentaire et de la santé animale, ce qui a abouti, le 11 juillet 2008, à l'établissement du rapport de réexamen du napropamide par la Commission.  
(4) EFSA Scientific Report n° 140, 2008, p. 1-72. Conclusion sur l'examen collégial des risques liés à la substance active napropamide utilisée en tant que pesticide, finalisée le 26 mars 2008.

FIRST ACT OF L II

As the first act of the L II section, it begins with the corresponding roman number (II), then the heading 'Acts adopted under the EC/Euratom Treaty whose publication is not obligatory', followed by the type of act published and the name of the institution.

The L II section can start on a recto or verso page.

The type of act must always appear above the title of the first act published. The order of the acts of the L II section is: directives, decisions, recommendations, guidelines, agreements, acts adopted by bodies created by international agreements and budgets (for further details about OJ structure, see pages 60 and 67).

Note that even if the text is set in 9/10, the blank space between paragraphs can vary depending on the LV for synoptism.

Note that the two columns must be on the same line when they have the same number of footnotes' lines or no footnotes at all.

SCHEMA: ACT / L III  
 9/10  
 32 cic.  
 DÉCISION 2008/298/PESC DU CONSEIL  
 du 7 avril 2008  
 modifiant la décision 2001/80/PESC instituant l'état-major de l'Union européenne

LE CONSEIL DE L'UNION EUROPÉENNE,  
 vu le traité sur l'Union européenne, et notamment son article 28, paragraphe 1,  
 vu le traité instituant la Communauté européenne, et notamment son article 207, paragraphe 2,  
 considérant ce qui suit:  
 (1) Le 22 janvier 2001, le Conseil a adopté la décision 2001/80/PESC (ci-après dénommée «EMUE»), dont le mandat est défini à l'annexe de ladite décision.  
 (2) Le 19 novembre 2007, le Conseil a approuvé un ensemble de quatre mesures visant à améliorer la capacité de l'EMUE d'effectuer une planification militaire précoce au niveau stratégique pour les opérations dirigées par l'UE.  
 (3) Il convient de modifier le mandat de l'EMUE pour mettre en oeuvre ces mesures, dans l'attente d'un examen global de ce mandat à l'issue d'une évaluation de la mise en oeuvre desdites mesures.  
 (4) En outre, le mandat de l'EMUE devrait tenir compte des changements apportés aux structures et aux procédures du Conseil en matière de gestion de crises depuis la dernière modification du mandat.  
 (5) Il convient par ailleurs de modifier la décision 2001/80/PESC afin de prendre en considération l'adoption de la décision 2007/829/CE du Conseil  
 JO L 27 du 30.1.2001, p. 7. Décision modifiée par la décision 2005/395/PESC du Conseil (JO L 132 du 26.5.2005, p. 17).

SCHEMA: ANNEXE / ANNEXE  
 8/19  
 32 cic.  
 MANDAT ET ORGANISATION DE L'ÉTAT-MAJOR DE L'UNION EUROPÉENNE (EMUE)  
 1. Introduction  
 À Helsinki, les États membres de l'UE ont décidé de mettre en place, au sein du Conseil, de nouveaux organes politiques et militaires permanents afin que l'UE puisse assumer ses responsabilités pour l'ensemble des activités de prévention des conflits et de gestion des crises définies dans le TUE. Comme prévu dans le rapport d'Helsinki, l'EMUE, «au sein des structures du Conseil, mettra ses compétences militaires au service de la PECS, notamment de la conduite des opérations militaires menées par l'UE dans le cadre de la gestion des crises».  
 Lors de sa réunion des 12 et 13 décembre 2003, le Conseil européen a accueilli avec satisfaction le document intitulé «Défense européenne: consultation OTAN-UE, planification et opérations». Les 16 et 17 décembre 2004, le Conseil européen a approuvé les propositions détaillées concernant la mise en oeuvre de ce document.  
 Le 19 novembre 2007, le Conseil a accueilli positivement le rapport du secrétaire général/haut représentant («SG/HR») sur la capacité de l'état-major de l'UE d'effectuer une planification précoce au niveau stratégique pour les opérations dirigées par l'UE, qui avait été demandé par le Conseil en mai 2007, et il a approuvé les recommandations visant à mettre en oeuvre, ensemble, les quatre mesures et les actions recensées dans l'avis militaire.  
 Le mandat de l'EMUE est défini comme suit:  
 2. Mission  
 L'EMUE doit assurer l'alerte rapide, l'évaluation des situations et la planification stratégique pour les missions et tâches visées à l'article 17, paragraphe 2, du traité UE, y compris celles qui sont définies dans la stratégie européenne de sécurité.

du 5 décembre 2007 relative au régime applicable aux experts et militaires nationaux détachés auprès du secrétariat général du Conseil<sup>2</sup>,  
 DÉCIDE:  
 [Article premier]  
 La décision 2001/80/PESC est modifiée comme suit:  
 1) L'article 4 est remplacé par le texte suivant:  
 «Article 4  
 Les membres de l'état-major de l'Union européenne sont soumis aux règles arrêtées dans la décision 2007/829/CE du Conseil du 5 décembre 2007 relative au régime applicable aux experts et militaires nationaux détachés auprès du secrétariat général du Conseil.  
 2) L'annexe est remplacée par l'annexe de la présente décision.  
 [Article 2]  
 La présente décision prend effet à la date de son adoption.  
 [Article 3]  
 La présente décision est publiée au Journal officiel de l'Union européenne.  
 Fait à Luxembourg, le 7 avril 2008.  
 Par le Conseil  
 Le président  
 R. ŽERJAV

FIRST ACT OF L III

As the first act of the L III section, it begins with the corresponding roman number (III), then the heading 'Acts adopted under the EU Treaty' and one of these sub-headings: 'Acts adopted under title V of the EU Treaty', 'Acts adopted under title VI of the EU Treaty' or 'Other acts'. No institution name or type of act is needed in the L III section.

The L III section can start on a recto or verso page.

Recitals' numbers are always set in 8 dp size.

The 2 cic rule means that an annex or appendix follows the act.

III  
 (Actes pris en application du traité UE)  
 ACTES PRIS EN APPLICATION DU TITRE V DU TRAITÉ UE

DÉCISION 2008/298/PESC DU CONSEIL  
 du 7 avril 2008  
 modifiant la décision 2001/80/PESC instituant l'état-major de l'Union européenne

LE CONSEIL DE L'UNION EUROPÉENNE,  
 vu le traité sur l'Union européenne, et notamment son article 28, paragraphe 1,  
 vu le traité instituant la Communauté européenne, et notamment son article 207, paragraphe 2,  
 considérant ce qui suit:

- (1) Le 22 janvier 2001, le Conseil a adopté la décision 2001/80/PESC (1) (ci-après dénommée «EMUE»), dont le mandat est défini à l'annexe de ladite décision.
- (2) Le 19 novembre 2007, le Conseil a approuvé un ensemble de quatre mesures visant à améliorer la capacité de l'EMUE d'effectuer une planification militaire précoce au niveau stratégique pour les opérations dirigées par l'UE.
- (3) Il convient de modifier le mandat de l'EMUE pour mettre en oeuvre ces mesures, dans l'attente d'un examen global de ce mandat à l'issue d'une évaluation de la mise en oeuvre desdites mesures.
- (4) En outre, le mandat de l'EMUE devrait tenir compte des changements apportés aux structures et aux procédures du Conseil en matière de gestion de crises depuis la dernière modification du mandat.
- (5) Il convient par ailleurs de modifier la décision 2001/80/PESC afin de prendre en considération l'adoption de la décision 2007/829/CE du Conseil du 5 décembre 2007 relative au régime applicable aux experts et militaires nationaux détachés auprès du secrétariat général du Conseil (2).

DÉCIDE:  
 Article premier  
 La décision 2001/80/PESC est modifiée comme suit:  
 1) L'article 4 est remplacé par le texte suivant:  
 «Article 4  
 Les membres de l'état-major de l'Union européenne sont soumis aux règles arrêtées dans la décision 2007/829/CE du Conseil du 5 décembre 2007 relative au régime applicable aux experts et militaires nationaux détachés auprès du secrétariat général du Conseil (\*).  
 (\*) JO L 327 du 13.12.2007, p. 10.»  
 2) L'annexe est remplacée par l'annexe de la présente décision.  
 Article 2  
 La présente décision prend effet à la date de son adoption.  
 Article 3  
 La présente décision est publiée au Journal officiel de l'Union européenne.  
 Fait à Luxembourg, le 7 avril 2008.  
 Par le Conseil  
 Le président  
 R. ŽERJAV

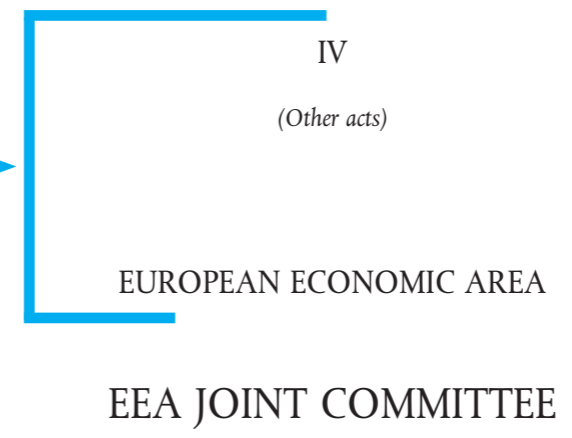
(1) JO L 27 du 30.1.2001, p. 7. Décision modifiée par la décision 2005/395/PESC du Conseil (JO L 132 du 26.5.2005, p. 17).  
 (2) JO L 327 du 13.12.2007, p. 10.

SCHEMA: ACT  
 9/10  
 32 cic.  
 [DECISION OF THE EEA JOINT COMMITTEE]  
 [No 148/2007]  
 [of 7 December 2007]  
 [amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement]

THE EEA JOINT COMMITTEE,  
 Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,  
 Whereas:  
 (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 137/2007 of 26 October 2007;  
 (2) Commission Decision 2007/275/EC of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC is to be incorporated into the Agreement;  
 (3) Commission Decision 2007/276/EC of 19 April 2007 amending Decisions 2001/881/EC and 2002/459/EC as regards the list of border inspection posts is to be incorporated into the Agreement;  
 (4) Commission Decision 2007/345/EC of 10 May 2007 amending Annexes I and II to Decision 2002/308/EC establishing lists of approved zones and approved farms with regard to one or more of the fish diseases

viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN)<sup>4</sup> is to be incorporated into the Agreement.  
 (5) Decision 2007/275/EC repeals Commission Decision 2002/349/EC<sup>5</sup> which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.  
 (6) This Decision is not to apply to Liechtenstein,  
 HAS DECIDED AS FOLLOWS:

Chapter I of Annex I to the Agreement shall be amended as follows:  
 1) the following indent shall be added in points 39 (Commission Decision 2001/881/EC) and 46 (Commission Decision 2002/459/EC) in Part 1.2:  
 '32007 D 0276: Commission Decision 2007/276/EC of 19 April 2007 (OJ L 116, 4.5.2007, p. 34).';  
 2) the following point shall be inserted after point 136 (Commission Decision 2006/677/EC) in Part 1.2:  
 '137. 32007 D 0275: Commission Decision 2007/275/EC of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC (OJ L 116, 4.5.2007, p. 9).'  
 This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part.;  
 3) the text of point 113 (Commission Decision 2002/349/EC) in Part 1.2 shall be deleted;



DECISION OF THE EEA JOINT COMMITTEE  
 No 148/2007  
 of 7 December 2007  
 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,  
 Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

- Whereas:
- Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 137/2007 of 26 October 2007<sup>(1)</sup>.
  - Commission Decision 2007/275/EC of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC<sup>(2)</sup> is to be incorporated into the Agreement.
  - Commission Decision 2007/276/EC of 19 April 2007 amending Decisions 2001/881/EC and 2002/459/EC as regards the list of border inspection posts<sup>(3)</sup> is to be incorporated into the Agreement.
  - Commission Decision 2007/345/EC of 10 May 2007 amending Annexes I and II to Decision 2002/308/EC establishing lists of approved zones and approved farms with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN)<sup>(4)</sup> is to be incorporated into the Agreement.
  - Decision 2007/275/EC repeals Commission Decision 2002/349/EC<sup>(5)</sup> which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
  - This Decision is not to apply to Liechtenstein,

(1) OJ L 100, 10.4.2008, p. 53.  
 (2) OJ L 116, 4.5.2007, p. 9.  
 (3) OJ L 116, 4.5.2007, p. 34.  
 (4) OJ L 130, 22.5.2007, p. 16.  
 (5) OJ L 121, 8.5.2002, p. 6.

4) the following indent shall be added in point 66 (Commission Decision 2002/308/EC) in Part 4.2:  
 '32007 D 0345: Commission Decision 2007/345/EC of 10 May 2007 (OJ L 130, 22.5.2007, p. 16).'  
 [Article 2]

The texts of Decisions 2007/275/EC, 2007/276/EC and 2007/345/EC, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the Official Journal of the European Union, shall be authentic.

This Decision shall enter into force on 8 December 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.  
 [Article 4]

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the Official Journal of the European Union.

Done at Brussels, 7 December 2007.  
 For the EEA Joint Committee  
 The President  
 Stefán Haukur JÓHANNESON

[ 4 cic. ]  
 4 cic.  
 (\*) No constitutional requirements indicated.

FIRST ACT OF L IV

As the first act of the L IV section, it begins with the corresponding roman number (IV), then the heading 'Other acts', and then 'European Economic Area', followed by the name of the institution.

The L IV section can start on a recto or on a verso page.

The title of EEA Decisions is always on four lines in the following order: act/number/date/title.

Note that EEA Decisions are always set in a text area of 32 cic.

In the EEA Decisions, the footnotes numbering restarts on each new page, and the footnote about constitutional requirements is marked with an asterisk.

5. En outre, les États membres informent la Commission au moins quatre mois avant leur entrée en vigueur des nouveaux systèmes de péage applicables aux routes parallèles sur lesquelles le trafic peut être détourné du réseau routier transeuropéen et/ou qui sont en concurrence directe avec certains tronçons dudit réseau, sur lesquels des péages sont prélevés.

Ces informations comprennent au moins une indication de l'étendue géographique du réseau concerné par le péage, des véhicules soumis à celui-ci et du barème de péage envisagé, ainsi qu'une explication des modalités de calcul dudit barème.

6. Dans les cas soumis aux obligations prévues au paragraphe 3, la Commission, dans un délai de quatre mois à compter de la date de réception des informations visées au paragraphe 4, rend un avis dans lequel elle indique si elle estime que ces obligations ont été remplies.

S'agissant des systèmes de péage visés au paragraphe 5, la Commission peut aussi émettre un avis, notamment sur le caractère proportionné et la transparence des régimes proposés, ainsi que sur leur incidence probable sur la concurrence dans le marché intérieur et sur la libre circulation des marchandises.

Les avis de la Commission sont mis à la disposition du comité visé à l'article 9 *quater*, paragraphe 1.

7. Lorsqu'un État membre souhaite appliquer les dispositions prévues à l'article 7, paragraphe 11, concernant les systèmes de péage déjà en place le 1<sup>er</sup> juin 2008, il doit fournir des informations attestant que le

péage moyen pondéré appliqué à l'infrastructure concernée est conforme à l'article 2, point a *bis*), et à l'article 7, paragraphes 9 et 10.» 4)

L'article suivant est inséré:

«Article 7 *ter* 4)

La présente directive ne porte pas atteinte à la liberté, pour les États membres qui introduisent un système de péage et/ou de droits d'usage pour les infrastructures, de prévoir, sans préjudice des articles 87 et 88 du traité, une compensation adéquate de ceux-ci.»

5) À l'article 8, paragraphe 2, le point b) est remplacé par le texte suivant:

«b) l'acquittement du droit d'usage commun donne accès au réseau défini par chaque État membre participant en conformité avec l'article 7, paragraphe 1;».

6) L'article suivant est inséré:

«Article 8 *bis* 4)

Chaque État membre prend les mesures de contrôle pour garantir que les péages et/ou les droits d'usage sont appliqués d'une manière transparente et non discriminatoire.»

PE-CONS 3682/9/05 REV 9  
ANNEXE II

25

FR

4. Les États membres communiquent à la Commission, au moins quatre mois avant la mise en œuvre d'un nouveau dispositif de péage:

a) pour les systèmes de péage autres que ceux concernant des péages de concession:

— les valeurs unitaires et les autres paramètres qu'ils appliquent pour le calcul des différents éléments de coût, et

— des informations claires sur les véhicules couverts par leur régime de péage et l'étendue géographique du réseau, ou d'un tronçon de celui-ci, pris en compte dans chaque calcul des coûts et sur la fraction des coûts que lesdits systèmes visent à recouvrer;

b) pour les systèmes de péage concernant des péages de concession:

— les contrats de concession ou les modifications significatives apportées à ceux-ci,

— le cas de base sur lequel le concédant a fondé son avis de concession, conformément aux indications de l'annexe VII B de la directive 2004/18/CE; ce régime inclut l'estimation des coûts, tels qu'ils sont définis à l'article 7, paragraphe 9, envisagés dans le cadre de la concession, ainsi que l'estimation du trafic prévu, selon les types de véhicules, les niveaux de péage envisagés et l'étendue géographique du réseau concerné par le contrat de concession.

