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## Contents

II *Non-legislative acts*

## REGULATIONS

- ★ **Commission Regulation (EU) No 125/2012 of 14 February 2012 amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals ('REACH') <sup>(1)</sup> ..... 1**
- ★ **Commission Implementing Regulation (EU) No 126/2012 of 14 February 2012 amending Regulation (EC) No 889/2008 as regards documentary evidence and amending Regulation (EC) No 1235/2008 as regards the arrangements for imports of organic products from the United States of America <sup>(1)</sup> ..... 5**
- ★ **Commission Implementing Regulation (EU) No 127/2012 of 14 February 2012 amending Implementing Regulation (EU) No 540/2011 as regards an extension of the use of the active substance metazachlor <sup>(1)</sup> ..... 12**
- Commission Implementing Regulation (EU) No 128/2012 of 14 February 2012 establishing the standard import values for determining the entry price of certain fruit and vegetables ..... 14

## DECISIONS

2012/85/EU:

- ★ **Council Implementing Decision of 10 February 2012 authorising Spain and France to introduce a special measure derogating from Article 5 of Directive 2006/112/EC on the common system of value added tax ..... 16**

Price: EUR 3

(Continued overleaf)

<sup>(1)</sup> Text with EEA relevance

EN

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.

2012/86/EU:

★ Council Decision of 10 February 2012 appointing a Finnish alternate member of the Committee of the Regions .....	17
--	----

2012/87/EU:

★ Council Decision of 10 February 2012 appointing a Spanish alternate member of the Committee of the Regions .....	18
--	----

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION REGULATION (EU) No 125/2012

of 14 February 2012

**amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals ('REACH')****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC <sup>(1)</sup>, and in particular Articles 58 and 131 thereof,

Whereas:

- (1) Regulation (EC) No 1907/2006 provides that substances meeting the criteria for classification as carcinogenic (category 1A or 1B), mutagenic (category 1A or 1B) and toxic for reproduction (category 1A or 1B) in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures <sup>(2)</sup>, substances that are persistent, bioaccumulative and toxic, substances that are very persistent and very bioaccumulative, and substances for which there is scientific evidence of probable serious effects to human health or the environment giving rise to an equivalent level of concern may be subject to authorisation.
- (2) Diisobutyl phthalate (DIBP) meets the criteria for classification as toxic for reproduction (category 1B) in accordance with Regulation (EC) No 1272/2008 and

therefore meets the criteria for inclusion in Annex XIV to Regulation (EC) No 1907/2006 set out in Article 57(c) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.

- (3) Diarsenic trioxide meets the criteria for classification as carcinogenic (category 1A) in accordance with Regulation (EC) No 1272/2008 and therefore meets the criteria for inclusion in Annex XIV to Regulation (EC) No 1907/2006 set out in Article 57(a) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.
- (4) Diarsenic pentaoxide meets the criteria for classification as carcinogenic (category 1A) in accordance with Regulation (EC) No 1272/2008 and therefore meets the criteria for inclusion in Annex XIV to Regulation (EC) No 1907/2006 set out in Article 57(a) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.
- (5) Lead chromate meets the criteria for classification as carcinogenic (category 1B) and toxic for reproduction (category 1A) in accordance with Regulation (EC) No 1272/2008 and therefore meets the criteria for inclusion in Annex XIV to Regulation (EC) No 1907/2006 set out in Article 57(a) and (c) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.
- (6) Lead sulfochromate yellow (C.I. Pigment Yellow 34) meets the criteria for classification as carcinogenic (category 1B) and toxic for reproduction (category 1A) in accordance with Regulation (EC) No 1272/2008 and therefore meets the criteria for inclusion in Annex XIV to

<sup>(1)</sup> OJ L 396, 30.12.2006, p. 1.

<sup>(2)</sup> OJ L 353, 31.12.2008, p. 1.

Regulation (EC) No 1907/2006 set out in Article 57(a) and (c) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.

