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<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.

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

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) No 396/2013

of 30 April 2013

**amending Regulation (EU) No 1014/2010 as regards certain requirements for the monitoring of CO<sub>2</sub> emissions from new passenger cars****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1*

Regulation (EU) No 1014/2010 is amended as follows:

Having regard to Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles <sup>(1)</sup>, and in particular the first subparagraph of Article 8(9) thereof,

(1) in Article 3, paragraph 7 is replaced by the following:

'7. Where a vehicle is equipped with axle tracks of different widths, the Member State shall report the maximum axle width under the parameters "Track width steering axle" or "Track width other axle" in the detailed monitoring data.'

Whereas:

(2) Article 5 is replaced by the following:

(1) On the basis of experience from the monitoring of CO<sub>2</sub> emissions from new passenger cars in 2010 and 2011, Annex II to Regulation (EC) No 443/2009 was amended to simplify the collection of the relevant data and to provide manufacturers with the means to efficiently verify those data.

*'Article 5***Preparation of data by Member States**

When completing the detailed monitoring data, Member States shall include:

(2) In order to provide for a coherent approach in the monitoring of CO<sub>2</sub> emissions, it is appropriate to align Commission Regulation (EU) No 1014/2010 of 10 November 2010 on monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council <sup>(2)</sup> with the amendments made to Annex II to Regulation (EC) No 443/2009.

(a) for each vehicle with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km, the number of vehicles registered without applying the multiplication factors laid down in Article 5 of Regulation (EC) No 443/2009;

(3) Regulation (EU) No 1014/2010 should therefore be amended accordingly.

(b) for each vehicle designed to be capable of running on ethanol (E85) fuel, the specific emissions of CO<sub>2</sub> without applying the 5 % CO<sub>2</sub> emissions reduction granted to such vehicles in accordance with Article 6 of Regulation (EC) No 443/2009;

(4) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

(c) for each vehicle equipped with innovative technologies, the specific emissions of CO<sub>2</sub> without taking into account the CO<sub>2</sub> emissions reduction through innovative technologies granted in accordance with Article 12 of Regulation (EC) No 443/2009.

The detailed monitoring data shall be reported with the precision set out in the table in Annex II to this Regulation.'

<sup>(1)</sup> OJ L 140, 5.6.2009, p. 1.

<sup>(2)</sup> OJ L 293, 11.11.2010, p. 15.

(3) Article 7 is replaced by the following:

*'Article 7*

**Vehicles not covered by EC type-approval**

1. Where passenger cars are subject to national type-approval of small series in accordance with Article 23 of Directive 2007/46/EC or to individual approval in accordance with Article 24 of that Directive, Member States shall inform the Commission of the respective number of such cars registered in their territory, as specified in the first table in Part C of Annex II to Regulation (EC) No 443/2009.

2. Member States may complete the detailed monitoring data for the vehicles referred to in paragraph 1, and shall in

that case use one of the following denominations instead of the name of manufacturer:

- (a) "AA-IVA" for reporting vehicle types approved individually;
  - (b) "AA-NSS" for reporting vehicle types approved nationally in small series.;
- (4) Annexes I and II to Regulation (EU) No 1014/2010 are replaced by the text set out in the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 30 April 2013.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX

## ‘ANNEX I

## Data sources

Parameter	Certificate of conformity (Part I, Model A1, A2 or B, as appropriate, set out in Annex IX to Directive 2007/46/EC)	Type-approval documentation (Directive 2007/46/EC)
Manufacturer	Section 0.5	Section 0.5 of Part I of Annex III
Type-approval number and its extension	Section 0.10	Type-approval certificate as specified in Annex VI
Type	Section 0.2	Section 0.2 of Part I of Annex III
Variant	Section 0.2	Part II of Annex III
Version	Section 0.2	Part II of Annex III
Make	Section 0.1	Section 0.1 of Part I of Annex III
Commercial name	Section 0.2.1	Section 0.2.1 of Part I of Annex III
Category of the vehicle type-approved	Section 0.4	Section 0.4 of Part I of Annex III
Mass (kg)	Section 13	Section 2.6 of Part I of Annex III <sup>(1)</sup>
Specific CO <sub>2</sub> emissions (g/km) <sup>(2)</sup>	Section 49.1	Section 3 of Annex VIII
Wheel base (mm)	Section 4	Section 2.1 of Part I of Annex III <sup>(1)</sup>
Track width steering axle – other axle (mm)	Section 30	Section 2.3.1 and 2.3.2 of Part I of Annex III <sup>(3)</sup>
Fuel type	Section 26 (or 23)	Section 3.2.2.1 of Part I of Annex III
Fuel mode	Section 26.1 (or 23.1)	Section 3.2.2.4 of Part I of Annex III
Engine capacity (cm <sup>3</sup> )	Section 25	Section 3.2.1.3. of Part I of Annex III
Electric energy consumption (Wh/km)	Section 49.2	