7. Lorsqu'un État membre souhaite appliquer les dispositions prévues à l'article 7, paragraphe 11, concernant les systèmes de péage déjà en place le 10 juin 2008, il doit fournir des informations attestant que le péage moyen pondéré appliqué à l'infrastructure concernée est conforme à l'article 2, point a *bis*), et à l'article 7, paragraphes 9 et 10.»

4) L'article suivant est inséré:

«Article 7 *ter*

La présente directive ne porte pas atteinte à la liberté, pour les États membres qui introduisent un système de péage et/ou de droits d'usage pour les infrastructures, de prévoir, sans préjudice des articles 87 et 88 du traité, une compensation adéquate de ceux-ci.»

5) À l'article 8, paragraphe 2, le point b) est remplacé par le texte suivant:

«b) l'acquittement du droit d'usage commun donne accès au réseau défini par chaque État membre participant en conformité avec l'article 7, paragraphe 1;»

6) L'article suivant est inséré:

«Article 8 *bis*

Chaque État membre prend les mesures de contrôle pour garantir que les péages et/ou les droits d'usage sont appliqués d'une manière transparente et non discriminatoire.»

7) L'article 9 est modifié comme suit:

a) le paragraphe 1 est remplacé par le texte suivant:

«1. La présente directive ne fait pas obstacle à l'application non discriminatoire par les États membres:

a) de taxes ou de droits spécifiques:

— prélevés lors de l'immatriculation du véhicule, ou

— frappant les véhicules ou les chargements dont les poids ou les dimensions sont hors normes;

b) de taxes de stationnement et de taxes spécifiques applicables au trafic urbain.

1 *bis*. La présente directive ne fait pas obstacle à l'application non discriminatoire par les États membres:

a) de droits régulateurs destinés spécifiquement à combattre la congestion du trafic liée à une période de la journée et à un lieu précis;

b) de droits régulateurs destinés à combattre les impacts environnementaux, notamment la dégradation de la qualité de l'air perçus

sur tout axe routier, notamment dans les zones urbaines, y compris sur les routes du réseau routier transeuropéen traversant une zone urbaine.»

AMENDING ACTS – 1

In amended acts, though the new or modified text follows the rules of the OJ, the words 'Article XX' and its title are not centred but justified to the left.

See how the paragraph indentations of the amended act have been marked on the model, and the indentations of the amending points.

Some LVs use the forms *bis*, *ter*, *quater*, etc., always in italics. Other LVs use the forms a, b, c, etc., always in roman characters.

5. En outre, les États membres informent la Commission au moins quatre mois avant leur entrée en vigueur des nouveaux systèmes de péage applicables aux routes parallèles sur lesquelles le trafic peut être détourné du réseau routier transeuropéen et/ou qui sont en concurrence directe avec certains tronçons dudit réseau, sur lesquels des péages sont prélevés. Ces informations comprennent au moins une indication de l'étendue géographique du réseau concerné par le péage, des véhicules soumis à celui-ci et du barème de péage envisagé, ainsi qu'une explication des modalités de calcul dudit barème.

6. Dans les cas soumis aux obligations prévues au paragraphe 3, la Commission, dans un délai de quatre mois à compter de la date de réception des informations visées au paragraphe 4, rend un avis dans lequel elle indique si elle estime que ces obligations ont été remplies.

S'agissant des systèmes de péage visés au paragraphe 5, la Commission peut aussi émettre un avis, notamment sur le caractère proportionné et la transparence des régimes proposés, ainsi que sur leur incidence probable sur la concurrence dans le marché intérieur et sur la libre circulation des marchandises.

Les avis de la Commission sont mis à la disposition du comité visé à l'article 9 *quater*, paragraphe 1.

7) L'article 9 est modifié comme suit:

a) le paragraphe 1 est remplacé par le texte suivant:

«1. La présente directive ne fait pas obstacle à l'application non discriminatoire par les États membres:

a) de taxes ou de droits spécifiques:

— prélevés lors de l'immatriculation du véhicule, ou  
— frappant les véhicules ou les chargements dont les poids ou les dimensions sont hors normes;

b) de taxes de stationnement et de taxes spécifiques applicables au trafic urbain.

1 *bis*. La présente directive ne fait pas obstacle à l'application non discriminatoire par les États membres:

a) de droits régulateurs destinés spécifiquement à combattre la congestion du trafic liée à une période de la journée et à un lieu précis;

b) de droits régulateurs destinés à combattre les impacts environnementaux, notamment la dégradation de la qualité de l'air perçus sur tout axe routier, notamment dans les zones urbaines, y compris sur les routes du réseau routier transeuropéen traversant une zone urbaine.»;

PE-CONS 3682/9/05 REV 9  
ANNEXE II

26

FR

9/10  
32.cic. [SCHEMA: ACT]  
[COMMISSION REGULATION (EC) No .../2007] ②  
[of 24 May 2007] ②  
[modifying Regulation (EC) No 210/2007 derogating from Regulation (EC) No 1282/2006 as regards the term of validity of export licences with advance fixing of the refund in the milk and milk products sector] ②

THE COMMISSION OF THE EUROPEAN COMMUNITIES, ③  
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, and in particular Article 31(14) thereof,

Whereas:

(1) Article 8 of Commission Regulation (EC) No 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EEC) No 1255/1999 as regards export licences and export refunds in the case of milk and milk products lays down the term of validity of export licences.  
(2) As a precautionary measure, with a view to protect the Community budget from unnecessary expenditures and to avoid a speculative application of the export refund regime in the dairy sector, Commission Regulation (EC) No 210/2007 provided for that, by way of derogation  
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).  
OJ L 234, 29.8.2006, p. 4. Regulation as last amended by Regulation (EC) No 532/2007 (OJ L 125, 15.5.2007, p. 7).  
OJ L 61, 28.2.2007, p. 23.

[Article 2] ④  
This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.  
It shall apply from 25 May 2007.  
This Regulation shall be binding in its entirety and directly applicable in all Member States.  
Done at Brussels, 24 May 2007.

For the Commission  
Jean-Luc DEMARTY  
Director-General for Agriculture and Rural Development

[4 cic.]  
③③

from Regulation (EC) No 1282/2006, the term of validity of export licences for milk products for which an application has been lodged from 1 March 2007 on should be limited to 30 June 2007.

(3) A close monitoring of both the internal and the world market has shown a longer validity period of the licences may be progressively re-established without any risk of destabilisation of the proper functioning of the common market organisation. It is therefore appropriate to modify Regulation (EC) No 210/2007.

(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: ③

Article 1 of Regulation (EC) No 210/2007 is amended as follows:  
Article 1 is replaced by the following:  
By way of derogation from Article 8 of Regulation (EC) No 1282/2006, the term of validity of export licences with advance fixing of the refund, which are applied for until 14 June 2007 in respect of the products referred to in point (c) of that Article, shall expire on 30 June 2007.

AMENDING ACTS – 2

In the manuscript, the two lines have been changed into a single one, because there is just one amendment.

Even if there is no numbered or lettered list of amendments, the new or amended text is always indented.

The 4 cic rule means that this is the end of the act: no annex or appendix follows.

COMMISSION REGULATION (EC) No 569/2007  
of 24 May 2007

modifying Regulation (EC) No 210/2007 derogating from Regulation (EC) No 1282/2006 as regards the term of validity of export licences with advance fixing of the refund in the milk and milk products sector

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 31(14) thereof,

Whereas:

(1) Article 8 of Commission Regulation (EC) No 1282/2006 of 17 August 2006 laying down special detailed rules for the application of Council Regulation (EEC) No 1255/1999 as regards export licences and export refunds in the case of milk and milk products<sup>(2)</sup> lays down the term of validity of export licences.

(2) As a precautionary measure, with a view to protect the Community budget from unnecessary expenditures and to avoid a speculative application of the export refund regime in the dairy sector, Commission Regulation (EC) No 210/2007<sup>(3)</sup> provided for that, by way of derogation from Regulation (EC) No 1282/2006, the term of validity of export licences for milk products for which an application has been lodged from 1 March 2007 on should be limited to 30 June 2007.

(3) A close monitoring of both the internal and the world market has shown a longer validity period of the licences

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

Done at Brussels, 24 May 2007.

may be progressively re-established without any risk of destabilisation of the proper functioning of the common market organisation. It is therefore appropriate to modify Regulation (EC) No 210/2007.

(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

Article 1 of Regulation (EC) No 210/2007 is replaced by the following:

'Article 1  
By way of derogation from Article 8 of Regulation (EC) No 1282/2006, the term of validity of export licences with advance fixing of the refund, which are applied for until 14 June 2007 in respect of the products referred to in point (c) of that Article, shall expire on 30 June 2007.'

Article 2

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

It shall apply from 25 May 2007.

For the Commission  
Jean-Luc DEMARTY  
Director-General for Agriculture and Rural Development

(1) OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).  
(2) OJ L 234, 29.8.2006, p. 4. Regulation as last amended by Regulation (EC) No 532/2007 (OJ L 125, 15.5.2007, p. 7).  
(3) OJ L 61, 28.2.2007, p. 23.

- (18) Afin de permettre qu'une décision objective soit prise en connaissance de cause, à l'avenir, sur l'application éventuelle du principe du «pollueur payeur» pour tous les types de transports, grâce à l'internalisation des coûts externes, des modes de calcul uniformes devraient être élaborés sur la base de données scientifiquement reconnues. Une décision future sur cette question devrait tenir pleinement compte de la charge fiscale déjà supportée par les entreprises de transport routier, telle que les taxes sur les véhicules à moteur et les droits d'accise sur les carburants.
- (19) Il convient que la Commission engage les travaux d'élaboration d'un modèle universel, transparent et compréhensible pour l'évaluation des coûts externes de tous les modes de transport, lequel servirait de base, à l'avenir, au calcul des frais d'infrastructure. Dans ce contexte, il convient que la Commission examine toutes les possibilités en ce qui concerne les composantes des coûts externes à prendre en considération, en tenant compte des éléments recensés dans son livre blanc de 2001 sur la politique européenne des transports à l'horizon 2010, en évaluant avec soin l'incidence qu'aurait l'internalisation de ces différentes composantes. Le Parlement européen et le Conseil conviennent d'examiner rapidement une pareille proposition de la Commission de réviser à nouveau la directive 1999/62/CE.
- (20) D'autres progrès techniques sont encore nécessaires pour développer le système de tarification de l'usage de l'infrastructure routière. Une procédure devrait être introduite pour permettre à la Commission d'adapter les exigences de la directive 1999/62/CE aux progrès techniques, après consultation à cette fin des États membres.

- (21) Il y a lieu d'arrêter les mesures nécessaires à la mise en œuvre de la présente directive en conformité avec la décision 1999/468/CE du Conseil du 28 juin 1999 fixant les modalités de l'exercice des compétences d'exécution conférées à la Commission.
  - (22) Étant donné que l'objectif de la présente directive, à savoir l'harmonisation des conditions applicables aux péages liés à l'utilisation des infrastructures routières, ne peut pas être réalisé de manière suffisante par les États membres et peut donc, en raison de sa dimension communautaire et eu égard à la sauvegarde du marché intérieur des transports, être mieux réalisé au niveau communautaire, la Communauté peut prendre des mesures, conformément au principe de subsidiarité consacré à l'article 5 du traité. Conformément au principe de proportionnalité tel qu'énoncé audit article, la présente directive n'excède pas ce qui est nécessaire pour atteindre cet objectif.
  - (23) Il convient de modifier la directive 1999/62/CE en conséquence,
- ONT ARRÊTÉ LA PRÉSENTE DIRECTIVE: 3

- (17) Afin d'assurer une application cohérente et harmonisée des systèmes de tarification des infrastructures, pour les nouveaux systèmes de péage, il convient de calculer les coûts selon l'ensemble de principes fondamentaux visés à l'annexe II ou de les établir à un niveau ne dépassant pas celui qui serait obtenu en appliquant ces principes. Ces exigences ne devraient pas s'appliquer aux systèmes existants, à moins qu'ils ne soient notablement modifiés par la suite. Ces modifications notables consisteraient en un changement significatif des conditions d'origine du système de péage par la modification du contrat passé avec l'opérateur du système de péage, mais pas en des modifications prévues dans le système d'origine. Dans le cas de contrats de concession, les modifications notables pourraient être mises en œuvre conformément à une procédure de passation de marchés publics. Afin d'obtenir la transparence sans entraver le fonctionnement de l'économie de marché ni les partenariats entre le secteur public et le secteur privé, les États membres devraient en outre communiquer à la Commission, afin qu'elle soit en mesure de rendre un avis, les valeurs unitaires et les autres paramètres qu'ils envisagent d'appliquer pour le calcul des différents éléments de coût des péages ou, dans le cas des contrats de concession, le contrat pertinent et le cas de base. Les avis adoptés par la Commission avant l'instauration de nouveaux systèmes de péage dans les États membres ne préjugent aucunement de l'obligation qui incombe à la Commission en vertu du traité d'assurer l'application de la législation communautaire.

frastucture routière. Une procédure devrait être introduite pour permettre à la Commission d'adapter les exigences de la directive 1999/62/CE aux progrès techniques, après consultation à cette fin des États membres.

- (21) Il y a lieu d'arrêter les mesures nécessaires à la mise en œuvre de la présente directive en conformité avec la décision 1999/468/CE du Conseil du 28 juin 1999 fixant les modalités de l'exercice des compétences d'exécution conférées à la Commission (1).
- (22) Étant donné que l'objectif de la présente directive, à savoir l'harmonisation des conditions applicables aux péages liés à l'utilisation des infrastructures routières, ne peut pas être réalisé de manière suffisante par les États membres et peut donc, en raison de sa dimension communautaire et eu égard à la sauvegarde du marché intérieur des transports, être mieux réalisé au niveau communautaire, la Communauté peut prendre des mesures, conformément au principe de subsidiarité consacré à l'article 5 du traité. Conformément au principe de proportionnalité tel qu'énoncé audit article, la présente directive n'excède pas ce qui est nécessaire pour atteindre cet objectif.
- (23) Il convient de modifier la directive 1999/62/CE en conséquence,

ONT ARRÊTÉ LA PRÉSENTE DIRECTIVE:

[Article premier] (1)

La directive 1999/62/CE est modifiée comme suit:

1) L'article 2 est modifié comme suit:

a) le point a) est remplacé par le texte suivant:

«a) "réseau routier transeuropéen", le réseau routier défini à l'annexe I, section 2, de la décision n° 1692/96/CE du Parlement européen et du Conseil du 23 juillet 1996 sur les orientations communautaires pour le développement du réseau transeuropéen de transport et illustré par des cartes. Les cartes se rapportent aux sections correspondantes mentionnées dans le dispositif et/ou à l'annexe II de ladite décision;

«a bis) "coûts de construction": les coûts de construction, y compris, le cas échéant, les coûts de financement: des infrastructures nouvelles ou de l'amélioration des infrastructures nouvelles (y compris les réparations structurelles importantes); ou

JO L 228 du 9.9.1996, p. 1. Décision modifiée en dernier lieu par la décision n° 884/2004/CE (JO L 167 du 30.4.2004, p. 1).

b) les points suivants sont insérés:

FOOTNOTES AND NOTES – 1

The footnotes of an amended act appear at the end of the new or added text, under a 4 cic rule. They have asterisks instead of numbers. They are the same font size as the text: 9 dp.

Depending on the LV, quotation marks have different levels when used within a quoted text (see the Style Guide and the Formex Specifications). Note that in some LVs definitions appear in italic characters instead within quotation marks.

The footnotes of the amending act appear in the standard way: at the bottom of the page, numbered (the numbering begins on each new page), in 8 dp size and under a 4 cic rule.

Note that numbers within single or double brackets (points, recitals and footnote references) are always justified to the left.

- (a) TEXT      (9) TEXT      (\*) TEXT
- (b) TEXT      (10) TEXT      (\*\*) TEXT

- a) TEXT      9) TEXT      i) TEXT
- b) TEXT      10) TEXT      ii) TEXT

- (18) Afin de permettre qu'une décision objective soit prise en connaissance de cause, à l'avenir, sur l'application éventuelle du principe du «pollueur payeur» pour tous les types de transports, grâce à l'internalisation des coûts externes, des modes de calcul uniformes devraient être élaborés sur la base de données scientifiquement reconnues. Une décision future sur cette question devrait tenir pleinement compte de la charge fiscale déjà supportée par les entreprises de transport routier, telle que les taxes sur les véhicules à moteur et les droits d'accise sur les carburants.

- (19) Il convient que la Commission engage les travaux d'élaboration d'un modèle universel, transparent et compréhensible pour l'évaluation des coûts externes de tous les modes de transport, lequel servirait de base, à l'avenir, au calcul des frais d'infrastructure. Dans ce contexte, il convient que la Commission examine toutes les possibilités en ce qui concerne les composantes des coûts externes à prendre en considération, en tenant compte des éléments recensés dans son livre blanc de 2001 sur la politique européenne des transports à l'horizon 2010, en évaluant avec soin l'incidence qu'aurait l'internalisation de ces différentes composantes. Le Parlement européen et le Conseil conviennent d'examiner rapidement une pareille proposition de la Commission de réviser à nouveau la directive 1999/62/CE.