- (7) Lead chromate molybdate sulphate red (C.I. Pigment Red 104) meets the criteria for classification as carcinogenic (category 1B) and toxic for reproduction (category 1A) in accordance with Regulation (EC) No 1272/2008 and therefore meets the criteria for inclusion in Annex XIV to Regulation (EC) No 1907/2006 set out in Article 57(a) and (c) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.
- (8) Tris (2-chloroethyl) phosphate (TCEP) meets the criteria for classification as toxic for reproduction (category 1B) in accordance with Regulation (EC) No 1272/2008 and therefore meets the criteria for inclusion in Annex XIV to Regulation (EC) No 1907/2006 set out in Article 57(c) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.
- (9) 2,4-Dinitrotoluene (2,4 DNT) meets the criteria for classification as carcinogenic (category 1B) in accordance with Regulation (EC) No 1272/2008 and therefore meets the criteria for inclusion in Annex XIV to Regulation (EC) No 1907/2006 set out in Article 57(a) of that Regulation. It has been identified and included in the candidate list in accordance with Article 59 of Regulation (EC) No 1907/2006.
- (10) The abovementioned substances have been prioritised for inclusion in Annex XIV to Regulation (EC) No 1907/2006 by the European Chemicals Agency in its recommendation of 17 December 2010 <sup>(1)</sup> in accordance with Article 58 of that Regulation.
- (11) For each substance listed in Annex XIV to Regulation (EC) No 1907/2006, where the applicant wishes to continue to use the substance or place the substance on the market, it is appropriate to set a date by which applications must be received by the European Chemicals Agency, in accordance with Article 58(1)(c)(ii) of that Regulation.
- (12) For each substance listed in Annex XIV to Regulation (EC) No 1907/2006 it is appropriate to set a date from which the use and placing on the market is prohibited, in accordance with Article 58(1)(c)(i) of that Regulation.
- (13) The European Chemicals Agency recommendation of 17 December 2010 has identified different latest application dates for the substances listed in the Annex to this

Regulation. These dates should be set on the basis of the estimated time that would be required to prepare an application for the authorisation, taking into account the information available on the different substances and the information received during the public consultation carried out in accordance with Article 58(4) of Regulation (EC) No 1907/2006. The Agency's capacity to handle applications in the time provided for in the Regulation (EC) No 1907/2006 should also be taken into account.

- (14) In accordance with Article 58(1)(c)(ii) of Regulation (EC) No 1907/2006, the latest application date is to be set at least 18 months before the sunset date.
- (15) Diisobutyl phthalate is an alternative substance to dibutyl phthalate which is already included in Annex XIV to Regulation (EC) No 1907/2006. In order to avoid potential substitution between these two substances, the latest application date for diisobutyl phthalate should be set as close as possible to the latest application date set out for dibutyl phthalate.
- (16) Article 58(1)(e) in conjunction with Article 58(2) of Regulation (EC) No 1907/2006 provides for the possibility of exemptions of uses or categories of uses in cases where there is specific EU legislation imposing minimum requirements relating to the protection of human health or the environment that ensures proper control of the risks. In accordance with the information currently available it is not appropriate to set exemptions based on those provisions.
- (17) On the basis of the information currently available it is not appropriate to set exemptions for product and process orientated research and development.
- (18) On the basis of the information currently available it is not appropriate to set review periods for certain uses.
- (19) The measures provided for in this Regulation are in accordance with the opinion of the Committee established pursuant to Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Annex XIV to Regulation (EC) No 1907/2006 is amended in accordance with the Annex to this Regulation.

#### *Article 2*

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

<sup>(1)</sup> [http://echa.europa.eu/chem\\_data/authorisation\\_process/annex\\_xiv\\_rec/second\\_annex\\_xiv\\_rec\\_en.asp](http://echa.europa.eu/chem_data/authorisation_process/annex_xiv_rec/second_annex_xiv_rec_en.asp)

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

Done at Brussels, 14 February 2012.

*For the Commission*  
*The President*  
José Manuel BARROSO

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## ANNEX

In the table in Annex XIV to Regulation (EC) No 1907/2006 the following entries are added:

Entry Nr	Substance	Intrinsic property(ies) referred to in Article 57	Transitional arrangements		Exempted (categories of) uses	Review periods
			Latest application date (*)	Sunset date (**)		
7.	Diisobutyl phthalate (DIBP) EC No: 201-553-2 CAS No: 84-69-5	Toxic for reproduction (category 1B)	21 August 2013	21 February 2015	—	—
8.	Diarsenic trioxide EC No: 215-481-4 CAS No: 1327-53-3	Carcinogenic (category 1A)	21 November 2013	21 May 2015	—	—
9.	Diarsenic pentaoxide EC No: 215-116-9 CAS No: 1303-28-2	Carcinogenic (category 1A)	21 November 2013	21 May 2015	—	—
10.	Lead chromate EC No: 231-846-0 CAS No: 7758-97-6	Carcinogenic (category 1B)  Toxic for reproduction (category 1A)	21 November 2013	21 May 2015	—	—
11.	Lead sulfochromate yellow (C.I. Pigment Yellow 34) EC No: 215-693-7 CAS No: 1344-37-2	Carcinogenic (category 1B)  Toxic for reproduction (category 1A)	21 November 2013	21 May 2015	—	—
12.	Lead chromate molybdate sulphate red (C.I. Pigment Red 104) EC No: 235-759-9 CAS No: 12656-85-8	Carcinogenic (category 1B)  Toxic for reproduction (category 1A)	21 November 2013	21 May 2015		
13.	Tris (2-chloroethyl) phosphate (TCEP) EC No: 204-118-5 CAS No: 115-96-8	Toxic for reproduction (category 1B)	21 February 2014	21 August 2015		
14.	2,4-Dinitrotoluene (2,4-DNT) EC No: 204-450-0 CAS No: 121-14-2	Carcinogenic (category 1B)	21 February 2014	21 August 2015		

(\*) Date referred to in Article 58(1)(c)(ii) of Regulation (EC) No 1907/2006.

(\*\*) Date referred to in Article 58(1)(c)(i) of Regulation (EC) No 1907/2006.

**COMMISSION IMPLEMENTING REGULATION (EU) No 126/2012****of 14 February 2012****amending Regulation (EC) No 889/2008 as regards documentary evidence and amending Regulation (EC) No 1235/2008 as regards the arrangements for imports of organic products from the United States of America****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 <sup>(1)</sup>, and in particular Article 33(2) and (3) and Article 38(c) and (d) thereof,

Whereas:

- (1) Article 29(1) of Regulation (EC) No 834/2007 requires control authorities and control bodies to provide documentary evidence to the operators subject to their controls.
- (2) According to Article 28(1) of Regulation (EC) No 834/2007, operators who export products produced in compliance with the production rules laid down in that Regulation must submit their undertaking to the control system referred to in Article 27 of that Regulation.
- (3) Under that control system and in the light of the production rules established by Article 14(1)(e) of Regulation (EC) No 834/2007 and by Article 24 of Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control <sup>(2)</sup>, the control authorities and the control bodies currently verify the livestock records of the operator, including regarding veterinary treatment and the use of antibiotics. In the light of this concrete application of the control system and in the interest of organic livestock producers in the Union, it is appropriate to ensure the identification of certain production methods not using antibiotics when such identification is requested by the operator. Adequate information about the specific characteristics of the production method is also needed in order to facilitate the market access to the

United States. Those specific characteristics should be attested through complementary documentary evidence provided in accordance with Article 29 of Regulation (EC) No 834/2007, in addition to the documentary evidence referred to in Article 68 of Regulation (EC) No 889/2008.

- (4) Certain agricultural products imported from the United States are currently marketed in the Union pursuant to the transitional rules provided for in Article 19 of Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries <sup>(3)</sup>. The United States submitted a request to the Commission to be included in the list provided for in Article 7 of Regulation (EC) No 1235/2008. It submitted the information required pursuant to Articles 7 and 8 of that Regulation. The examination of that information and subsequent discussions with the US authorities have led to the conclusion that in that country the rules governing the production and controls of organic agricultural products are equivalent to those laid down in Regulation (EC) No 834/2007. The Commission has carried out a satisfactory on-the-spot check of the rules of production and the control measures actually applied in the United States, as provided for in Article 33(2) of Regulation (EC) No 834/2007. Consequently, the United States should be included in the list set out in Annex III to Regulation (EC) No 1235/2008.
- (5) Annex IV to Regulation (EC) No 1235/2008 contains a list of control bodies and control authorities competent to carry out controls and issue certificates in third countries for the purpose of equivalence. As a consequence of the inclusion of the United States in Annex III to that Regulation, the relevant US control bodies and control authorities should be deleted from Annex IV to the extent that they control production in the United States.
- (6) Regulations (EC) No 889/2008 and (EC) No 1235/2008 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the regulatory Committee on organic production,

<sup>(1)</sup> OJ L 189, 20.7.2007, p. 1.

<sup>(2)</sup> OJ L 250, 18.9.2008, p. 1.

<sup>(3)</sup> OJ L 334, 12.12.2008, p. 25.