<sup>(1)</sup> In accordance with Article 3(8) of this Regulation.

<sup>(2)</sup> In accordance with Article 3(4) of this Regulation.

<sup>(3)</sup> In accordance with Article 3(7) and (8) of this Regulation.

## ANNEX II

## Table of data precision

The required precision of the detailed monitoring data to be reported in accordance with Article 2:

CO <sub>2</sub> (g/km)	Integer
Mass (kg)	Integer
Wheel base (mm)	Integer
Track width steering axle — other axle (mm)	Integer
Emission reduction through innovative technologies (g/km)	Rounded to the nearest one decimal place'

**COMMISSION REGULATION (EU) No 397/2013****of 30 April 2013****amending Regulation (EC) No 443/2009 of the European Parliament and of the Council as regards the monitoring of CO<sub>2</sub> emissions from new passenger cars****(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 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles<sup>(1)</sup>, and in particular the second subparagraph of Article 8(9) thereof,

Whereas:

- (1) Experience from the monitoring of CO<sub>2</sub> emissions from new passenger cars in 2010 and 2011 shows that the accurate calculation of the average specific emissions and the specific emissions targets is only possible on the basis of the detailed data referred to in Article 8(1) of Regulation (EC) No 443/2009. It is therefore appropriate to adjust the aggregated data specified in the first table set out in Part C of Annex II to Regulation (EC) No 443/2009 to include only those data that are strictly necessary for the implementation of that Regulation.
- (2) In order to improve the quality and accuracy of the monitoring of CO<sub>2</sub> emissions from passenger cars, it is however necessary to specify further some of the required data parameters and add other parameters that have until now been monitored on a voluntary basis.
- (3) The inclusion of the type-approval number as a data parameter to be monitored and reported can improve the means for manufacturers to verify the provisional calculations of their average specific emissions and specific emissions targets and, as a consequence, ensure improved accuracy in the final dataset.
- (4) Passenger cars that are approved nationally in small series in accordance with Article 23 of Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)<sup>(2)</sup> or cars individually approved in accordance with Article 24

of that Directive are not taken into account for the calculation of the average specific emissions of a manufacturer. It is however important to monitor the number of those vehicles in a consistent way in order to assess any potential impact on the monitoring process and the attainment of the Union's average CO<sub>2</sub> emissions target. The aggregate numbers of those registrations should therefore be provided on an annual basis.

- (5) It should also be ensured that the monitoring of CO<sub>2</sub> emissions from passenger cars is aligned with that for light commercial vehicles under Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for light commercial vehicles as part of the Union's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles<sup>(3)</sup> by including as mandatory monitoring parameters also the engine capacity and the electric energy consumption, in addition to the type-approval number. Moreover, where the certificate of conformity is not used as the primary data source and data is taken, inter alia, from type-approval documents, it should be clarified that the data in those cases should be consistent with the data provided in the certificates of conformity.
- (6) In order to ensure that those amendments can be taken into account for the monitoring of the data in 2013, it is appropriate to provide for an entry into force not later than the seventh day following that of the publication of this act in the *Official Journal of the European Union*.
- (7) Regulation (EC) No 443/2009 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 443/2009 is replaced by the text set out in the Annex to this Regulation.

<sup>(1)</sup> OJ L 140, 5.6.2009, p. 1.

<sup>(2)</sup> OJ L 263, 9.10.2007, p. 1.

<sup>(3)</sup> OJ L 145, 31.5.2011, p. 1.

*Article 2*

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

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

Done at Brussels, 30 April 2013.