- (20) D'autres progrès techniques sont encore nécessaires pour développer le système de tarification de l'usage de l'in-

Article premier

La directive 1999/62/CE est modifiée comme suit:

- 1) L'article 2 est modifié comme suit:
  - a) le point a) est remplacé par le texte suivant:

«a) "réseau routier transeuropéen", le réseau routier défini à l'annexe I, section 2, de la décision n° 1692/96/CE du Parlement européen et du Conseil du 23 juillet 1996 sur les orientations communautaires pour le développement du réseau transeuropéen de transport (\*) et illustré par des cartes. Les cartes se rapportent aux sections correspondantes mentionnées dans le dispositif et/ou à l'annexe II de ladite décision;

(\*) JO L 228 du 9.9.1996, p. 1. Décision modifiée en dernier lieu par la décision n° 884/2004/CE (JO L 167 du 30.4.2004, p. 1).»

- b) les points suivants sont insérés:
  - «a bis) "coûts de construction": les coûts de construction, y compris, le cas échéant, les coûts de financement:

— des infrastructures nouvelles ou de l'amélioration des infrastructures nouvelles (y compris les réparations structurelles importantes); ou

(1) JO L 184 du 17.7.1999, p. 23.

- a) octroi à Hynix d'un nouveau prêt de 1 billion de won sud-coréens assorti d'un taux d'intérêt de 7 pour cent;
- b) échange de créances contre des participations par l'émission d'obligations convertibles en actions;
- c) prorogation des échéances des prêts existants jusqu'au 31 décembre 2004, conversion des obligations de société arrivant à échéance en obligations de société à échéance de trois ans assorties d'un taux d'intérêt de 6,5 pour cent et révision du taux d'intérêt des prêts restants en monnaie coréenne, désormais fixé à 6 pour cent.

7.112 À la réunion du 31 octobre, le CFIC a donné aux établissements financiers le choix entre trois options. La première consistait à approuver les propositions en accordant un nouveau crédit et en participant à un échange de créances contre des participations ("option 1"). Deuxièmement, les banques qui ne voulaient pas participer au nouveau prêt étaient obligées d'échanger 28,5 pour cent de leurs créances en participations et de renoncer au reste de la dette d'Hynix ("option 2"). Troisièmement, le CFIC a également décidé que les banques qui s'opposaient aux mesures et qui utilisaient leurs droits de partie dissidente verraient leurs créances rachetées à la valeur de liquidation établie par Arthur Andersen, la société qui était chargée de réaliser une étude sur la situation financière d'Hynix à l'époque ("option 3").

7.113 Néanmoins, six banques seulement ont accepté d'accorder un nouveau crédit, qui s'est élevé à 658 milliards de won sud-coréens au lieu du billion prévu. Ces banques ont échangé un montant considérable de créances contre des participations. Ces banques dites de l'option 1 étaient la KEB, la banque Woori, la banque Chohung, la KDB, la NACF et la Citibank. Huit banques ont refusé d'accorder de nouveaux prêts, de sorte qu'elles ont échangé approximativement un tiers de leurs créances contre des participations et qu'elles ont passé le reste par pertes et profits. Les banques restantes se sont opposées à la restructuration et ont choisi de recevoir la valeur de liquidation de leurs créances, et ont dû passer les créances restantes par pertes et profits. Les échéances des prêts qui restaient accordés par les banques de la première catégorie ont été prorogées et les taux d'intérêt abaissés comme on l'a expliqué plus haut. Les CE ont considéré que la participation des six banques de l'option 1 au programme de restructuration d'octobre 2001 constituait une contribution financière des pouvoirs publics qui conférait un avantage à Hynix. Le taux de subventionnement pour ce programme de restructuration d'octobre 2001 était, selon les calculs, de 19,4 pour cent.

4 ac.  
 (\*) Détermination préliminaire des CE, paragraphe 77. La KDB n'a pas participé au nouveau prêt de 658 milliards de won sud-coréens.  
 (\*\*) Id., paragraphes 69-71.»

été établi conformément aux dispositions de la loi pour la promotion de la restructuration des entreprises (CRPA). La CRPA a été promulguée en août 2001 et elle avait pour objet de faciliter la restructuration des entreprises, qui était fondée auparavant sur des accords entre les banques créancières et les sociétés concernées. Le CFIC était composé de 110 établissements financiers incluant 17 banques et 15 sociétés d'investissement. Les décisions du CFIC étaient prises à une majorité fixée à 75 pour cent. Les voix étaient réparties proportionnellement aux engagements de chaque établissement par rapport à la totalité des prêts accordés à Hynix. Tout établissement financier exerçant ses droits de partie dissidente en exprimant son désaccord avec une résolution du CFIC serait exclu du CFIC à titre définitif. À sa deuxième réunion tenue le 31 octobre 2001, le CFIC a arrêté un "deuxième ensemble de mesures de restructuration" pour Hynix. Les mesures suivantes étaient proposées:

- a) octroi à Hynix d'un nouveau prêt de 1 billion de won sud-coréens assorti d'un taux d'intérêt de 7 pour cent;
- b) échange de créances contre des participations par l'émission d'obligations convertibles en actions;
- c) prorogation des échéances des prêts existants jusqu'au 31 décembre 2004, conversion des obligations de société arrivant à échéance en obligations de société à échéance de trois ans assorties d'un taux d'intérêt de 6,5 pour cent et révision du taux d'intérêt des prêts restants en monnaie coréenne, désormais fixé à 6 pour cent.

banques ont refusé d'accorder de nouveaux prêts, de sorte qu'elles ont échangé approximativement un tiers de leurs créances contre des participations et qu'elles ont passé le reste par pertes et profits. Les banques restantes se sont opposées à la restructuration et ont choisi de recevoir la valeur de liquidation de leurs créances, et ont dû passer les créances restantes par pertes et profits. Les échéances des prêts qui restaient accordés par les banques de la première catégorie ont été prorogées et les taux d'intérêt abaissés comme on l'a expliqué plus haut (\*\*). Les CE ont considéré que la participation des six banques de l'option 1 au programme de restructuration d'octobre 2001 constituait une contribution financière des pouvoirs publics qui conférait un avantage à Hynix. Le taux de subventionnement pour ce programme de restructuration d'octobre 2001 était, selon les calculs, de 19,4 pour cent.

(\*) Détermination préliminaire des CE, paragraphe 77. La KDB n'a pas participé au nouveau prêt de 658 milliards de won sud-coréens.  
 (\*\*) Id., paragraphes 69-71.»

7.112 À la réunion du 31 octobre, le CFIC a donné aux établissements financiers le choix entre trois options. La première consistait à approuver les propositions en accordant un nouveau crédit et en participant à un échange de créances contre des participations ("option 1"). Deuxièmement, les banques qui ne voulaient pas participer au nouveau prêt étaient obligées d'échanger 28,5 pour cent de leurs créances en participations et de renoncer au reste de la dette d'Hynix ("option 2"). Troisièmement, le CFIC a également décidé que les banques qui s'opposaient aux mesures et qui utilisaient leurs droits de partie dissidente verraient leurs créances rachetées à la valeur de liquidation établie par Arthur Andersen, la société qui était chargée de réaliser une étude sur la situation financière d'Hynix à l'époque ("option 3").

7.113 Néanmoins, six banques seulement ont accepté d'accorder un nouveau crédit, qui s'est élevé à 658 milliards de won sud-coréens au lieu du billion prévu. Ces banques ont échangé un montant considérable de créances contre des participations. Ces banques dites de l'option 1 étaient la KEB, la banque Woori, la banque Chohung, la KDB, la NACF et la Citibank (\*). Huit

(67) Le groupe spécial a considéré que les CE ont, sur la base du dossier porté à leur connaissance, tiré une conclusion raisonnable et motivée selon laquelle le programme de restructuration d'octobre 2001 a conféré un avantage à Hynix<sup>(58)</sup>. Néanmoins, en ce qui concerne le montant de l'avantage, le rapport du groupe spécial indique que les CE devraient, du point de vue du droit de l'OMC, réexaminer la question des autres points de repère disponibles pour calculer l'avantage conféré à Hynix.

(68) Comme l'a fait remarquer le groupe spécial, lorsqu'elle aborde la question de l'existence d'un avantage dans le cas d'une prise de participation des pouvoirs publics au capital social et lorsqu'elle applique les principes directeurs contenus à l'article 14 de l'accord SMC, l'autorité chargée de l'enquête bénéficie d'une marge de manœuvre considérable<sup>(59)</sup>. La Commission considère que l'échange de créances contre des participations dans le cadre du programme de restructuration d'octobre 2001 pourrait être examiné sous l'angle de l'article 6, point a), du règlement de base [qui correspond globalement à l'article 14 a) de l'accord SMC], qui fait référence à une prise de participation des pouvoirs publics au capital social d'une entreprise incompatible avec la pratique habituelle concernant les investissements (y compris pour ce qui est de la fourniture de capital-risque) des investisseurs privés sur le territoire de ce membre. La Commission observe que, contrairement aux points b) et c), le point a) ne contient pas de phrase finale sur les modalités du calcul du montant de l'avantage.

<sup>(58)</sup> Rapport du groupe spécial, paragraphes 7.204 à 7.210.  
<sup>(59)</sup> Rapport du groupe spécial, paragraphe 7.213.

FOOTNOTES AND NOTES – 2

The footnotes of an amendment or quoted text appear at the end of the new, added or quoted text, under a 4 cic rule. They do not have numbers but asterisks. They are the same font size as the text: 9 dp.

Only titles up to the third level are centred.

Remember that there must be the same number of footnotes on each page of every LV of the OJ, and that they must be set in the same position on the page. However, some footnotes can be longer in some LVs (i.e. OJ references).

Sometimes (i.e. in anti-dumping regulations and COM decisions), footnotes are not renumbered on each new page but have a continuous numbering.

(67) Le groupe spécial a considéré que les CE ont, sur la base du dossier porté à leur connaissance, tiré une conclusion raisonnable et motivée selon laquelle le programme de restructuration d'octobre 2001 a conféré un avantage à Hynix<sup>(1)</sup>. Néanmoins, en ce qui concerne le montant de l'avantage, le rapport du groupe spécial indique que les CE devraient, du point de vue du droit de l'OMC, réexaminer la question des autres points de repère disponibles pour calculer l'avantage conféré à Hynix.

(68) Comme l'a fait remarquer le groupe spécial, lorsqu'elle aborde la question de l'existence d'un avantage dans le cas d'une prise de participation des pouvoirs publics au capital social et lorsqu'elle applique les principes directeurs contenus à l'article 14 de l'accord SMC, l'autorité chargée de l'enquête bénéficie d'une marge de manœuvre considérable<sup>(2)</sup>. La Commission considère que l'échange de créances contre des participations dans le cadre du programme de restructuration d'octobre 2001 pourrait être examiné sous l'angle de l'article 6, point a), du règlement de base [qui correspond globalement à l'article 14 a) de l'accord SMC], qui fait référence à une prise de participation des pouvoirs publics au capital social d'une entreprise incompatible avec la pratique habituelle concernant les investissements (y compris pour ce qui est de la fourniture de capital-risque) des investisseurs privés sur le territoire de ce membre. La Commission observe que, contrairement aux points b) et c), le point a) ne contient pas de phrase finale sur les modalités du calcul du montant de l'avantage.

<sup>(1)</sup> Rapport du groupe spécial, paragraphes 7.204 à 7.210.  
<sup>(2)</sup> Rapport du groupe spécial, paragraphe 7.213.





(129) With regard to the profit-maximising argument, it should be noted that this is based on the positive price differential observed during the period considered between the USA and the Community market, which nevertheless cannot be considered as an appreciation element for the future prices of a highly volatile commodity such as UAN. On the basis of the above, it was established that there is a high risk of recurrence of injury, should the measures be repealed, and therefore the argument was rejected.

#### 4.3. Impact on the Community industry of the projected export volumes and price effects in case of repeal of measures

##### 4.3.1. Preliminary remarks — Conditions of competition

(130) UAN is a liquid fertiliser supplying nitrogen to crops. It is mainly used as a pre-planting fertiliser for arable crops, which require UAN usually in the spring time. UAN has a limited interchangeability with the other nitrogen fertilisers as farmers use different equipment for applying UAN and it can be mixed with other solutions, such as pesticides, for a single application. Demand is therefore characterised by seasonal peaks and is relatively inelastic.

(131) Although UAN is generally consumed seasonally, it is produced throughout the year as this is more efficient than ceasing production. As a result, Community producers are found with peak inventories during autumn and winter. Massive imports of the product concerned at depressed prices during spring and summer will very likely have a significant adverse effect on the Community industry's prices for such a highly volatile commodity as the product concerned, for which prices are set on a weekly basis.

##### 4.3.2. Exports from the countries concerned

(132) Given the absence of exports from the countries concerned except Algeria during the RIP, the analysis is focused on the likelihood of redirection of exports made to other countries during the RIP towards the Community market in the imminent future. In addition, the likely evolution of sales prices of UAN has to be analysed.

(133) Regarding the likely evolution of exports to the Community market, it should be noted that imports of UAN into the USA market originating in Belarus, Russia and Ukraine were subject to anti-dumping measures until their repeal in April 2003. The table below shows the export development of these three countries to the USA market as of 2003:

Exports to the USA market from:	2003 <sup>(*)</sup>	2004	RIP <sup>(**)</sup>
Belarus in tonnes	156 596	244 526	227 772
Russia in tonnes	179 993	614 395	699 100
Ukraine in tonnes	111 321	103 440	145 828
Total in tonnes	447 910	962 361	1 072 700

Source: 'Foreign Trade Statistics', published by the US Census Bureau.

(134) On this basis, it is shown that these countries increased significantly their exported volume from 2003 to 2004. In the case of Russia, in particular, the export volume rose from 180 000 tonnes in 2003 to about 600 000 tonnes in 2004, representing a more than threefold increase. The above trade statistics also show that the sharp and sudden increase in export volumes from these countries to the USA came to a halt during the RIP, where the increase in comparison to 2004 was less profound (11 %). The stabilisation of their collective exports volumes to the USA market to around 1 million tonnes was confirmed by these countries' post-RIP export performance to the USA.

<sup>(\*)</sup> The figures include the first three months of 2003, i.e. the period within which the measures were still in place.

<sup>(\*\*)</sup> The RIP is considered for the sake of comparison with the overall analysis.

### TABLES – 1

When there are no special comments on the model, tables have the same column width as the preceding text (17 cic in this case, because the text above is indented).

Tables always follow the same rules: heading in 7 dp, text of the table in 8 dp, notes of the table or information source in 7 dp. If the table contains notes, they are separated from the general text by a line with the width of the table. The order of the table notes is: first the numbered or lettered ones, then the ones with asterisks, the 'NB' notes and, always at the end, the information source.

When a whole table is replaced or added, the quotation marks begin in the heading of the table. If the table is only modified, the quotation marks begin in the first case of the table and close in the end of the last one or after the table's notes.

If the note reference is within the table, the note text must be set at the end of it even if it appears as a footnote in the manuscript.

(135) In the final report of the USA anti-dumping investigation on UAN imports from Belarus, Russia and Ukraine, the reason for this stabilisation is described in detail<sup>(1)</sup>. In this report, it is specifically stated that the high ratio of inland transportation costs means that the market for imports is virtually limited to the coastal areas and that these costs make final sales of imported UAN to many areas of the USA, including the important UAN consumption States in the so-called 'farm belt' area, far too expensive as compared to locally produced UAN. In other words, there is a limit on the size of the USA market with regard to imports, and the most significant areas in terms of consumption remain shielded from imports due to their location. In view of the observed stabilisation of imports from Belarus, Russia and Ukraine, as described in recital 134 above, it is therefore concluded that the USA market cannot absorb import volumes significantly higher than those registered in the RIP.

(136) In the above context, and in view of the relative proximity of the Community market, it can be concluded that significant sales or spare capacity in the countries concerned, will be very likely directed toward the Community market, should the measures be allowed to lapse. Given the lower level of transport costs as compared to exports to the USA market, their export prices can be substantially lower than those prevailing in the USA market. Furthermore, as shown in recitals 50, 54 and 63, it was found that the sales of the cooperating exporting producers on the USA market were made at prices lower than the respective normal values.

##### 4.3.3. Impact of spare capacities

###### Algeria

(137) It is recalled that the domestic market of the product concerned in Algeria is insignificant and that virtually all production capacity is export oriented. Furthermore, the investigation showed that the current spare capacity of the Algerian producers represent 10 % to 20 % of the consumption on the Community market. The total current spare capacity is estimated to be around 300 000 to 350 000 tonnes.

<sup>(1)</sup> 'Urea Ammonium Nitrate Solutions from Belarus, Russia, and Ukraine — Investigations Nos. 731-TA-1006, 1008 and 1009 (Final), Publication 3591', April 2003, US International Trade Commission, p. 25, V-4, V-5.

(129) With regard to the profit-maximising argument, it should be noted that this is based on the positive price differential observed during the period considered between the USA and the Community market, which nevertheless cannot be considered as an appreciation element for the future prices of a highly volatile commodity such as UAN. On the basis of the above, it was established that there is a high risk of recurrence of injury, should the measures be repealed, and therefore the argument was rejected.

#### 4.3. Impact on the Community industry of the projected export volumes and price effects in case of repeal of measures

##### 4.3.1. Preliminary remarks — Conditions of competition

(130) UAN is a liquid fertiliser supplying nitrogen to crops. It is mainly used as a pre-planting fertiliser for arable crops, which require UAN usually in the spring time. UAN has a limited interchangeability with the other nitrogen fertilisers as farmers use different equipment for applying UAN and it can be mixed with other solutions, such as pesticides, for a single application. Demand is therefore characterised by seasonal peaks and is relatively inelastic.