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 889/2008 is amended as follows:

(1) in Article 63(1), the following point (d) is added:

‘(d) the specific characteristics of the production method used, where the operator intends to request documentary evidence in accordance with Article 68(2).’;

(2) Article 68 is replaced by the following:

*‘Article 68*

**Documentary evidence**

1. For the purpose of the application of Article 29(1) of Regulation (EC) No 834/2007 the control authorities and control bodies shall use the model of the documentary evidence set out in Annex XII to this Regulation.

2. If an operator subject to the controls of the control authorities and control bodies as referred to in paragraph 1 so requests within a time period to be indicated by those control authorities and control bodies, the control authorities and control bodies shall provide complementary

documentary evidence confirming the specific characteristics of the production method used by means of the model set out in Annex XIIa.

Applications for complementary documentary evidence shall contain in box 2 of the model set out in Annex XIIa the relevant entry listed in Annex XIIb.’;

(3) in the title of Annex XII, the reference to ‘Article 68’ is replaced by a reference to ‘Article 68(1)’;

(4) Annexes XIIa and XIIb are inserted as set out in Annex I to this Regulation.

*Article 2*

Annexes III and IV to Regulation (EC) No 1235/2008 are amended in accordance with Annex II to this Regulation.

*Article 3*

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

It shall apply as from 1 June 2012.

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

Done at Brussels, 14 February 2012.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX I

## ‘ANNEX XIIa

**Model of complementary documentary evidence to the operator according to Article 29(1) of Regulation (EC) No 834/2007 referred to in Article 68(2) of this Regulation****Complementary documentary evidence to the operator according to Article 29(1) of Regulation (EC) No 834/2007**

- 1.1. Number of the document:  
1.2. Reference to the documentary evidence provided in accordance with Article 29(1) of Regulation (EC) No 834/2007: <sup>(1)</sup>

2. Specific characteristics of the production method used by the operator, referred to in Article 68(2) of Regulation (EC) No 889/2008: <sup>(2)</sup>

3. This document has been issued on the basis of Article 29(1) of Regulation (EC) No 834/2007 and Article 68(2) of Regulation (EC) No 889/2008. The declared operator has submitted his activities under control, and meets the requirements laid down in those Regulations.

Date, place:

Signature and stamp on behalf of the issuing control body/authority:

<sup>(1)</sup> Insert number of the documentary evidence provided in accordance with Article 68(1) of, and Annex XII to, this Regulation.

<sup>(2)</sup> Insert the relevant entry set out in Annex XIIb to this Regulation.

## ANNEX XIIb

Entry referred to in the second subparagraph of Article 68(2):

- *In Bulgarian:* Животински продукти, произведени без използване на антибиотици
  - *In Spanish:* Productos animales producidos sin utilizar antibióticos
  - *In Czech:* Živočišné produkty vyprodukované bez použití antibiotik
  - *In Danish:* Animalske produkter, der er produceret uden brug af antibiotika
  - *In German:* Ohne Anwendung von Antibiotika erzeugte tierische Erzeugnisse
  - *In Estonian:* Loomsed tooted, mille tootmisel ei ole kasutatud antibiootikume
  - *In Greek:* Ζωικά προϊόντα που παράγονται χωρίς τη χρήση αντιβιοτικών
  - *In English:* Animal products produced without the use of antibiotics
  - *In French:* produits animaux obtenus sans recourir aux antibiotiques
  - *In Italian:* Prodotti animali ottenuti senza l'uso di antibiotici
  - *In Latvian:* Dzīvnieku izcelsmes produkti, kuru ražošanā nav izmantotas antibiotikas
  - *In Lithuanian:* nenaudojant antibiotikų pagaminti gyvūniniai produktai
  - *In Hungarian:* Antibiotikumok alkalmazása nélkül előállított állati eredetű termékek
  - *In Maltese:* Il-prodotti tal-annimali prodotti mingħajr l-użu tal-antibijotiċi
  - *In Dutch:* Zonder het gebruik van antibiotica geproduceerde dierlijke producten
  - *In Polish:* Produkty zwierzęce wytwarzane bez użycia antybiotyków
  - *In Portuguese:* Produtos de origem animal produzidos sem utilização de antibióticos
  - *In Romanian:* Produse de origine animală obținute a se recurge la antibiotice
  - *In Slovak:* Výrobky živočíšneho pôvodu vyrobené bez použitia antibiotík
  - *In Slovenian:* Živalski proizvodi, proizvedeni brez uporabe antibiotikov
  - *In Finnish:* Eläintuotteet, joiden tuotannossa ei ole käytetty antibiootteja
  - *In Swedish:* Animaliska produkter som produceras utan antibiotika'
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## ANNEX II

**Amendments to Annexes III and IV to Regulation (EC) No 1235/2008**

(1) In Annex III, the following text is inserted:

'UNITED STATES OF AMERICA

**1. Product categories:**

- (a) live or unprocessed agricultural products and vegetative propagating material and seeds for cultivation, with the exception of aquaculture products, provided that in the case of apples and pears, imports are subject to the presentation of specific certification from the relevant control body or control authority that no treatment with antibiotics to control fire blight (such as tetracycline and streptomycin) has occurred during the production process;
  - (b) processed agricultural products for use as food and feed, with the exception of processed aquaculture products, provided that in the case of processed apples and pears, imports are subject to the presentation of specific certification from the relevant control body or control authority that no treatment with antibiotics to control fire blight (such as tetracycline and streptomycin) has occurred during the production process.
2. **Origin:** products of categories 1(a) and 1(b) and organically grown ingredients in products of category 1(b) that have been grown in the United States or that have been imported into the United States in accordance with US legislation.
3. **Production standards:** Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), National Organic Program (7 CFR 205).
4. **Competent authorities:** United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), [www.usda.gov](http://www.usda.gov)

**5. Control bodies and authorities:**

- A Bee Organic, [www.abeeorganic.com](http://www.abeeorganic.com)
- Agricultural Services Certified Organic, [www.ascorganic.com/](http://www.ascorganic.com/)
- Baystate Organic Certifiers, [www.baystateorganic.org](http://www.baystateorganic.org)
- BCS – Oko Garantie GmbH, [www.bcs-oeko.com/en\\_index.html](http://www.bcs-oeko.com/en_index.html)
- BioAgriCert, [www.bioagricert.org/English/index.php](http://www.bioagricert.org/English/index.php)
- CCOF Certification Services, [www.ccof.org](http://www.ccof.org)
- Colorado Department of Agriculture, [www.colorado.gov](http://www.colorado.gov)
- Control Union Certifications, [www.skaint.com](http://www.skaint.com)
- Department of Plant Industry, [www.clemson.edu/public/regulatory/plant\\_industry/organic\\_certification/](http://www.clemson.edu/public/regulatory/plant_industry/organic_certification/)
- Ecocert S.A., [www.ecocert.com](http://www.ecocert.com)
- Georgia Crop Improvement Association, Inc., [www.certifiedseed.org](http://www.certifiedseed.org)
- Global Culture, [www.globalculture.us](http://www.globalculture.us)
- Global Organic Alliance, Inc., [www.goa-online.org](http://www.goa-online.org)
- Global Organic Certification Services, [www.globalorganicservices.com](http://www.globalorganicservices.com)
- Idaho State Department of Agriculture, [www.agri.idaho.gov/Categories/PlantsInsects/Organic/indexOrganicHome.php](http://www.agri.idaho.gov/Categories/PlantsInsects/Organic/indexOrganicHome.php)
- Indiana Certified Organic LLC, [www.indianacertifiedorganic.com](http://www.indianacertifiedorganic.com)
- International Certification Services, Inc., [www.ics-intl.com](http://www.ics-intl.com)
- Iowa Department of Agriculture and Land Stewardship, [www.agriculture.state.ia.us](http://www.agriculture.state.ia.us)
- Kentucky Department of Agriculture, [www.kyagr.com/marketing/plantmktg/organic/index.htm](http://www.kyagr.com/marketing/plantmktg/organic/index.htm)