(131) Although UAN is generally consumed seasonally, it is produced throughout the year as this is more efficient than ceasing production. As a result, Community producers are found with peak inventories during autumn and winter. Massive imports of the product concerned at depressed prices during spring and summer will very likely have a significant adverse effect on the Community industry's prices for such a highly volatile commodity as the product concerned, for which prices are set on a weekly basis.

##### 4.3.2. Exports from the countries concerned

(132) Given the absence of exports from the countries concerned except Algeria during the RIP, the analysis is focused on the likelihood of redirection of exports made to other countries during the RIP towards the Community market in the imminent future. In addition, the likely evolution of sales prices of UAN has to be analysed.

(133) Regarding the likely evolution of exports to the Community market, it should be noted that imports of UAN into the USA market originating in Belarus, Russia and Ukraine were subject to anti-dumping measures until their repeal in April 2003. The table below shows the

export development of these three countries to the USA market as of 2003:

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Source: 'Foreign Trade Statistics', published by the US Census Bureau.

(134) On this basis, it is shown that these countries increased significantly their exported volume from 2003 to 2004. In the case of Russia, in particular, the export volume rose from 180 000 tonnes in 2003 to about 600 000 tonnes in 2004, representing a more than threefold increase. The above trade statistics also show that the sharp and sudden increase in export volumes from these countries to the USA came to a halt during the RIP, where the increase in comparison to 2004 was less profound (11 %). The stabilisation of their collective exports volumes to the USA market to around 1 million tonnes was confirmed by these countries' post-RIP export performance to the USA.

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**D. DEFINITION OF THE COMMUNITY INDUSTRY**

- (52) During the IP there were five producers of DBM in the Community. The investigation established that the three applicant and fully cooperating Community producers represented around 55 % of the Community production of DBM and, therefore, constitute the Community industry within the meaning of Article 4(1) and Article 5(4) of the basic Regulation.
- (53) One producer did not cooperate, but did also not oppose the investigation. It was shown that this producer is a completely downstream integrated producer, using its output of DBM exclusively for internal consumption.
- (54) Another producer was known to the Commission and was contacted in the framework of this proceeding. This company did not express its support or oppose the proceeding.

**E. DETERMINATION OF THE RELEVANT COMMUNITY MARKET**

- (55) In order to establish whether or not the Community industry suffered injury and to determine consumption and the various economic indicators related to the situation of the Community industry, it was examined whether and to what extent the subsequent use of the Community industry's production of the like product had to be taken into account in the analysis.
- (56) DBM is used as an input in the production of refractories within the same companies, or is sold as such to a third party, related or not.

- (57) For the purpose of this investigation, captive use was defined as occurring when production was delivered within the same group of companies for further downstream processing. In situations of captive use, sales or transfer of costs were made at transfer value not set according to market conditions or were made to a company which did not have a free choice of supplier. Consequently, captive use had to be analysed at the level of produced quantities and the proportion of total sales it represented. All other situations were considered as free market sales.
- (58) The distinction between the captive and the free market is relevant for the injury analysis because products destined for captive use are not exposed to direct competition with imports. By contrast, production destined for free market sales was found to be in direct competition with imports of the product concerned.
- (59) In order to provide as complete a picture as possible of the situation of the Community industry, data have been obtained and analysed for the entire DBM activity and it was subsequently determined whether the production was destined for captive use or for the free market.
- (60) On the basis of the investigation, it was found that certain economic indicators related to the Community industry could reasonably be examined by referring to the whole activity, i.e. for both captive use and free market sales. Indeed, production, production capacity and capacity utilisation, cash flow, investments, ability to raise capital, stocks, employment, labour costs and productivity depend upon the whole activity, regardless of whether the product is transferred downstream

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- (61) The other economic indicators related to the Community industry were analysed and evaluated referring to the situation prevailing on the free market, in particular where measurable market conditions exist and where transactions are made under normal market conditions implying free choice of supplier: sales volume and sales prices on the Community market, export volume and prices. In this respect, consumption, market shares, growth as well as profitability and return on investment were determined on the basis of the free market sales.

**TABLES – 2**

The title of a table can have this form, but very often the numbered table appears centred and in italic characters, and its title centred in roman and bold characters.

When tables are too large to be set in 19 cic, it is marked in the model that they have to be 32 cic (the full width of the text area is 40 cic). In that case, the text is also 32 cic to fill the page width. If there are many large tables, several pages can be set in 32 cic. After this, the text reverts to 19 cic in two columns again.

Tables may also appear in landscape format (*à l'italienne*). In this case, standard rules for tables are applied.

There is always a space before the following items: %, +, -, °C.

**F. SITUATION IN THE COMMUNITY MARKET**

**1. Consumption in the Community market**

- (62) Community consumption was based on the combined volume of sales made by the Community industry in the Community, excluding captive use, imports from the PRC and imports from other third countries.
- (63) On this basis, during the period considered, Community consumption increased by 32 %, from 693 145 tonnes in 2000 to 911 672 tonnes in the IP. This was partially due to the recovery of the steel industry.

**Table 1 — Community consumption**

Community consumption	2000	2001	2002	2003	IP
Free market (tonnes)	693 145	792 575	701 723	817 678	911 672
Index	100	114	101	118	132
Y/Y trend		14	- 13	17	14

Source: Eurostat, verified questionnaire replies of the Community industry and market information provided by the applicant producers.

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SCHEMA:AGR

8/19

AGREEMENT 10

32 cic

between the European Community and the Republic of Bulgaria laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services

THE EUROPEAN COMMUNITY (hereinafter referred to as the Community)

on the one hand, and

THE REPUBLIC OF BULGARIA (hereinafter referred to as Bulgaria)

on the other hand,

hereinafter referred to as 'the Contracting Parties',

HAVING REGARD to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, and in particular to the objectives set out in Article 1 thereof,

HAVING REGARD to the information procedure on technical regulations and rules on information society services applied within the European Community,

CONSIDERING the commitment of the Contracting Parties to promote harmonious economic relations between themselves,

CONSIDERING the ongoing cooperation between the Contracting Parties in the field of technical barriers to trade and the common understanding reached

4 cic. (1) OJ L 358, 31.12.1994, p. 3. (2) Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and rules on Information Society services (OJ L 204, 21.7.1998, p. 37). Directive as last amended by the 2003 Accession Act.

within the framework of that cooperation to extend this information procedure on technical regulations and rules on information society services applied in the Community to Bulgaria,

HAVE AGREED AS FOLLOWS: 3

Article 1 4

9/10 For the purpose of this Agreement, the following definitions apply:

14 (1) 'product': any industrially manufactured product and any agricultural product, including fish products;

14 cic (2) 'service': any Information Society service, by which is meant any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services.

For the purposes of this definition:

'at a distance': means that the service is provided without the parties being simultaneously present,

'by electronic means': means that the service is sent initially and received at its destination by means of electronic equipment for the processing (including digital compression) and storage of data, and entirely transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means,

'at the individual request of a recipient of services': means that the service is provided through the transmission of data on individual request.

An indicative list of services not covered by this definition is set out in Annex I. 9

AGREEMENT

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HAVING REGARD to the information procedure on technical regulations and rules on information society services applied within the European Community (2),

CONSIDERING the commitment of the Contracting Parties to promote harmonious economic relations between themselves,

CONSIDERING the ongoing cooperation between the Contracting Parties in the field of technical barriers to trade and the common understanding reached within the framework of that cooperation to extend this information procedure on technical regulations and rules on information society services applied in the Community to Bulgaria,

HAVE AGREED AS FOLLOWS:

Article 1

For the purpose of this Agreement, the following definitions apply:

(1) 'product': any industrially manufactured product and any agricultural product, including fish products;

(2) 'service': any Information Society service, by which is meant any service normally provided for remuneration, at a distance, by electronic means and at the individual request of a recipient of services.

For the purposes of this definition:

'at a distance': means that the service is provided without the parties being simultaneously present,

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An indicative list of services not covered by this definition is set out in Annex I.

This Agreement shall not apply to:

— radio broadcasting services,

— television broadcasting services covered by point (a) of Article 1 of Directive 89/552/EEC (3);

(3) 'technical specification': a specification contained in a document which lays down the characteristics required of a product such as levels of quality, performance, safety or dimensions, including the requirements applicable to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking or labelling and conformity assessment procedures.

(3) Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities (OJ L 298, 17.10.1989, p. 23). Directive as last amended by Directive 97/36/EC of the European Parliament and of the Council (OJ L 202, 30.7.1997, p. 1).

AGREEMENTS

Agreements usually follow the decision adopting them, and are preceded by a 4 cic rule.

The word 'Agreement' is always in upper case, and the rest of the titles in lower case (which must be marked on the manuscript/Word file).

The preamble is set 8/19, in 32 cic (note that on the contents page agreements are set in 8 dp characters, and their preceding legal acts are set in 9 dp).

The articles following the preamble are set 9/10, two columns of 19 cic, following the standard rules applying to legal acts.

Note that the manuscript has been already corrected; usually, the agreement's title is on a separate page, in capitals and not bold characters.

Note that the footnotes always appear in the usual way, in two columns at the bottom of the page, even when two of the references appear in the text set in 32 cic.

Agreements, conventions or protocols coming from non-EU institutions (UN, etc.) always follow the typographical rules of the OJ.

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This definition also covers production methods and processes used in respect of agricultural products as referred to Article 38(1) of the Treaty establishing the European Community, products intended for human and animal consumption, and medicinal products as defined in Article 1 of Directive 2001/83/EC, as well as production methods and processes relating to other products, where these have an effect on their characteristics;

(1) Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities (OJ L 298, 17.10.1989, p. 23). Directive as last amended by Directive 97/36/EC of the European Parliament and of the Council (OJ L 202, 30.7.1997, p. 1).

(2) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community Code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67). Directive as last amended by Directive 2004/27/EC (OJ L 136, 30.4.2004, p. 34).

(67) À l'article 250, les paragraphes 3 et 4 sont remplacés par le texte suivant:

«3. Lorsque le préfinancement dépasse 150 000 EUR, une garantie est exigée. Cependant, si le contractant est un organisme public, l'ordonnateur compétent peut, selon son évaluation des risques, déroger à cette obligation.»

La garantie est libérée au fur et à mesure de l'apurement du préfinancement, en déduction des paiements intermédiaires ou de solde effectués au bénéfice du contractant dans les conditions prévues par le contrat.

4. Une garantie de bonne fin peut être exigée par le pouvoir adjudicateur pour un montant fixé dans le dossier d'appels d'offres qui est compris entre 5 et 10 % de la valeur totale du marché. Cette garantie est déterminée sur la base de critères objectifs, tels que la nature et la valeur du marché. Cependant, une garantie de bonne fin est exigée lorsque les seuils suivants sont dépassés:

- i) 345 000 EUR pour les marchés de travaux;
- ii) 150 000 EUR pour les marchés de fournitures.

Cette garantie expire au plus tôt à la réception définitive des fournitures et travaux. En cas de mauvaise exécution du contrat, la totalité de la garantie est saisie.»

(68) À l'article 252, paragraphe 3, l'alinéa suivant est ajouté:

«Toutefois, le comité d'évaluation ou le pouvoir adjudicateur peut inviter les candidats ou les soumissionnaires à compléter ou à expliciter les pièces justificatives présentées relatives aux critères d'exclusion et de sélection, dans le délai qu'il fixe et dans le respect du principe d'égalité de traitement.»

(69) À l'article 257, premier alinéa, le point c) est remplacé par le texte suivant:

(c) l'Office de sélection du personnel des Communautés européennes et l'École européenne d'administration, qui est rattachée administrativement à celui-ci;»

(70) À l'article 260, le deuxième alinéa est supprimé.

(71) À l'article 262, les alinéas suivants sont ajoutés:

«Les engagements budgétaires correspondant aux crédits administratifs dont la nature est commune à tous les titres et qui sont gérés globalement peuvent être enregistrés globalement dans la comptabilité budgétaire suivant la classification synthétique par nature visée à l'article 27.»

Les dépenses correspondantes sont imputées sur les lignes budgétaires de chaque titre selon la même répartition que pour les crédits.»

(72) À l'article 264, l'alinéa suivant est ajouté:

«Si toutefois, pour des opérations dans les pays tiers, il n'est pas possible de recourir à l'une de ces formes de garanties locatives, l'ordonnateur compétent peut accepter d'autres formes à condition qu'elles garantissent une protection équivalente des intérêts financiers des Communautés.»

(73) À l'article 271, les paragraphes 1 et 2 sont remplacés par le texte suivant:

«1. Les seuils et montants prévus aux articles 54, 67, 119, 126, 128, 129, 130, 135, 151, 152, 164, 172, 173, 180, 181, 182, 226, 241, 243, 245 et 250 sont actualisés tous les trois ans en fonction des variations de l'indice des prix à la consommation dans la Communauté.»

2. Les seuils visés à l'article 157, point b), et à l'article 158, paragraphe 1, en matière de marchés sont révisés tous les deux ans en application de l'article 78, paragraphe 1, de la directive 2004/18/CE.»

73) À l'article 271, les paragraphes 1 et 2 sont remplacés par le texte suivant:

«1. Les seuils et montants prévus aux articles 54, 67, 119, 126, 128, 129, 130, 135, 151, 152, 164, 172, 173, 180, 181, 182, 226, 241, 243, 245 et 250 sont actualisés tous les trois ans en fonction des variations de l'indice des prix à la consommation dans la Communauté.»

2. Les seuils visés à l'article 157, point b), et à l'article 158, paragraphe 1, en matière de marchés sont révisés tous les deux ans en application de l'article 78, paragraphe 1, de la directive 2004/18/CE.»

Article 2

Les procédures de passation de marchés publics et d'octroi de subventions lancées avant l'entrée en vigueur du présent règlement restent soumises aux règles applicables au moment où ces procédures ont été lancées.

Article 3

Le présent règlement entre en vigueur le troisième jour suivant celui de sa publication au *Journal officiel de l'Union européenne*.

Le présent règlement est obligatoire dans tous ses éléments et directement applicable dans tout État membre.

Fait à Bruxelles, le 7 août 2006.

Par la Commission  
Dalia GRYBAUSKAITĖ  
Membre de la Commission

CONCLUDING SENTENCES (1) – 1 Regulations

In Regulations, the concluding sentence is placed apart, and centred on a text width of 28 cic. Sometimes, if the page is a short one, the last article or articles are centred in 32 cic.

The 4 cic rule means that this is the end of the act; no annex or appendix follows.

(1) Strictly speaking, the text of the concluding sentence is:  
– first the words: 'Done at, date',  
– then, the signature (in this case, for the Commission):

'For the Commission  
...  
Member of the Commission'

Note that in regulations this concluding sentence is preceded by the phrase 'This Regulation shall be binding in its entirety and directly applicable in all Member States', and the whole text is centred on 28 cic.

[Article 2 ] (4)

Les procédures de passation de marchés publics et d'octroi de subventions lancées avant l'entrée en vigueur du présent règlement restent soumises aux règles applicables au moment où ces procédures ont été lancées.

[Article 3 ] (4)

Le présent règlement entre en vigueur le troisième jour suivant celui de sa publication au *Journal officiel de l'Union européenne*.

Le présent règlement est obligatoire dans tous ses éléments et directement applicable dans tout État membre.

Fait à Bruxelles, le 7 août 2006.

Par la Commission  
Dalia GRYBAUSKAITĖ  
Membre de la Commission

[ 4 cic. ]

18/18

11. Article 16 shall be replaced by the following:

Article 16 (4)

Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.;

12. Article 17 shall be replaced by the following:

Article 17 (4)

The Commission shall, by 28 July 2015, submit a report to the European Parliament and the Council on the situation resulting from the application of this Directive, accompanied, if appropriate, by proposals.

The Commission shall, by 28 July 2012, carry out research and submit a report to the European Parliament and the Council on the possible advantages and disadvantages of a reduction to two categories of firearms (prohibited or authorised) with a view to the better functioning of the internal market for the products in question by means of possible simplification.

The Commission shall, by 28 July 2010, submit a report to the European Parliament and the Council presenting the conclusions of a study of the issue of the placing on the market of replica firearms in order to determine whether the inclusion of such products within the scope of this Directive is possible and desirable.;

13. Annex I shall be amended as follows:

(a) in Part I, the first indent shall be replaced by the following:

'any firearm as defined in Article 1 of the Directive.;

(b) Part III shall be amended as follows:

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(i) point (a) shall be replaced by the following:

'(a) have been rendered permanently unfit for use by deactivation, ensuring that all essential parts of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way';

(ii) the following paragraph shall be inserted after the first paragraph:

'Member States shall make arrangements for the deactivation measures referred to in point (a) to be verified by a competent authority in order to ensure that the modifications made to a firearm render it irreversibly inoperable. Member States shall, in the context of this verification, provide for the issuance of a certificate or record attesting to the deactivation of the firearm or the apposition of a clearly visible mark to that effect on the firearm. The Commission shall, acting in accordance with the procedure referred to in Article 13a(2) of the Directive, issue common guidelines on deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly inoperable.;

Article 2 (4) (2) Transposition

1. Member States shall, by 28 July 2010, bring into force the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those measures.

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

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

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Official Journal of the European Union

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(ii) the following paragraph shall be inserted after the first paragraph:

'Member States shall make arrangements for the deactivation measures referred to in point (a) to be verified by a competent authority in order to ensure that the modifications made to a firearm render it irreversibly inoperable. Member States shall, in the context of this verification, provide for the issuance of a certificate or record attesting to the deactivation of the firearm or the apposition of a clearly visible mark to that effect on the firearm. The Commission shall, acting in accordance with the procedure referred to in Article 13a(2) of the Directive, issue common guidelines on deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly inoperable.;

Article 2

Transposition

1. Member States shall, by 28 July 2010, bring into force the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those measures.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a

reference on the occasion of their official publication. Member States shall determine how such references are to be made.

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

Article 3

Entry into force

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

Article 4

Addressees

This Directive is addressed to the Member States.

Done at Strasbourg, 21 May 2008.

For the European Parliament  
The President  
H.-G. PÖTTERING

For the Council  
The President  
J. LENARČIČ

CONCLUDING SENTENCES – 2 Directives

In Directives, the concluding sentences are placed immediately after the last article, in the same column. When there is more than one signatory, the signatures are placed side by side.

The 8 cic rule means that the following act, which belongs to the same section of this OJ issue (in this case, L I), comes from another institution. In the model, the size of the rule has been left blank, because, when prepared, the order of publication of this Directive was unknown.

Note that in some LVs the order 'Institution + Representative + Name' may be different (see the Style Guide).

Article 3 (4) Entry into force (2)

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

Article 4 (4) Addressees (2)

This Directive is addressed to the Member States.

Done at Strasbourg, 21 May 2008.

For the European Parliament  
The President  
H.-G. PÖTTERING  
For the Council  
The President  
J. LENARČIČ

... cic.

26/26

(93) La Commission conclut que l'Allemagne a exécuté la mesure objet de la présente décision en infraction au droit et partant à l'article 88, paragraphe 3, du traité CE. Pour les motifs susénoncés, la Commission estime que:

(94) L'aide accordée aux agriculteurs sous forme de fourniture de machines et de main-d'oeuvre ne constitue pas une aide au sens de l'article 87, paragraphe 1, du traité CE.

(95) L'aide en faveur du KBM est incompatible avec le marché commun lorsqu'elle n'a pas été reversée aux cercles de machines. L'Allemagne est donc invitée à procéder à la récupération des aides incompatibles avec le marché commun au sens de l'article 14, paragraphe 1, du règlement (CE) n° 659/1999, pour autant que les aides ne relèvent pas du champ d'application du règlement (CE) n° 69/2001.

(96) Les aides aux cercles de machines et à leurs filiales sont incompatibles avec le marché commun dès lors qu'elles n'ont pas été reversées à des agriculteurs. L'Allemagne est tenue de prouver le montant des aides qui a été effectivement reversé aux agriculteurs. Comme base de calcul, elle doit utiliser les coûts moyens des services prestés par les cercles de machines sans leurs filiales commerciales, de manière à éviter que des montants ayant éventuellement bénéficié aux filiales ne soient pris en compte dans le calcul.

(97) L'Allemagne est invitée à demander le remboursement des aides jugées incompatibles avec le marché commun au sens de l'article 14, paragraphe 1, du règlement (CE) n° 659/1999, pour autant que les aides ne relèvent pas du champ d'application du règlement (CE) n° 69/2001.

A ARRÊTÉ LA PRÉSENTE DÉCISION:

Les financements versés par l'Allemagne aux agriculteurs bavarois par l'intermédiaire des cercles bavarois de machines sous la forme de services subventionnés au titre de la mise à disposition de machines et

de main-d'oeuvre ne constituent pas des aides au sens de l'article 87, paragraphe 1, du traité CE.

L'aide d'État accordée par l'Allemagne au Kuratorium bayerischer Maschinen- und Betriebshilferinge e.V. est incompatible avec le marché commun si les fonds publics n'ont pas été reversés aux cercles de machines et si le plafond de 100 000 EUR par bénéficiaire sur une période de trois ans fixé par le règlement (CE) n° 69/2001 a été dépassé.

L'aide d'État accordée par l'Allemagne aux cercles de machines et à leurs filiales est incompatible avec le marché commun si les fonds publics n'ont pas été reversés aux cercles de machines conformément à la preuve visée à l'article 4 et si le plafond de 100 000 EUR par bénéficiaire sur une période de trois ans fixé par le règlement (CE) n° 69/2001 a été dépassé.

Pour déterminer le montant de l'aide incompatible avec le marché commun visée aux articles 2 et 3, l'Allemagne soumet un calcul des coûts moyens des services fournis aux agriculteurs par les cercles de machines sans filiales.

Article 5

Article 6

Germany shall take all necessary measures to recover from the beneficiaries the aid unlawfully paid to them referred to in Articles 2 and 3.

This Decision is addressed to the Federal Republic of Germany.

Recovery shall be effected without delay and in accordance with the procedures of national law provided that they allow the immediate and effective execution of this Decision. The aid to be recovered shall include interest from the date on which it was at the disposal of the beneficiaries up to the date of its recovery. Interest shall be calculated as laid down in Chapter V of Commission Regulation (EC) No 794/2004 (20).

Done at Brussels, 14 December 2004.

For the Commission  
Mariann FISCHER BOEL  
Member of the Commission

CONCLUDING SENTENCES – 3 Decisions

In Decisions, the concluding sentences are placed immediately after the last article, in the same column.

The 4 cic rule means that this is the end of the act: no annex or appendix follows.

Note that, in the model even if the footnote number begins with 1, the published footnotes have a continuous numbering.

(20) OJ L 140, 30.4.2004, p. 1.

[Article 5] (4)

L'Allemagne prend toutes les mesures nécessaires pour récupérer auprès de ses bénéficiaires les aides illégalement versées visées aux articles 2 et 3.

La récupération a lieu sans délai conformément aux procédures du droit national, pour autant qu'elles permettent l'exécution immédiate et effective de la présente décision. Les aides à récupérer incluent des intérêts à partir de la date à laquelle elles ont été mises à la disposition des bénéficiaires, jusqu'à la date de leur récupération. Les intérêts sont calculés conformément au chapitre V du règlement (CE) n° 794/2004 de la Commission.

[Article 6] (4)

La République fédérale d'Allemagne est destinataire de la présente décision.

Fait à Bruxelles, le 14 décembre 2004.

Par la Commission  
Mariann FISCHER BOEL  
Membre de la Commission

[ 4 a.c. ]

Annex I is amended as follows:

1. section 2.1 is amended as follows:
  - (a) the definition of 'defeat strategy' is replaced by the following:
 

'defeat strategy' means:

    - an AECS that reduces the effectiveness of the emission control relative to the BECS under conditions that may reasonably be expected to be encountered in normal vehicle operation and use,
    - a BECS that discriminates between operation on a standardised type-approval test and other operations and provides a lesser level of emission control under conditions not substantially included in the applicable type-approval test procedures, or
    - an OBD or an emission control monitoring strategy that discriminates between operation on a standardised type-approval test and other operations and provides a lower level of monitoring capability (timely and accurately) under conditions not substantially included in the applicable type-approval test procedures;
  - (b) in the definition of 'permanent emission default mode' 'permanent emission default mode' is replaced by 'emission default mode';
  - (c) the following definition is added:
 

'emission control monitoring system' means the system that ensures correct operation of the NO<sub>x</sub> control measures implemented in the engine system according to the requirements of section 6.5 of Annex I.;
2. in the second indent of section 6.1.5.6 'permanent emission default modes' is replaced by 'emission default modes'.
3. section 6.5 is replaced by the following:

7

6.5. Requirements to ensure correct operation of NO<sub>x</sub> control measures

6.5.1. General

6.5.1.1. This section is applicable to compression-ignition engine systems irrespective of the technology used to comply with the emission limit values provided in the tables in section 6.2.1.

6.5.1.2. Application dates

The requirements of sections 6.5.3, 6.5.4 and 6.5.5 shall apply from 9 November 2006 for new type approvals and from 1 October 2007 for all registrations of new vehicles.

6.5.1.3. Any engine system covered by this section shall be designed, constructed and installed so as to be capable of meeting these requirements over the useful life of the engine.

6.5.1.4. Information that fully describes the functional operational characteristics of an engine system covered by this section shall be provided by the manufacturer in Annex II.

6.5.1.5. In its application for type-approval, if the engine system requires a reagent, the manufacturer shall specify the characteristics of all reagent(s) consumed by any exhaust aftertreatment system, e.g. type and concentrations, operational temperature conditions, reference to international standards etc.

6.5.1.6. Subject to requirements set out in section 6.1, any engine system covered by this section shall retain its emission control function during all conditions regularly pertaining in the territory of the Community, especially at low ambient temperatures.

6.5.1.7. For the purpose of type-approval, the manufacturer shall demonstrate to the Technical Service that for engine systems that require a reagent, any emission of ammonia does not exceed, over the applicable emissions test cycle, a mean value of 25 ppm.

6.5.1.8. For engine systems requiring a reagent, each separate reagent tank installed on a vehicle shall include means for taking a sample of any fluid inside the tank. The sampling point shall be

8

ANNEX I

AMENDMENTS TO DIRECTIVE 2005/55/EC

Annex I is amended as follows:

1. section 2.1 is amended as follows:
  - (a) the definition of 'defeat strategy' is replaced by the following:
 

'defeat strategy' means:

    - an AECS that reduces the effectiveness of the emission control relative to the BECS under conditions that may reasonably be expected to be encountered in normal vehicle operation and use,
    - a BECS that discriminates between operation on a standardised type-approval test and other operations and provides a lesser level of emission control under conditions not substantially included in the applicable type-approval test procedures, or
    - an OBD or an emission control monitoring strategy that discriminates between operation on a standardised type-approval test and other operations and provides a lower level of monitoring capability (timely and accurately) under conditions not substantially included in the applicable type-approval test procedures;
  - (b) in the definition of 'permanent emission default mode' 'permanent emission default mode' is replaced by 'emission default mode';
  - (c) the following definition is added:
 

'emission control monitoring system' means the system that ensures correct operation of the NO<sub>x</sub> control measures implemented in the engine system according to the requirements of section 6.5 of Annex I.;

2. in the second indent of section 6.1.5.6 'permanent emission default modes' is replaced by 'emission default modes'.
3. section 6.5 is replaced by the following:

**6.5. Requirements to ensure correct operation of NO<sub>x</sub> control measures**

6.5.1. General

6.5.1.1. This section is applicable to compression-ignition engine systems irrespective of the technology used to comply with the emission limit values provided in the tables in section 6.2.1.

6.5.1.2. Application dates

The requirements of sections 6.5.3, 6.5.4 and 6.5.5 shall apply from 9 November 2006 for new type approvals and from 1 October 2007 for all registrations of new vehicles.

6.5.1.3. Any engine system covered by this section shall be designed, constructed and installed so as to be capable of meeting these requirements over the useful life of the engine.

6.5.1.4. Information that fully describes the functional operational characteristics of an engine system covered by this section shall be provided by the manufacturer in Annex II.

6.5.1.5. In its application for type-approval, if the engine system requires a reagent, the manufacturer shall specify the characteristics of all reagent(s) consumed by any exhaust aftertreatment system, e.g. type and concentrations, operational temperature conditions, reference to international standards etc.

easily accessible without the use of any specialised tool or device.

6.5.2. Maintenance requirements

6.5.2.1. The manufacturer shall furnish or cause to be furnished to all owners of new heavy-duty vehicles or new heavy-duty engines written instructions that shall state that if the vehicle emission control system is not functioning correctly, the driver shall be informed of a problem by the malfunction indicator (MI) and the engine shall consequentially operate with a reduced performance.

6.5.2.2. The instructions will indicate requirements for the proper use and maintenance of vehicles, including where relevant the use of consumable reagents.

6.5.2.3. The instructions shall be written in clear and non-technical language and in the language of the country in which a new heavy-duty vehicle or new heavy-duty engine is sold or registered.

6.5.2.4. The instructions shall specify if consumable reagents have to be refilled by the vehicle operator between normal maintenance intervals and shall indicate a likely rate of reagent consumption according to the type of new heavy-duty vehicle.

6.5.2.5. The instructions shall specify that use of and refilling of a required reagent of the correct specifications when indicated is mandatory for the vehicle to comply with the certificate of conformity issued for that vehicle or engine type.

6.5.2.6. The instructions shall state that it may be a criminal offence to use a vehicle that does not consume any reagent if it is required for the reduction of pollutant emissions and that, in consequence, any favourable conditions for the purchase or operation of the vehicle obtained in the country of registration or other country in which the vehicle is used may become invalid.

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ANNEXES — 1

Annexes are generally numbered with roman numerals; appendixes and protocols, with Arabic numerals.

Annexes are rarely set in two columns, but in a single block of text on a measure of 32 cic.

Generally, the different items of an annex have a single indentation (in this case, the replaced points 6.5, 6.51, 6.5.1.1, etc.), but if the annex is an amending one, the usual rules are followed (in this case, points 1 (a), (b), (c), 2 and 3).

When the title appears in bold and/or italic characters, its number or letter does not appear in bold and/or italic characters.



8/19  
32 cic

SCHEMA: ANNEXE I

ANNEXE I

À l'annexe I de la directive 74/151/CEE, le point 1.2 est remplacé par le texte suivant:  
«1.2 que la masse maximale en charge admissible et la masse maximale admissible sur chacun des essieux, en fonction de la catégorie du véhicule, ne dépassent pas les valeurs indiquées au tableau 1.

Tableau 1

Masse maximale en charge admissible et masse maximale admissible par essieu, en fonction de la catégorie du véhicule

Catégorie du véhicule	Nombre d'essieux	Masse maximale admissible (t)	Masse maximale admissible par essieu	
			Essieu moteur (t)	Essieu non moteur (t)
T1, T2, T4.1,	2	18 (en charge)	11,5	10
	3	24 (en charge)	11,5	10
T3	2, 3	0,6 (à vide)	(a)	(a)
T4.3	2, 3, 4	10 (en charge)	(a)	(a)

(a) Il n'est pas nécessaire de fixer une limite par essieu pour les catégories de véhicules T3 et T4.3 car, pour ces catégories, la masse maximale en charge et/ou à vide admissible est limitée par définition.

ANNEXE II

42

8/19  
32 cic

ANNEXE II

SCHEMA: ANNEXE II

La directive 77/311/CEE est modifiée comme suit:  
1) l'annexe I est modifiée comme suit:  
i) au point 3.2.2, «7,25 km/h» est remplacé par «7,5 km/h»;  
ii) au point 3.3.1, «7,25 km/h» est remplacé par «7,5 km/h»;  
2) à l'annexe II, point 3.2.3., «7,25 km/h» est remplacé par «7,5 km/h».

2 cic

43

ANNEXES - 2

In the manuscript there is an arrow indicating that both annexes must be set on the same page. This is common when annexes are (quite) short.

Although annexes are set in a smaller size than acts (9/10, 8/9), tables always follow the same rules of composition, and their size does not change.

It is possible that the footnotes of a table are not numbered but lettered, and there can be combinations of letters, numbers and/or asterisks.

As Annex I ends with a table, there is no need for a 2 cic rule. Annex II ends with text and is followed by Annex III, so it has one.

ANNEXE I

À l'annexe I de la directive 74/151/CEE, le point 1.2 est remplacé par le texte suivant:

«1.2 que la masse maximale en charge admissible et la masse maximale admissible sur chacun des essieux, en fonction de la catégorie du véhicule, ne dépassent pas les valeurs indiquées au tableau 1.

Tableau 1

Masse maximale en charge admissible et masse maximale admissible par essieu, en fonction de la catégorie du véhicule

Catégorie du véhicule	Nombre d'essieux	Masse maximale admissible (t)	Masse maximale admissible par essieu	
			Essieu moteur (t)	Essieu non moteur (t)
T1, T2, T4.1,	2	18 (en charge)	11,5	10
	3	24 (en charge)	11,5	10
T3	2, 3	0,6 (à vide)	(a)	(a)
T4.3	2, 3, 4	10 (en charge)	(a)	(a)

(a) Il n'est pas nécessaire de fixer une limite par essieu pour les catégories de véhicules T3 et T4.3 car, pour ces catégories, la masse maximale en charge et/ou à vide admissible est limitée par définition.

ANNEXE II

La directive 77/311/CEE est modifiée comme suit:

- 1) l'annexe I est modifiée comme suit:
  - i) au point 3.2.2, «7,25 km/h» est remplacé par «7,5 km/h»;
  - ii) au point 3.3.1, «7,25 km/h» est remplacé par «7,5 km/h»;
- 2) à l'annexe II, point 3.2.3., «7,25 km/h» est remplacé par «7,5 km/h».

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SCHEMA: ANNEX

Nouvelle page

ANNEX I 75

MOVEMENT CERTIFICATE

Helvetica

maigre

1. Exporter (Name, full address, country) <input type="checkbox"/>		A.TR. No A 000000	
2. Transport document (Optional) No. .... Date .....		ASSOCIATION between the EUROPEAN COMMUNITY and TURKEY	
3. Consignee (Name, full address, country) (Optional)		5. Country of exportation	6. Country of destination (1)
7. Transport details (Optional)		8. Remarks	
9. Item No	10. Marks and numbers; Number and kind of packages (for goods in bulk, indicate the name of the ship of the number of the railway wagon or road vehicle); Description of goods	11. Gross weight (kg) or other measure (hl, m <sup>3</sup> , etc.)	
12. CUSTOMS ENDORSEMENT Declaration certified Export document (2): Form ..... No ..... Customs office ..... Issuing country ..... (Place and Date) ..... (Signature) .....		13. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods describe above meet the conditions required for the issue of this certificate  (Place and date) ..... (Signature) .....	