- LACON GmbH, [www.lacon-institut.com](http://www.lacon-institut.com)
- Louisiana Department of Agriculture and Forestry, [www.la.gov/portal/DesktopModules/BrowseBy/portal/Offices/AgriculturalEnvironmentalSciences/PesticidesEnvironmentalPrograms/OrganicCertificationPrograms/tabid/435/Default.aspx](http://www.la.gov/portal/DesktopModules/BrowseBy/portal/Offices/AgriculturalEnvironmentalSciences/PesticidesEnvironmentalPrograms/OrganicCertificationPrograms/tabid/435/Default.aspx)
- Marin County, [www.co.marin.ca.us/depts/ag/main/moca.cfm](http://www.co.marin.ca.us/depts/ag/main/moca.cfm)
- Maryland Department of Agriculture, [www.mda.state.md.us/md\\_products/certified\\_md\\_organic\\_farms/index.php](http://www.mda.state.md.us/md_products/certified_md_organic_farms/index.php)
- Mayacert S.A., [www.mayacert.com](http://www.mayacert.com)
- Midwest Organic Services Association, Inc., [www.mosaorganic.org](http://www.mosaorganic.org)
- Minnesota Crop Improvement Association, [www.mncia.org](http://www.mncia.org)
- MOFGA Certification Services, LLC, [www.mofga.org/](http://www.mofga.org/)
- Montana Department of Agriculture, [www.agr.mt.gov/organic/Program.asp](http://www.agr.mt.gov/organic/Program.asp)
- Monterey County Certified Organic, [www.ag.co.monterey.ca.us/pages/organics](http://www.ag.co.monterey.ca.us/pages/organics)
- Natural Food Certifiers, [www.nfccertification.com](http://www.nfccertification.com)
- Nature's International Certification Services, [www.naturesinternational.com/](http://www.naturesinternational.com/)
- Nevada State Department of Agriculture, <http://www.agri.state.nv.us>
- New Hampshire Department of Agriculture, Division of Regulatory Services, [http://agriculture.nh.gov/divisions/markets/organic\\_certification.htm](http://agriculture.nh.gov/divisions/markets/organic_certification.htm)
- New Jersey Department of Agriculture, [www.state.nj.us/agriculture/](http://www.state.nj.us/agriculture/)
- New Mexico Department of Agriculture, Organic Program, <http://nmdaweb.nmsu.edu/organics-program/Organic%20Program.html>
- NOFA – New York Certified Organic, LLC, <http://www.nofany.org>
- Ohio Ecological Food and Farm Association, [www.oeffa.org](http://www.oeffa.org)
- OIA North America, LLC, [www.oianorth.com](http://www.oianorth.com)
- Oklahoma Department of Agriculture, [www.oda.state.ok.us](http://www.oda.state.ok.us)
- OneCert, [www.onecert.com](http://www.onecert.com)
- Oregon Department of Agriculture, [www.oregon.gov/ODA/CID](http://www.oregon.gov/ODA/CID)
- Oregon Tilth Certified Organic, [www.tilth.org](http://www.tilth.org)
- Organic Certifiers, Inc., <http://www.organiccertifiers.com>
- Organic Crop Improvement Association, [www.ocia.org](http://www.ocia.org)
- Organic National & International Certifiers (ON&IC), <http://www.on-ic.com>
- Organizacion Internacional Agropecuaria, [www.oia.com.ar](http://www.oia.com.ar)
- Pennsylvania Certified Organic, [www.paorganic.org](http://www.paorganic.org)
- Primuslabs.com, [www.primuslabs.com](http://www.primuslabs.com)
- Pro-Cert Organic Systems, Ltd, [www.pro-cert.org](http://www.pro-cert.org)
- Quality Assurance International, [www.qai-inc.com](http://www.qai-inc.com)
- Quality Certification Services, [www.QCSinfo.org](http://www.QCSinfo.org)
- Rhode Island Department of Environmental Management, [www.dem.ri.gov/programs/bnatres/agricult/orgcert.htm](http://www.dem.ri.gov/programs/bnatres/agricult/orgcert.htm)
- Scientific Certification Systems, [www.SCSCertified.com](http://www.SCSCertified.com)
- Stellar Certification Services, Inc., <http://demeter-usa.org/>

- Texas Department of Agriculture, [www.agr.state.tx.us](http://www.agr.state.tx.us)
- Utah Department of Agriculture, <http://ag.utah.gov/divisions/plant/organic/index.html>
- Vermont Organic Farmers, LLC, <http://www.nofavt.org>
- Washington State Department of Agriculture, <http://agr.wa.gov/FoodAnimal?Organic/default.htm>
- Yolo County Department of Agriculture, [www.yolocounty.org/Index.aspx?page=501](http://www.yolocounty.org/Index.aspx?page=501)

6. **Certificate issuing bodies and authorities:** as at point 5.

7. **Duration of the inclusion:** 30 June 2015'.