Notes au marge

29

FORMS/CERTIFICATES – 1

Note that text of the form is set in Helvetica, except the word 'Annex', which remains in EU Albertina.

Some footnotes do not appear at the bottom of the page, but beside the form.

In the Word file, some forms are featured in a picture format, i.e., they cannot be edited; corrections must be done on a printed copy.

ANNEX I

MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country) <input type="checkbox"/>		A.TR. No A 000000	
2. Transport document (Optional) No ..... Date .....		ASSOCIATION between the EUROPEAN COMMUNITY and TURKEY	
3. Consignee (Name, full address, country) (Optional)		5. Country of exportation	6. Country of destination (1)
7. Transport details (Optional)		8. Remarks	
9. Item No	10. Marks and numbers; Number and kind of packages (for goods in bulk, indicate the name of the ship of the number of the railway wagon or road vehicle); Description of goods	11. Gross weight (kg) or other measure (hl, m <sup>3</sup> , etc.)	
12. CUSTOMS ENDORSEMENT Declaration certified Export document (2): Form ..... No ..... Customs office ..... Issuing country ..... (Place and Date) ..... (Signature) .....		13. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate  (Place and Date) ..... (Signature) .....	

(1) Insert the Member State or Turkey  
(2) Complete only where the exporting country requires

8/19  
32 c.

SCHEMA: ANNEX

ANNEX VI

Long-term supplier's declaration

DECLARATION

I, the undersigned, declare that the goods described below:

..... (1)

..... (2)

which are regularly supplied to ..... (3), originate in ..... (4) and satisfy the rules of origin governing preferential trade with

..... (5)

I declare that:

Cumulation applied with ..... (name of the country/countries)

No cumulation applied (6)

This declaration is valid for all further shipments of these products dispatched from: ..... to ..... (7)

I undertake to inform ..... immediately if this declaration is no longer valid.

I undertake to make available to the customs authorities any further supporting documents they require.

..... (8)

..... (9)

..... (10)

4 c.

(1) Description.

(2) Commercial designation as used on the invoices, e.g. model No.

(3) Name of company to which goods are supplied.

(4) The Community, Turkey or country, group of countries or territory as referred to in Article 44(a).

(5) Country, group of countries or territory as referred to in Article 44(a), concerned.

(6) Complete and delete where necessary

(7) Give the dates. The period should not exceed 12 months.

(8) Place and date.

(9) Name and function, name and address of company.

(10) Signature.

4 c.

27/27

ANNEX VI

LONG-TERM SUPPLIER'S DECLARATION

The supplier's declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

DECLARATION

I, the undersigned, declare that the goods described below: ..... (1)

..... (2)

which are regularly supplied to ..... (3), originate in ..... (4) and satisfy the rules of origin governing preferential trade with ..... (5).

I declare that:

Cumulation applied with ..... (name of the country/countries)

No cumulation applied (6)

This declaration is valid for all further shipments of these products dispatched from: ..... to ..... (7).

I undertake to inform ..... immediately if this declaration is no longer valid.

I undertake to make available to the customs authorities any further supporting documents they require.

..... (8)

..... (9)

..... (10)

- (1) Description.
- (2) Commercial designation as used on the invoices, e.g. model number.
- (3) Name of company to which goods are supplied.
- (4) The Community, Turkey or country, group of countries or territory as referred to in Article 44(a).
- (5) Country, group of countries or territory as referred to in Article 44(a), concerned.
- (6) Complete and delete where necessary.
- (7) Give the dates. The period should not exceed 12 months.
- (8) Place and date.
- (9) Name and function, name and address of company.
- (10) Signature.

FORMS/CERTIFICATES – 2

Note that the font of the manuscript has been changed from Times New Roman to Helvetica.

Note that the footnotes of a form do not appear at the bottom of the page, but at the bottom of the form.

The 4 cic rule means that this is the last page of this act. Another act from the same institution (and in this actual section of this OJ issue) follows.



Rectificatif à la décision 2006/126/CE du Conseil du 14 février 2006 modifiant les décisions 98/161/CE, 2004/228/CE et 2004/295/CE en ce qui concerne la prorogation des mesures visant à lutter contre la fraude à la TVA dans le secteur des déchets

«Journal officiel de l'Union européenne» L 51 du 22 février 2006

Page 17, phrase en-dessous du titre:  
au lieu de: «(Les textes en langues allemande, espagnole et italienne sont les seuls faisant foi.)»

lire: «(Les textes en langues néerlandaise, espagnole et italienne sont les seuls faisant foi.)»  
[ 4 cic ]

Rectificatif au règlement (CE) n° 1278/94 du Conseil du 30 mai 1994 modifiant le règlement (CEE) n° 338/91 déterminant la qualité type communautaire des carcasses d'ovins fraîches ou réfrigérées et le règlement (CEE) n° 2137/92 relatif à la grille communautaire de classement des carcasses d'ovins et à la qualité type communautaire des carcasses d'ovins fraîches ou réfrigérées

«Journal officiel de l'Union européenne» L 140 du 3 juin 1994

au lieu de: «(1) (2)»  
lire: «(2) (3)»

Rectificatif à la directive 2000/60/CE du Parlement européen et du Conseil du 23 octobre 2000 établissant un cadre pour une politique communautaire dans le domaine de l'eau  
[ 4 cic ]

«Journal officiel de l'Union européenne» L 327 du 22 décembre 2000

Page 7, à l'article 2, point 32):

au lieu de: «"déversement direct dans les eaux souterraines": déversement de polluants dans les eaux souterraines sans infiltration à travers le sol ou le sous-sol;»  
lire: «"rejet direct dans les eaux souterraines": rejet de polluants dans les eaux souterraines sans infiltration à travers le sol ou le sous-sol;»

Page 9, article 4, au paragraphe 1, point b) i):

au lieu de: «les États membres mettent en œuvre les mesures nécessaires pour prévenir ou limiter le rejet de polluants...»

RECTIFICATIFS

Rectificatif à la décision 2006/126/CE du Conseil du 14 février 2006 modifiant les décisions 98/161/CE, 2004/228/CE et 2004/295/CE en ce qui concerne la prorogation des mesures visant à lutter contre la fraude à la TVA dans le secteur des déchets

«Journal officiel de l'Union européenne» L 51 du 22 février 2006

Page 17, phrase en-dessous du titre:  
au lieu de: «(Les textes en langues allemande, espagnole et italienne sont les seuls faisant foi.)»  
lire: «(Les textes en langues néerlandaise, espagnole et italienne sont les seuls faisant foi.)»

Rectificatif au règlement (CE) n° 1278/94 du Conseil du 30 mai 1994 modifiant le règlement (CEE) n° 338/91 déterminant la qualité type communautaire des carcasses d'ovins fraîches ou réfrigérées et le règlement (CEE) n° 2137/92 relatif à la grille communautaire de classement des carcasses d'ovins et à la qualité type communautaire des carcasses d'ovins fraîches ou réfrigérées

«Journal officiel des Communautés européennes» L 140 du 3 juin 1994

Page 6, à l'annexe [remplacement de l'annexe III du règlement (CEE) n° 2137/92], colonne B, cinquième ligne:  
au lieu de: «(1) (2)»  
lire: «(2) (3)»

Rectificatif à la directive 2000/60/CE du Parlement européen et du Conseil du 23 octobre 2000 établissant un cadre pour une politique communautaire dans le domaine de l'eau

«Journal officiel des Communautés européennes» L 327 du 22 décembre 2000

Page 7, à l'article 2, point 32):  
au lieu de: «"déversement direct dans les eaux souterraines": déversement de polluants dans les eaux souterraines sans infiltration à travers le sol ou le sous-sol;»  
lire: «"rejet direct dans les eaux souterraines": rejet de polluants dans les eaux souterraines sans infiltration à travers le sol ou le sous-sol;»

Page 9, article 4, au paragraphe 1, point b) i):  
au lieu de: «les États membres mettent en œuvre les mesures nécessaires pour prévenir ou limiter le rejet de polluants ...»  
lire: «les États membres mettent en œuvre les mesures nécessaires pour prévenir ou limiter l'introduction de polluants ...»

Page 14, article 11, au paragraphe 3, point h):  
au lieu de: «pour les sources diffuses susceptibles de provoquer une pollution, des mesures destinées à prévenir ou à contrôler les rejets de polluants.»  
lire: «pour les sources diffuses susceptibles de provoquer une pollution, des mesures destinées à prévenir ou à contrôler l'introduction de polluants.»

Page 30, annexe II, au point 2.3, point g):  
au lieu de: «l'utilisation des terres dans le ou les captages d'où la masse d'eau reçoit sa recharge, y compris les rejets de polluants ...»  
lire: «l'utilisation des terres dans le ou les captages d'où la masse d'eau reçoit sa recharge, y compris l'introduction de polluants ...»

CORRIGENDA – 1

Corrigenda are always the final text in the OJ as they may affect only one or just a few LVs (it is for this reason several blank pages may appear at the end of an OJ issue).

The first two corrigenda end with a 4 cic rule as separate texts appearing on the contents page. The third and last has a 12 cic rule because it is the last texts of this OJ issue.

In the title of a corrigendum, the OJ issue appears *in extenso* and in italic characters; in the contents pages, the short form is used (note that in the contents pages, corrigenda are set in 8 dp characters).

Note that 'Corrigenda' is a specific part of the OJ. In this case, we have three of them, but the title 'Corrigenda' (plural), must be kept even with a single corrigendum. Of course, this also applies to the contents pages.

Corrigenda can start on a recto or verso page.

lire: «les États membres mettent en œuvre les mesures nécessaires pour prévenir ou limiter l'introduction de polluants...»

Page 14, article 11, au paragraphe 3, point h):

au lieu de: «pour les sources diffuses susceptibles de provoquer une pollution, des mesures destinées à prévenir ou à contrôler les rejets de polluants.»

lire: «pour les sources diffuses susceptibles de provoquer une pollution, des mesures destinées à prévenir ou à contrôler l'introduction de polluants.»

Page 30, annexe II, au point 2.3, point g):

au lieu de: «l'utilisation des terres dans le ou les captages d'où la masse d'eau reçoit sa recharge, y compris les rejets de polluants...»

lire: «l'utilisation des terres dans le ou les captages d'où la masse d'eau reçoit sa recharge, y compris l'introduction de polluants...»

[ 12 cic ]

8/9  
32 ac.

**SCHEMA: CORR**

**[ CORRIGENDA ]** ⑥

**Corrigendum to Council Regulation (EC) No 1988/2006 of 21 December 2006 amending Regulation (EC) No 2424/2001 on the development of the second generation Schengen Information System (SIS II)** ⑦

(Official Journal of the European Union L 411 of 30 December 2006) ⑧

Regulation (EC) No 1988/2006 should read as follows:

**[ COUNCIL REGULATION (EC) No 1988/2006 ]** ①

**[ of 21 December 2006 ]** ②

**[ amending Regulation (EC) No 2424/2001 on the development of the second generation Schengen Information System (SIS II) ]** ②

THE COUNCIL OF THE EUROPEAN UNION, ③

Having regard to the Treaty establishing the European Community, and in particular Article 66 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) Council Decision 2001/886/JHA of 6 December 2001 on the development of the second generation of the Schengen Information System (SIS II) and Regulation (EC) No 2424/2001 constitute the required 4 ac.

OJ L 328, 13.12.2001, p. 1. ④

OJ L 328, 13.12.2001, p. 4. ⑤

legislative basis to allow for the inclusion in the budget of the European Union of the necessary financial appropriations for the development of SIS II and the execution of that part of the budget. Regulation (EC) No 2424/2001 and Decision 2001/886/JHA both expire on 31 December 2006.

(2) The development of SIS II will take longer than initially foreseen, requiring the availability of financial appropriations beyond 31 December 2006.

(3) It is therefore necessary to extend the period of validity of Regulation (EC) No 2424/2001 so that the Commission can implement the budget after 2006 in order to complete the project for the development of SIS II, including the establishment of the communication infrastructure.

(4) Council Conclusions of 29 April 2004 state that for the development phase of SIS II the central unit of SIS II shall be located in France and the back-up central unit shall be located in Austria subject to certain arrangements that will be necessary before the sites become operational. Operational management and responsibility for liaison with the Commission for the sites shall be the responsibility of France and Austria respectively.

(5) It is also necessary to confer on the Commission the responsibility for the preparation of technical integration into SIS II, in particular of the Member States which have acceded to the European Union in 2004.

(6) Regulation (EC) No 2424/2001 should, therefore, be amended accordingly.

(7) This Regulation is without prejudice to the adoption in the future of legislative instruments for the establishment, operation and use of SIS II.

(8) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark does not take part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen *acquis* under the provisions of Title IV of Part Three of the Treaty establishing the

**CORRIGENDA**

**Corrigendum to Council Regulation (EC) No 1988/2006 of 21 December 2006 amending Regulation (EC) No 2424/2001 on the development of the second generation Schengen Information System (SIS II)**

(Official Journal of the European Union L 411 of 30 December 2006)

Regulation (EC) No 1988/2006 should read as follows:

**COUNCIL REGULATION (EC) No 1988/2006 of 21 December 2006 amending Regulation (EC) No 2424/2001 on the development of the second generation Schengen Information System (SIS II)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 66 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) Council Decision 2001/886/JHA of 6 December 2001 on the development of the second generation of the Schengen Information System (SIS II) (1) and Regulation (EC) No 2424/2001 (2) constitute the required legislative basis to allow for the inclusion in the budget of the European Union of the necessary financial appropriations for the development of SIS II and the execution of that part of the budget. Regulation (EC) No 2424/2001 and Decision 2001/886/JHA both expire on 31 December 2006.

(2) The development of SIS II will take longer than initially foreseen, requiring the availability of financial appropriations beyond 31 December 2006.

(3) It is therefore necessary to extend the period of validity of Regulation (EC) No 2424/2001 so that the Commission can implement the budget after 2006 in order to complete the project for the development of SIS II, including the establishment of the communication infrastructure.

(4) Council Conclusions of 29 April 2004 state that for the development phase of SIS II the central unit of SIS II shall be located in France and the back-up central unit shall be located in Austria subject to certain arrangements that will be necessary before the sites become operational. Operational management and responsibility for liaison with the Commission for the sites shall be the responsibility of France and Austria respectively.

(5) It is also necessary to confer on the Commission the responsibility for the preparation of technical integration into SIS II, in particular of the Member States which have acceded to the European Union in 2004.

(6) Regulation (EC) No 2424/2001 should, therefore, be amended accordingly.

(7) This Regulation is without prejudice to the adoption in the future of legislative instruments for the establishment, operation and use of SIS II.

(8) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark does not take part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen *acquis* under the provisions of Title IV of Part Three of the Treaty establishing the

(9) This Regulation and the United Kingdom's participation in its adoption and application are without prejudice to the arrangements for the United Kingdom's partial participation in the Schengen *acquis* defined by the Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (3).

(1) OJ L 328, 13.12.2001, p. 1.

(2) OJ L 328, 13.12.2001, p. 4.

(3) OJ L 131, 1.6.2000, p. 43.

European Community, Denmark shall, in accordance with Article 5 of the said Protocol, decide, within a period of six months after the adoption of this Regulation, whether it will implement it in its national law.

(9) This Regulation and the United Kingdom's participation in its adoption and application are without prejudice to the arrangements for the United Kingdom's partial participation in the Schengen *acquis* defined by the Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis*.

(10) Ireland is taking part in the adoption of this Regulation in accordance with Article 5 of the Protocol integrating the Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and the Treaty establishing the European Community, and Articles 5(1) and 6(2) of Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (1).

(11) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis*, which fall within the area referred to in Article 1(G) of Council Decision 1999/437/EC (2) on certain arrangements for the application of that Agreement.

(12) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation concerning the association of the Swiss Confederation with the implementation, application and development of the Schengen *acquis*, which fall within the area referred to in Article 1, point G of Decision 1999/437/EC read in conjunction with Article 4(1) of Decision 2004/860/EC (3) on the signing, on behalf of the European Community and on the provisional application of certain provisions of that

OJ L 131, 1.6.2000, p. 43. ③

**CORRIGENDA – 2**

In some corrigenda, the whole act is replaced. There are many examples of this in the OJs published after the last two enlargements (May/June 2004 and January/February 2007).

The new act is set in its regular way (9/10) to have an easy reading; otherwise, following the lay-out criteria, annexes should be set in 7/8 and table notes set in 6.

These corrigenda are not within quotation marks in order to avoid too many levels of them.

Note that those republished acts are always mentioned in the OJ references. In this case, the footnote reads: 'OJ L 411, 30.12.2006, p. 1. Corrected by OJ L 27, 2.2.2007, p. 3.' (logically, the reference to the corrected version does only concern the official languages in use before enlargements).

# Annex

## Classification of documents in the Official Journal

The new structure of the *Official Journal of the European Union* has been in use, with the new layout of the cover page, since 1<sup>st</sup> October 2007. The new structure classifies acts according to various criteria [type of act, legal scope, procedure, chronological aspect, obligation to publish, author, addressee, etc. <sup>(1)</sup>].

Part I – *Structure on cover page* explains the modified structure in the table of contents on the cover page, from a typographical point of view ('where to place the different acts on the cover page?'). The first pages of each section, which are taken from the cover page, are explained on pages 16-22 of the Guide.