(2) Annex IV is amended as follows:

- (a) for 'California Certified Organic Farmers', the row concerning third country 'US' and code number 'US-BIO-105' in point 3 is deleted;
  - (b) for 'Organic Certifiers', the row concerning third country 'US' and code number 'US-BIO-106' in point 3 is deleted;
  - (c) for 'International Certification Services, Inc.', the row concerning third country 'US' and code number 'US-BIO-111' in point 3 is deleted;
  - (d) for 'Quality Assurance International', the row concerning third country 'US' and code number 'US-BIO-113' in point 3 is deleted;
  - (e) the entry 'Oregon Tilth' is deleted entirely;
  - (f) for 'Organic Crop Improvement Association', the row concerning third country 'US' and code number 'US-BIO-120' in point 3 is deleted;
  - (g) the entry 'Washington State Department of Agriculture' is deleted entirely.
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**COMMISSION IMPLEMENTING REGULATION (EU) No 127/2012****of 14 February 2012****amending Implementing Regulation (EU) No 540/2011 as regards an extension of the use of the active substance metazachlor****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC <sup>(1)</sup>, and in particular Article 13(2)(c) thereof,

Whereas:

(1) By Commission Directive 2008/116/EC <sup>(2)</sup> metazachlor was included as active substance in Annex I to Council Directive 91/414/EEC <sup>(3)</sup> for use as a herbicide at a maximum application rate of 1,0 kg/ha only every third year on the same field. Since the replacement of Directive 91/414/EEC by Regulation (EC) No 1107/2009, this substance is deemed to have been approved under that Regulation and is listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011, implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances <sup>(4)</sup>.

(2) On 23 March 2010 one of the notifiers at whose request metazachlor was included in Annex I to Directive 91/414/EEC, submitted an application for an amendment to the specific provisions of use of metazachlor to allow more frequent applications on the same field, without however exceeding the total maximum amount of 1,0 kg/ha over a three-year period. That application was accompanied by additional information. It was submitted to the United Kingdom which had been designated rapporteur Member State by Commission Regulation (EC) No 1490/2002 <sup>(5)</sup>.

(3) The rapporteur Member State assessed the additional information submitted by the applicant and prepared an addendum to the draft assessment report. It

submitted that addendum to the Commission on 4 January 2011 which communicated it to the other Member States and to the European Food Safety Authority for comments. The addendum to the draft assessment report was reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health on 24 January 2012 in the format of an addendum to the Commission review report for metazachlor.

(4) It has appeared from the various examinations carried out that the amendment to the specific provisions of use applied for does not cause any risks in addition to those already taken into account in the approval of metazachlor and in the Commission review report for that substance.

(5) The Annex to Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Implementing Regulation (EU)  
No 540/2011**

In the column 'Specific provisions' of row number 217, metazachlor, of Part A of the Annex, Part A is replaced by the following:

**'PART A**

Only uses as herbicide may be authorised. Applications shall be limited to a total dose of not more than 1,0 kg metazachlor/ha in a three-year period on the same field.'

*Article 2***Entry into force**

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

<sup>(1)</sup> OJ L 309, 24.11.2009, p. 1.

<sup>(2)</sup> OJ L 337, 16.12.2008, p. 86.

<sup>(3)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(4)</sup> OJ L 153, 11.6.2011, p. 1.

<sup>(5)</sup> OJ L 224, 21.8.2002, p. 23.

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

Done at Brussels, 14 February 2012.

*For the Commission*  
*The President*  
José Manuel BARROSO

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**COMMISSION IMPLEMENTING REGULATION (EU) No 128/2012****of 14 February 2012****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 14 February 2012.

*For the Commission,  
On behalf of the President,  
José Manuel SILVA RODRÍGUEZ  
Director-General for Agriculture and  
Rural Development*

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

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.



## ANNEX

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

(EUR/100 kg)		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	JO	78,3
	MA	54,6
	TN	85,0
	TR	99,1
	ZZ	79,3
0707 00 05	EG	229,9
	JO	134,1
	TR	172,5
	US	57,6
	ZZ	148,5
0709 93 10	MA	84,5
	TR	152,8
	ZZ	118,7
0805 10 20	EG	48,8
	IL	74,1
	MA	51,9
	TN	51,9
	TR	67,7
	ZZ	58,9
0805 20 10	IL	165,9
	MA	113,4
	ZZ	139,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	60,1
	EG	95,0
	IL	107,6
	MA	108,9
	TR	68,2
	ZZ	88,0
0805 50 10	EG	54,8
	TR	51,6
	ZZ	53,2
0808 10 80	CA	124,7
	CL	98,4
	CN	111,0
	MK	26,7
	US	147,1
	ZZ	101,6
0808 30 90	CL	178,7
	CN	76,3
	US	121,9
	ZA	133,4
	ZZ	127,6