Part II – *Explanations and examples* lists the different categories of acts, which are explained and outlined with examples (where possible) in a logical and descriptive manner ('what are the general categories of acts and where are they classified?').

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### I. STRUCTURE ON COVER PAGE

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#### A. Official Journal L series

Treaties <sup>(2)</sup>

#### L I Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory <sup>(3)</sup>

In L I, on the cover page, appears only [the type of act](#), not the institution (see the box hereafter).

Inside the section L I, the documents are classified:

1° according to the type of act, in accordance with a fixed order (= 1° Regulations; 2° Directives... see the box); and then, within each type of act,

2° according to the institutions, in accordance with the protocol order <sup>(4)</sup>.

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<sup>(1)</sup> These criteria are explained in note CD(2006)32.

<sup>(2)</sup> It is the final version after ratification; it is published in a special issue.

<sup>(3)</sup> On the cover page, under L I, the numbers do not precede the titles of the acts.

<sup>(4)</sup> European Parliament and Council, European Parliament, Council, Commission, Court of Justice, Court of Auditors, European Economic and Social Committee, Committee of the Regions, European Investment Bank, European Central Bank, European Ombudsman, European Data Protection Supervisor.

(example of cover page)

I *Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory*

## REGULATIONS

Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics.....  
Council Regulation (EC) No 1139/2008 of 10 November 2008 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2009.....  
Commission Regulation (EC) No 1182/2008 of 28 November 2008 fixing for 2009 the amount of aid in advance for private storage of butter.....  
Regulation (EC) No 1053/2008 of the European Central Bank of 23 October 2008 on temporary changes to the rules relating to eligibility of collateral (ECB/2008/11) <sup>(5)</sup>.....

## DIRECTIVES <sup>(6)</sup>

Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management.....  
Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production (Recast version).....  
Commission Directive 2008/84/EC of 27 August 2008 laying down specific purity criteria on food additives other than colours and sweeteners.....

## DECISIONS ADOPTED JOINTLY BY THE EUROPEAN PARLIAMENT AND THE COUNCIL

Decision No 1098/2008/EC of the European Parliament and of the Council of 22 October 2008 on the European Year for Combating Poverty and Social Exclusion.....

## RULES OF PROCEDURE

Amendments to the Rules of Procedure of the Court of Justice.....

## L II *Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory* <sup>(7)</sup>

In L II, on the cover page, appear both the **type of act** and the **institution** (see the box hereafter).

Inside the section L II, the documents are classified:

- 1° according to the type of act, in accordance with a fixed order (= 1° Directives; 2° Decisions; 3° Recommendations... see the box); and then, within each type of act,
- 2° according to the institutions, in accordance with the protocol order.

(example of cover page)

II *Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory*

## DIRECTIVES

### Council

Council Directive XX/XX/EC.....

<sup>(5)</sup> The acts of the European Central Bank have two kinds of numbers: a publication number, given by OPOCE, and a number, assigned by the Bank itself ('ECB/2008/11'). On the cover page, the number given by the Bank (in italics bold) follows the title of the act (see Style Guide regarding the placing of numbers in the OJ and in the text).

<sup>(6)</sup> Directives adopted by the European Parliament and Council, and Council or Commission directives addressed to all Member States.

<sup>(7)</sup> On the contents page, the number '.../.../...' of the L II acts is before the title, on the previous line – except for the directives (see the Style Guide).

## Commission

Commission Directive XX/XX/EC.....

## DECISIONS

### Conference of the Representatives of the Governments of the Member States

2008/668/EC, Euratom  
Decision of the Representatives of the Governments of the Member States of 23 July 2008 appointing a judge to the Court of First Instance of the European Communities.....  
2008/634/EC  
Decision taken by common agreement between the Representatives of the Governments of Member States of 18 June 2008 on the location of the seat of the European Institute for Innovation and Technology (EIT).....

### European Parliament, Council and Commission

### European Parliament and Council

2008/818/EC  
Decision of the European Parliament and of the Council of 22 October 2008 on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management.....  
2008/371/EC  
Decision of the European Parliament and of the Council of 29 April 2008 amending the Interinstitutional Agreement of 17 May 2006 on budgetary discipline.....

### European Parliament

2008/497/EC, Euratom  
Decision of the European Parliament of 24 April 2007 on the discharge for implementation of the European Union general budget for the financial year 2005, Section I — European Parliament  
Resolution of the European Parliament of 24 April 2007 with observations forming an integral part of the Decision on the discharge for implementation of the European Union general budget for the financial year 2005, Section I — European Parliament <sup>(8)</sup>.....  
2008/508/EC  
Decision of the European Parliament of 24 April 2007 on closing the accounts of the European Centre for the Development of Vocational Training for the financial year 2005.....

### Council and Commission

2008/438/CE, Euratom  
Decision of 14 May 2008 on the conclusion of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union.....

### Council

2008/872/EC  
Council Decision of 18 November 2008 appointing two German alternate members of the Committee of the Regions.....  
2008/579/EC  
Council Decision of 16 June 2008 on the signing and conclusion on behalf of the European Community of the International Coffee Agreement 2007.....  
International Coffee Agreement 2007.....

<sup>(8)</sup> These resolutions are part of the discharge decision.

## Commission

2008/878/EC  
Commission Decision 2008/878/CE of 2 July 2008 on State aid C 18/07 (ex N 874/06) which Germany is planning to implement for DHL .....  
2008/496/EC  
Commission Decision of 1 July 2008 appointing members of the Committee for Orphan Medicinal Products .....

## Administrative Commission of the European Communities on Social Security for Migrant Workers

2008/683/EC  
Decision No 208 of 11 March 2008 concerning the establishment of a common framework for the collection of data on the settlement of pension claims .....

## European Central Bank

2008/874/EC  
Decision of the European Central Bank of 14 November 2008 on the implementation of Regulation ECB/2008/11 of 23 October 2008 on temporary changes to the rules relating to eligibility of collateral (ECB/2008/15) .....

## RECOMMENDATIONS

### Council

2008/399/EC  
Council Recommendation of 14 May 2008 on the 2008 update of the broad guidelines for the economic policies of the Member States and the Community and on the implementation of Member States' employment policies .....

### Commission

2008/850/EC  
Commission Recommendation of 15 October 2008 on notifications, time limits and consultations provided for in Article 7 of Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services .....

## GUIDELINES

### European Central Bank

2008/880/EC  
Guideline of the European Central Bank of 21 November 2008 on temporary changes to the rules relating to eligibility of collateral (ECB/2008/18) .....

## AGREEMENTS

### Council

Information relating to the entry into force of an Agreement between the European Community and the Government of Cuba on the conclusion of GATT Article XXIV:6 negotiations .....

## ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

### ACP-EC Council of Ministers

2008/494/EC  
Decision No 1/2008 of the ACP-EC Council of Ministers of 13 June 2008 regarding the revision of the terms and conditions of financing for short-term fluctuations in export earnings <sup>(9)</sup> .....

<sup>(9)</sup> Certain acts of the customs cooperation or association committees and acts of the Administrative Commission on Social Security for Migrant Workers have their own sequential numbers in their title (here 'N° 1/2008'), in addition to the publication number ('.../.../EC').

## EC-Switzerland Joint Committee

2008/811/EC  
Decision No 2/2008 of the EC-Switzerland Joint Committee of 24 September 2008 replacing Tables III and IV(b) of Protocol No 2 .....

## BUDGETS

### European Parliament

2008/833/EC, Euratom  
Final adoption of amending budget No 5 of the European Union for the financial year 2008 .....

## L III Acts adopted under the EU Treaty <sup>(10)</sup>

In L III, on the cover page, appears only the **type of act**, not the institution (see the box hereafter).

Inside the section L II, the documents are classified:

- 1° according to the type of act, in accordance with a fixed order (= 1° Acts adopted under title V; 2° Acts adopted under title VI... see the box); and then, within each type of act,
- 2° in the order fixed by the EU Treaty. For CFSP acts: principles and general guidelines, joint strategies, decisions, joint actions, common positions. For JHA acts: common positions, framework decisions, conventions.

(example of cover page)

## III Acts adopted under the EU Treaty

### ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

Council Decision 2008/877/CFSP of 24 October 2008 concerning the conclusion of the Agreement between the European Union and Georgia on the status of the European Union Monitoring Mission in Georgia.....  
Agreement between the European Union and Georgia on the status of the European Union Monitoring Mission in Georgia.....  
Council Decision 2008/613/CFSP of 24 July 2008 implementing Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY).....  
2008/490/ CFSP  
Political and Security Committee Decision EUSEC/2/2008 of 24 June 2008 on the appointment of the Head of Mission for the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo) <sup>(11)</sup>.....  
Council Joint Action 2008/862/CFSP of 10 November 2008 amending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EUBAM Rafah).....  
Council Common Position 2008/843/CFSP of 10 November 2008 amending and extending Common Position 2007/734/CFSP concerning restrictive measures against Uzbekistan.....

<sup>(10)</sup> On the contents page, the number '.../.../...' of the L III acts is not before the title (unless there is a 'double numbering'; see next footnote).

<sup>(11)</sup> Political and Security Committee Decisions have two kinds of numbers: a publication number ('.../...CFSP') and a specific number ('EUSEC/2/2008', 'EUPOL COPS/1/2008', 'ATALANTA/1/2008'). On the cover page, this specific number is mentioned in the title, and the publication number is before it, on the previous line.



## ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime.....  
Council Decision 2008/852/JHA of 24 October 2008 on a contact-point network against corruption.....  
Council Decision 2008/149/JHA of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis.....  
Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis .....

Commission Decision 2008/679/JHA of 31 July 2008 on the attribution of action grants for translating and testing a victimisation survey module under the specific programme Prevention of and fight against crime as part of the general programme on security and safeguarding liberties.....  
2008/554/JHA  
Budget for Europol for 2009.....

## OTHER ACTS

Council Decision 2008/651/CFSP/JHA of 30 June 2008 on the signing, on behalf of the European Union, of an Agreement between the European Union and Australia on the processing and transfer of European Union-sourced passenger name record (PNR) data by air carriers to the Australian Customs Service.....

## L IV *Other acts* <sup>(12)</sup>

In L IV, on the cover page, appear both the (unique) **field** and the **institution** (see the box hereafter).

Inside the section L IV, within the sole field European Economic Area, the documents are classified according to the institutions, in accordance with the protocol order.

(example of cover page)

IV *Other acts*

### EUROPEAN ECONOMIC AREA

#### EEA Joint Committee

Decision of the EEA Joint Committee No 109/2008 of 26 September 2008 amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms.....

#### EFTA Surveillance Authority

Surveillance Authority Decision No 318/05/COL of 14 December 2005 to close the formal investigation procedure provided for in Article 1(2) in Part I of Protocol 3 to the Surveillance and Court Agreement with regard to the exemptions from document duties and registration fees in connection with the establishment of Entra Eiendom AS (Norway).....  
Recommendation of the EFTA Surveillance Authority No 119/07/COL of 16 April 2007 on the monitoring of background levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in foodstuffs.....

#### Standing Committee of the EFTA States

Decision of the Standing Committee of the EFTA States No 1/2006/SC of 27 April 2006 regarding the audit of projects under the Financial Mechanism (2004-2009).....

#### EEA Consultative Committee

#### EFTA Court

## B. Official Journal C series

### C I *Resolutions, recommendations and opinions*

- a) Resolutions
- b) Recommendations
- c) Opinions

### C II *Information*

- a) Interinstitutional agreements
- b) Joint declarations
- c) Information from European Union institutions and bodies
  - European Parliament
  - Council
  - Commission
  - Court of Justice
  - Court of Auditors
  - European Economic and Social Committee
  - Committee of the Regions
  - European Central Bank

### C III *Preparatory Acts*

- a) Member States' Initiatives
- b) European Parliament
- c) Council
- d) Commission
- e) Court of Justice
- f) European Economic and Social Committee
- g) Committee of the Regions
- h) European Central Bank
  - legislative opinions
  - recommendations

### C IV *Notices*

- a) Notices from European union institutions and bodies
  - European Parliament
  - Council
  - Commission
  - Court of Justice
  - Court of Auditors
  - European Economic and Social Committee
  - Committee of the Regions
- b) Notices from Member States
- c) Notices concerning the European Economic Area
  - from the institutions
  - from Member States
- d) Notices from third countries

### C V *Announcements*

- a) Administrative procedures
- b) Court proceedings
- c) Procedures relating to the implementation of the common commercial policy
- d) Procedures relating to the implementation of the competition policy
- e) Other acts

<sup>(12)</sup> The number of the EEA and EFTA acts is mentioned in the title, after the author (in the contents page and in the text).

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## II. EXPLANATIONS AND EXAMPLES

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You will find a detailed list of the different categories of acts with examples (titles or cover items are not being referred to here).

### L I: ACTS ADOPTED UNDER THE EC TREATY/EURATOM TREATY WHOSE PUBLICATION IS OBLIGATORY

#### Categories and examples

##### Regulations

Regulations adopted by European Parliament and Council under the codecision procedure (Article 254 of the EC Treaty)

- Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics

Council Regulations (Article 254 of the EC Treaty; Article 163 Euratom)

- Council Regulation (EC) No 1139/2008 of 10 November 2008 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2009

Commission Regulations (Article 254 of the EC Treaty; Article 163 Euratom)

- Commission Regulation (EC) No 1182/2008 of 28 November 2008 fixing for 2009 the amount of aid in advance for private storage of butter

European Central Bank Regulations (Article 110 of the EC Treaty)

- Regulation (EC) No 1053/2008 of the European Central Bank of 23 October 2008 on temporary changes to the rules relating to eligibility of collateral (ECB/2008/11)

##### Directives

Directives adopted by European Parliament and Council under the codecision procedure (Article 254 of the EC Treaty)

- Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management

Council directives that apply to all Member States (Article 254 of the EC Treaty)

- Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production (Recast version)

Commission directives that apply to all Member States (Article 254 of the EC Treaty)

- Commission Directive 2008/84/EC of 27 August 2008 laying down specific purity criteria on food additives other than colours and sweeteners

##### Decisions

Decisions adopted by European Parliament and Council under the codecision procedure (Article 254 of the EC Treaty)

- Decision No 1098/2008/EC of the European Parliament and of the Council of 22 October 2008 on the European Year for Combating Poverty and Social Exclusion
- Decision No 586/2008/EC of the European Parliament and of the Council of 17 June 2008 amending Decision No 896/2006/EC establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein for the purpose of transit through their territory
- Decision No 582/2008/EC of the European Parliament and of the Council of 17 June 2008 introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, Cyprus and Romania of certain documents as equivalent to their national visas for the purposes of transit through their territories

##### Rules of Procedure

Rules of Procedures of the European Parliament

Rules of Procedures of the Council

Rules of Procedures of the Commission (Article 218 of the EC Treaty)

Rules of Procedures of the European Central Bank

Rules of Procedures of the Court of Justice

- Amendments to the Rules of Procedure of the Court of Justice

Court of Justice Decision regarding the procedural extension on account of distance (Annex to Court of Justice Rules of Procedures)

Court of Justice Decision regarding the list of official holidays (Annex to Court of Justice Rules of Procedures)

Instructions to the Registrar

- Instructions to the Registrar of the Court of First Instance of the European Communities of 5 July 2007

- Instructions to the Registrar of the European Union Civil Service Tribunal of 19 September 2007

Practice Directions relating to direct actions and appeals

- Practice directions to parties on judicial proceedings before the European Union Civil Service Tribunal

Rules of Procedure of the Court of First Instance

- Amendments to the Rules of Procedure of the Court of First Instance of the European Communities

Rules of procedure of the Civil Service Tribunal

- Rules of Procedure of the European Union Civil Service Tribunal of 25 July 2007

Rules of Procedure of the Court of Auditors

Rules of Procedure of the European Economic and Social Committee

Rules of Procedure of the Committee of the Regions

### L II: ACTS ADOPTED UNDER THE EC TREATY/EURATOM TREATY WHOSE PUBLICATION IS NOT OBLIGATORY

#### Categories and examples

##### Directives

Council directives that are not addressed to all Member States

Commission directives that are not addressed to all Member States

##### Decisions

Decisions of the European Parliament and of the Council regarding the raising of the Funds provided for under the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management <sup>(13)</sup>

- Decision 2008/818/EC of the European Parliament and of the Council of 22 October 2008 on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management

Decisions of the European Parliament and of the Council regarding revision of the multiannual financial framework

- Decision 2008/371/EC of the European Parliament and of the Council of 29 April 2008 amending the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management as regard adjustment of the multiannual financial framework

Decisions of the European Parliament, the Council and the on the detailed provisions governing the exercise of the European Parliament's right of inquiry

Decisions of the representatives of the Governments of the Member States:

- Decision 2008/668/EC, Euratom of the Representatives of the Governments of the Member States of 23 July 2008 appointing a judge to the Court of First Instance of the European Communities
- Decision 2008/634/EC taken by common agreement between the Representatives of the Governments of Member States of 18 June 2008 on the location of the seat of the European Institute for Innovation and Technology (EIT)

Decisions others than those adopted under the codecision procedure ('*sui generis* Decisions')

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<sup>(13)</sup> EU Solidarity Fund, Flexibility Instrument, European Globalisation Adjustment Fund.