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

# DECISIONS

## COUNCIL IMPLEMENTING DECISION

of 10 February 2012

**authorising Spain and France to introduce a special measure derogating from Article 5 of Directive 2006/112/EC on the common system of value added tax**

(2012/85/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax <sup>(1)</sup>, and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,  
Whereas:

- (1) By letters registered with the Commission on 5 September 2011 and 13 September 2011 respectively, Spain and France requested authorisation to introduce a special measure derogating from the provisions of Directive 2006/112/EC in relation to the construction of an underground electricity interconnection between their respective electricity networks.
- (2) The Commission informed the other Member States by letters dated 25 October 2011 of the requests made by Spain and France. By letters dated 27 October 2011, the Commission notified Spain and France that it had all the information necessary to consider the requests.
- (3) On 27 June 2008 an agreement was signed between Spain and France for the construction of an underground electricity interconnection between Santa Llogaia in Spain and Baixas in France.
- (4) Through the special measure, the underground electricity interconnection is to be treated as being situated 50 % in Spain and 50 % in France for the purposes of supplies of goods and services, intra-Community acquisition of goods and importations of goods intended for its construction.
- (5) In the absence of such measure, it would be necessary, according to the principle of territoriality, to ascertain for each supply whether the place of taxation was within Spain or France.

(6) The purpose of the special measure is therefore to simplify the procedure for collecting value added tax on the construction of the underground electricity interconnection.

(7) The derogation could affect the overall amount of the tax revenue of the Member States collected at the stage of final consumption only to a negligible extent and has no negative impact on the Union's own resources accruing from value added tax,

HAS ADOPTED THIS DECISION:

### *Article 1*

By way of derogation from Article 5 of Directive 2006/112/EC, Spain and France are authorised to consider the underground electricity interconnection between Santa Llogaia in Spain and Baixas in France as being situated 50 % on the territory of Spain and 50 % on the territory of France for the purposes of supplies of goods and services, intra-Community acquisitions of goods and importations of goods intended for its construction.

### *Article 2*

This Decision shall take effect on the day of its notification.

### *Article 3*

This Decision is addressed to the Kingdom of Spain and the French Republic.

Done at Brussels, 10 February 2012.

*For the Council*  
*The President*  
C. ANTORINI

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<sup>(1)</sup> OJ L 347, 11.12.2006, p. 1.

**COUNCIL DECISION**  
**of 10 February 2012**  
**appointing a Finnish alternate member of the Committee of the Regions**  
(2012/86/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Finnish Government,

Whereas:

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU <sup>(1)</sup> and 2010/29/EU <sup>(2)</sup> appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

(2) An alternate member's seat on the Committee of the Regions has become vacant following the end of the term of office of Ms Riitta MYLLER,

*Article 1*

The following is hereby appointed to the Committee of the Regions as an alternate member for the remainder of the current term of office, which runs until 25 January 2015:

— Ms Sanna PARKKINEN, Liperin kunnanvaltuuston jäsen,

*Article 2*

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 10 February 2012.

*For the Council*  
*The President*  
C. ANTORINI

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<sup>(1)</sup> OJ L 348, 29.12.2009, p. 22.

<sup>(2)</sup> OJ L 12, 19.1.2010, p. 11.

**COUNCIL DECISION**  
**of 10 February 2012**  
**appointing a Spanish alternate member of the Committee of the Regions**  
(2012/87/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Spanish Government,

Whereas:

- (1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU <sup>(1)</sup> and 2010/29/EU <sup>(2)</sup> appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.
- (2) An alternate member's seat has become vacant following the end of the term of office of Ms Cristina Elena TENIENTE SÁNCHEZ,

HAS ADOPTED THIS DECISION:

*Article 1*

The following is hereby appointed as alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

— Ms María Isabel NIETO FERNÁNDEZ, *Secretaria Técnica de Acción Exterior de la Junta de Extremadura*.

*Article 2*

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 10 February 2012.

*For the Council*  
*The President*  
C. ANTORINI

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<sup>(1)</sup> OJ L 348, 29.12.2009, p. 22.

<sup>(2)</sup> OJ L 12, 19.1.2010, p. 11.







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