- Council Decision 2008/579/EC of 16 June 2008 on the signing and conclusion on behalf of the European Community of the International Coffee Agreement 2007  
International Coffee Agreement 2007

#### Decisions regarding appointments <sup>(14)</sup>

- Council Decision 2008/872/EC of 18 November 2008 appointing two German alternate members of the Committee of the Regions
- Commission Decision 2008/496/EC of 1 July 2008 appointing members of the Committee for Orphan Medicinal Products

#### Decisions of the European Parliament regarding the statute for Members of the European Parliament

#### Decisions of the European Parliament regarding the Statute of the Ombudsman

- Decision 2008/587/EC, Euratom of the European Parliament of 18 June 2008 amending Decision 94/262/ECSC, EC, Euratom on the regulations and general conditions governing the performance of the Ombudsman's duties

#### Decisions of the European Parliament regarding the appointment of the Ombudsman

#### Decisions of the European Parliament on setting up a Committee of Inquiry

#### Decision of the European Parliament on the discharge for implementation of the European Union general budget (including resolution with observations forming an integral part of the Decision)

- Decision 2008/497/EC, Euratom of the European Parliament of 24 April 2007 on the discharge for implementation of the European Union general budget for the financial year 2005, Section I – European Parliament  
Resolution of the European Parliament of 24 April 2007 with observations forming an integral part of the Decision on the discharge for implementation of the European Union general budget for the financial year 2005, Section I – European Parliament

#### Decisions of the European Parliament on closing the accounts

- Decision 2008/508/EC of the European Parliament of 24 April 2007 on closing the accounts of the European Centre for the Development of Vocational Training for the financial year 2005

#### Decisions of the Bureau of the European Parliament

#### Commission decisions (Article 249 of the EC Treaty + Article 161 Euratom)

#### Commission decisions on competition, State Aids, common commercial policy (full copies)

- Commission Decision 2008/878/CE of 2 July 2008 on State aid C 18/07 (ex N 874/06) which Germany is planning to implement for DHL

#### Decision of the President of the Court of Justice recording that the European Union Civil Service Tribunal has been constituted in accordance with law

#### Decisions of the European Central Bank

- Decision ECB/2008/15 of the European Central Bank of 14 November 2008 on the implementation of Regulation ECB/2008/11 of 23 October 2008 on temporary changes to the rules relating to eligibility of collateral (2008/874/EC)

#### Recommendations

#### Recommendations of the Council (Articles 99, 104, 112 and 121 of the EC Treaty)

- Council Recommendation 2008/399/EC of 14 May 2008 on the 2008 update of the broad guidelines for the economic policies of the Member States and the Community and on the implementation of Member States' employment policies

#### Recommendations of the Commission (Articles 99 and 128 of the EC Treaty)

- Commission Recommendation 2008/850/EC of 15 October 2008 on notifications, time limits and consultations provided for in Article 7 of Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services

#### Guidelines

#### Guidelines of the European Central Bank

- Guideline ECB/2008/18 of the European Central Bank of 21 November 2008 on temporary changes to the rules relating to eligibility of collateral (2008/880/EC)

#### Agreements

- Information relating to the entry into force of an Agreement between the European Community and the Government of Cuba on the conclusion of GATT Article XXIV:6 negotiations

- International agreements concluded by the Communities + mention of their entry into force
- Conventions signed by Member States on the basis of Article 293 under the EC Treaty + mention of their entry into force
- Agreements, conventions and protocols laid down by the Representatives of the Governments of the Member States meeting within the Council
- Internal agreements between Representatives of the Governments of the Member States meeting within the Council

#### Acts adopted by bodies created by international agreements

#### Regulations of bodies created by international agreements

#### Decisions of bodies created by international agreements

- Decision No 1/2008 of the ACP-EC Council of Ministers of 13 June 2008 regarding the revision of the terms and conditions of financing for short-term fluctuations in export earnings (2008/494/EC)
- Decision No 1/2008 of 12 March 2008 of the Committee established under the Agreement between the European Community and the Swiss Confederation on Mutual Recognition in relation to Conformity Assessment on the inclusion in Annex 1 of a new Chapter 16 on construction products (2008/813/EC)
- Decision No 2/2008 of the EC-Switzerland Joint Committee of 24 September 2008 replacing Tables III and IV(b) of Protocol No 2 (2008/811/EC)
- Decision No 1/2008 of the EC-EFTA Joint Committee on Common Transit of 16 June 2008 amending the Convention of 20 May 1987 on a common transit procedure (2008/786/EC)
- Decision No 2/2008 of the Joint Committee on Agriculture set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products of 24 June 2008 concerning the adaptation of Annexes 1 and 2
- Decision No 2/2007 of the Joint Community/Switzerland Air Transport Committee set up under the Agreement between the European Community and the Swiss Confederation on Air Transport of 15 December 2007 replacing the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport (2008/367/EC)
- Decision No 1/2008 of the EU/Switzerland Mixed Committee established by the Agreement concluded between the European Union, the European Community and the Swiss Confederation concerning the latter's association in the implementation, application and development of the Schengen acquis of 28 February 2008 amending its Rules of Procedure (2008/265/EC)

#### Regulations of the Economic Commission for Europe of the United Nations (UN/ECE)

- Regulation No 117 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of tyres with regard to rolling sound emissions and to adhesion on wet surfaces

#### Budgets and amending budgets

- Final adoption of amending budget No 5 of the European Union for the financial year 2008 (2008/833/EC, Euratom)
- Statement of revenue and expenditure of the European Centre for the Development of Vocational Training (Cedefop) for the financial year 2008 – Amending Budget No 1 (2008/699/EC)

### **L III: ACTS ADOPTED UNDER THE EU TREATY**

#### Categories and examples

#### Acts adopted under title V of the EU Treaty

#### International agreements on Common foreign and security policy (CFSP) (Article 24 of the EU Treaty)

- Council Decision 2008/877/CFSP of 24 October 2008 concerning the conclusion of the Agreement between the European Union and Georgia on the status of the European Union Monitoring Mission in Georgia  
Agreement between the European Union and Georgia on the status of the European Union Monitoring Mission in Georgia

#### Mention of the entry into force of international agreements on common foreign and security policy (Article 24 of the EU Treaty)

<sup>(14)</sup> Including appointment decisions by the Council of the European Economic and Social Committee members (Article 259 of the EC Treaty) and by the Council of the Committee of the Regions members (Article 263 of the EC Treaty).

Common strategies, common actions and common positions on common foreign and security policy (Article 12 of the EU Treaty)

- Council Joint Action 2008/862/CFSP of 10 November 2008 amending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EUBAM Rafah)
- Council Common Position 2008/843/CFSP of 10 November 2008 amending and extending Common Position 2007/734/CFSP concerning restrictive measures against Uzbekistan

Measures implementing the joint actions on common foreign and security policy

- Council Decision 2008/613/CFSP of 24 July 2008 implementing Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)
- Political and Security Committee Decision EUSEC/2/2008 of 24 June 2008 on the appointment of the Head of Mission for the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo) (2008/490/CFSP)

#### Acts adopted under title VI of the EU Treaty

Common actions, common positions or other decisions adopted under a common strategy on police and judicial cooperation in criminal matters

Framework Decision and decisions on common strategy regarding police and judicial cooperation in criminal matters (Article 34(2) of the EU Treaty)

- Council Decision 2008/852/JHA of 24 October 2008 on a contact-point network against corruption
- Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime
- Council Decision 2008/149/JHA of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis  
Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis
- Commission Decision 2008/679/JHA of 31 July 2008 on the attribution of action grants for translating and testing a victimisation survey module under the specific programme 'Prevention of and fight against crime' as part of the general programme on security and safeguarding liberties

Acts resulting from Member State initiatives regarding police and judicial cooperation in criminal matters (Article 34(2) of the EU Treaty)

Council Common Positions regarding police and judicial cooperation in criminal matters (Article 34(2) of the EU Treaty)

Measures implementing the decisions regarding police and judicial cooperation in criminal matters

Measures implementing conventions drawn up by the Council regarding police and judicial cooperation in criminal matters

Conventions drawn up by the Council regarding police and judicial cooperation in criminal matters (Article 34(2) of the EU Treaty)

Mention of the date entry into force of the conventions drawn up by the Council regarding police and judicial cooperation in criminal matters (Article 34(2) of the EU Treaty)

Acts related to Europol (including: acts of the Management Board of Europol)

- Budget for Europol for 2009 (2008/554/JHA)

Acts related to the European Police College (including: acts of the Management Board of the European Police College )

Acts related to Eurojust (including: acts of the college of Eurojust; acts of the Joint Supervisory Body of Eurojust)

Information concerning the declarations by the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania and the Republic of Slovenia on their acceptance of the jurisdiction of the Court of Justice to give preliminary rulings on the acts referred to in Article 35 of the Treaty on European Union

#### Other acts

Acts adopted under title VI and title VI of the EU Treaty

- Council Decision 2008/651/CFSP/JHA of 30 June 2008 on the signing, on behalf of the European Union, of an Agreement between the European Union and Australia on the processing and transfer of European Union-sourced passenger name record (PNR) data by air carriers to the Australian Customs Service

Acts adopted under Article 7 of the EU Treaty

#### L IV: OTHER ACTS

Categories and examples

##### European Economic Area <sup>(15)</sup>

Decision of the EEA Joint Committee regarding acquis

- Decision of the EEA Joint Committee No 109/2008 of 26 September 2008 amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

Decisions and recommendation of the EFTA Surveillance Authority

- EFTA Surveillance Authority Decision No 318/05/COL of 14 December 2005 to close the formal investigation procedure provided for in Article 1(2) in Part I of Protocol 3 to the Surveillance and Court Agreement with regard to the exemptions from document duties and registration fees in connection with the establishment of Entra Eiendom AS (Norway)
- Recommendation of the EFTA Surveillance Authority No 119/07/COL of 16 April 2007 on the monitoring of background levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in foodstuffs

Decision of the Standing Committee of the EFTA States

- Decision of the Standing Committee of the EFTA States No 1/2006/SC of 27 April 2006 regarding the audit of projects under the Financial Mechanism (2004-2009)

Rules of Procedure of the EFTA Court

#### C I: RESOLUTIONS, RECOMMENDATIONS AND OPINIONS (without examples)

Categories and examples

##### Resolutions

Non-legislative resolutions of the European Parliament <sup>(16)</sup>

Resolutions of the Council

Resolutions of the Council and the Representatives of the Governments of the Member States meeting within the Council

Resolutions of the Representatives of the Governments of the Member States meeting within the Council

Resolutions of the European Economic and Social Committee

Resolutions of the Committee of the Regions

##### Recommendations

Recommendations adopted by European Parliament and Council under the codecision procedure

Recommendations of the Council (except Articles 99, 104, 112 and 121 of the EC Treaty)

Recommendations of the Commission (except Articles 99 and 128 of the EC Treaty)

Recommendations of the European Central Bank (except Articles 107 and 111 of the EC Treaty)

##### Opinions

Non-legislative opinions of the European Parliament

<sup>(15)</sup>  
<sup>(16)</sup>

To be published in a special OJ edition (see OJ L 1, 3.1.1994, p. 3).

The minutes of each meeting contain the Parliamentary decisions; they are published in OJ E (Information).

Opinions of the Council  
Opinions of the Commission  
Non-legislative opinions of the European Central Bank  
Opinions of the Court of Auditors  
Non-legislative opinions of European Economic and Social Committee  
Non-legislative opinions of Committee of the Regions

## C II: INFORMATION *(without examples)*

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Categories and examples

Interinstitutional agreements <sup>(17)</sup>

Joint declarations

Information from European Union institutions and bodies

Rules of Procedures of comitology type  
List of committees  
Decisions authorising or refusing to authorise the placing on the market of novel foods or novel food ingredients  
Common catalogue of varieties of agricultural plant species  
List of names of the persons responsible for the maintenance of varieties and the authority holding the list of names of such persons  
Common catalogue of varieties of vegetable species  
List of names of the persons responsible for the maintenance of varieties and the authority holding the list of names of such persons  
Current State aid recovery interest rates  
Details of arrangement for the electronic transmission of State aid notifications  
Communication from the Commission on State aid: Cases where the Commission raises no objections  
EMAS – Community eco-management and audit scheme – List of registered sites  
Uniform application of the Combined Nomenclature (CN) (Classification of goods)  
Decision of the Court of Justice determining the criteria for a procedural document sent to the Registry by electronic means to be deemed to be the original of that document  
Decision of the Court of First Instance determining the criteria for a procedural document sent to the Registry by electronic means to be deemed to be the original of that document  
Mergers/concentrations: non-opposition to a notified concentration, opposition to a notified concentration, fines, penalties

## C III: PREPARATORY ACTS *(without examples)*

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Categories and examples

Proposals from the Commission <sup>(18)</sup>  
Member States' Initiatives (Article 67(1) of the EC Treaty)  
Common position of the Council (codecision procedure)  
Texts adopted by the European Parliament in the course of legislative procedures <sup>(19)</sup>  
Request of the Court of Justice in application of Articles 225(1) and 245(1) of the EC Treaty  
Recommendations of the European Central Bank (Articles 107 and 111 of the EC Treaty)

<sup>(17)</sup> Institutions will decide to publish these interinstitutional agreements in the L series or in the C series depending on their content, their scope and their effects.

<sup>(18)</sup> Only the titles of the Commission proposals are published in the Official Journal.

<sup>(19)</sup> Including European Parliament positions (consolidated texts) and amendments.

Legislative opinions

Opinions of the European Economic and Social Committee  
Opinions of the Committee of the Regions  
Legislative opinions of the European Central Bank

## C IV: NOTICES [A] FROM EUROPEAN UNION INSTITUTIONS AND BODIES; B) FROM MEMBER STATES; C) FROM THIRD COUNTRIES] *(without examples)*

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Categories and examples

Not ratified treaties

a) *Notices from European Union institutions and bodies*

In extenso minutes of the meetings of the European Parliament (to be published as annex in the JO)  
Minutes of the meetings of the European Parliament  
Euro exchange rates

Records

List of appointments made by the Council  
Summary of Community decisions regarding a subject (on marketing authorizations in respect of medicinal products)  
Provisions regarding organizational matters  
European Parliament: statement notifying the formation of a political group  
Composition of the Chambers of the Court of Justice  
Election of the President of the Court  
Election of the President of the Court of First Instance of the European Communities  
Appointment of the Registrar of the Court  
Appointment of the Registrar of the ICC  
Designation of the Presidents of the chambers and of the First Advocate-General of the Court  
List of judges for the composition of the Chambers of the Court of Justice  
Composition of the Chambers of the Court of First Instance  
Designation of the Presidents of the chambers of the Court of First Instance  
Composition of the European Economic and Social Committee, of its bureau and of the specialized sections  
Committee of the Regions: composition, bureau, number of members and dissolution of a political group

Reports

Financial management reports laid down by each institution  
Final consolidated accounts  
Consolidated financial statements  
Reports from the Commission  
Annual report of the Court of Auditors + institutions' replies  
Special Report No 2/2002 of the Court of Auditors + institutions' replies  
Reports from the Committee of the Regions  
Annual report on the working of committees  
Court of Auditors' statement of assurance as to the reliability of the accounts and the legality and regularity of the transactions for each financial year  
Communications and announcements from the European Central Bank

Conclusions

Council conclusions  
Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council

Conclusions of the Representatives of the Governments of the Member States meeting within the Council

Other COM documents: green papers/white papers

Parliamentary questions

*b) Notices from Member States*

List of notified bodies designated by the Member States

Information procedures – Technical requirements

Public service obligations in respect of scheduled air services

List of airport systems

ELINCS (list of chemical substances notified)

Information communicated by Member States on State aid to small and medium-sized enterprises (fishery) under Commission Regulation (EC) No 1595/2004 of 8 September 2004

Information communicated by Member States on State aid to small and medium-sized enterprises under Commission Regulation (EC) No 70/2001 of 12 January 2001

Information communicated by Member States on State aid to small and medium-sized enterprises (fishery) under Commission Regulation (EC) No 2204/2002 of 12 December 2002

Types of national insolvency proceedings

Notifications of placing on the market novel foods or novel food ingredients

*c) Notices concerning the European Economic Area*

Information of the EFTA Surveillance Authority

Information of Standing Committee of the EFTA States

Holidays

Information from EFTA States

*d) Notices from third countries*

Procedures relating to the implementation of the common commercial policy

Notices of initiation of an anti-dumping proceeding

Notice of the impending expiry of certain anti-dumping measures

Notice of initiation of an anti-subsidy proceeding

Notice of the impending expiry of certain anti-subsidy measures

Notice regarding an examination procedure concerning an obstacle to trade

Notice regarding the procedures relating to the application of the regulation applying a scheme of generalised tariff preferences

Procedures relating to the implementation of the competition policy

State aid: initiation of the formal investigation procedure (Invitation to submit comments pursuant to Article 88(2) of the EC Treaty)

Prior notification of a concentration

Notice (decision) in connection with the anti-dumping proceedings (other than initiation or notified closure)

Other acts



**C V: ANNOUNCEMENTS** *(without examples)*

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Categories and examples

Administrative procedures

Notice of open competitions

Recruitment

Notice of vacancies

Public calls for applications

Calls for expressions of interest

Calls for tender

Calls for proposals

Calls for tenders regarding the provision of scheduled air services in the framework of public service obligations

Reserve lists

Shortlists of suitable candidates

Application for interim measures

Court proceedings

Notice regarding the registration of an application to the Court

Operative part of every judgment and interim order

Notices of the removal of cases from the Register

Notice regarding the registration of an application to the Court of First Instance

Communication on the decision relating to the final judgement

Information from the EFTA Court

Cases brought before the EFTA Court

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