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

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## ANNEX

Annex II to Regulation (EC) No 443/2009 is replaced by the following:

## ‘ANNEX II

**MONITORING AND REPORTING EMISSIONS****PART A — Collection of data on new passenger cars and determination of CO<sub>2</sub> monitoring information**

1. Member States shall, for each calendar year, record the following detailed data for each new passenger car registered in their territory:
  - (a) the manufacturer;
  - (b) the type-approval number with its extension;
  - (c) the type, variant, and version;
  - (d) make and commercial name;
  - (e) category of vehicle type-approved;
  - (f) total number of new registrations;
  - (g) mass;
  - (h) the specific emissions of CO<sub>2</sub>;
  - (i) footprint: the wheel base, the track width steering axle and the track width other axle;
  - (j) the fuel type and fuel mode;
  - (k) engine capacity;
  - (l) electric energy consumption;
  - (m) code for the innovative technology or group of innovative technologies and the CO<sub>2</sub> emissions reduction due to that technology.
2. The detailed data referred to in point 1 shall be taken from the certificate of conformity of the relevant passenger car or be consistent with the certificate of conformity issued by the manufacturer of the relevant passenger car. Where the certificate of conformity is not used, Member States shall put the necessary measures in place to ensure adequate accuracy in the monitoring procedure. Where both a minimum value and a maximum value are specified for the mass or footprint values referred to in point 1(i) for a passenger car, Member States shall use only the maximum figure for the purposes of this Regulation. In the case of bi-fuelled vehicles (petrol/gas), the certificates of conformity of which bear specific CO<sub>2</sub> emissions figures for both types of fuel, Member States shall use only the figure measured for gas.
3. Member States shall, for each calendar year, determine:
  - (a) the sources used for the collection of the detailed data referred to in point 1;
  - (b) the total number of new registrations of new passenger cars subject to EC type-approval;
  - (c) the total number of new registrations of new individually approved passenger cars;
  - (d) the total number of new registrations of new passenger cars approved nationally in small series;
  - (e) the percentage of all fuel filling stations on their territory providing E85.

**PART B — Methodology for determining CO<sub>2</sub> monitoring information for new passenger cars**

Monitoring information which Member States are required to determine in accordance with points 1 and 3 of Part A shall be determined in accordance with the methodology in this Part.

1. Number of new passenger cars registered

Member States shall determine the number of new passenger cars registered within their territory in the respective monitoring year divided into vehicles subject to EC type-approval, individual approvals and national approvals of small series.



2. The distribution by version of new passenger cars

For each version of each variant of each type of new passenger car, the number of newly registered passenger cars and the detailed data referred to in point 1 of Part A shall be recorded.

3. The fuel stations in their territory that supply E85 fuel shall be indicated in accordance with Article 6 of Commission Regulation (EU) No 1014/2010 <sup>(1)</sup>.

**PART C — Format for the transmission of data**

For each year, Member States shall report the information specified in points 1 and 3 of Part A in the following formats:

Aggregated data including general information specified in point 3 of Part A:

Member State <sup>(1)</sup>	
Year	
Data source	
Total number of new registrations of new passenger cars subject to EC type-approval	
Total number of new registrations of new individually approved passenger cars	
Total number of new registrations of new passenger cars approved nationally in small series	
Percentage of all fuel filling stations providing E85, in accordance with Article 6(1) of Regulation (EU) No 1014/2010	
Total number of fuel filling stations providing E85 where the proportion of those stations exceeds 30 % of all fuel filling stations, in accordance with Article 6(2) of Regulation (EU) No 1014/2010	

<sup>(1)</sup> ISO 3166 alpha-2 codes with the exception of Greece and the United Kingdom for which the codes are "EL" and "UK" respectively.

<sup>(1)</sup> OJ L 293, 11.11.2010, p. 15.

Detailed data specified in point 1 of Part A:

Year	Manufacturer name EU standard denomination	Manufacturer name Manufacturer denomination	Manufacturer name National Registry denomination	Type-approval number and its extension	Type	Variant	Version	Make	Commercial name	Category of vehicle type-approved	Total number of new registrations	Mass (kg)	Specific emissions of CO <sub>2</sub> (g/km)	Wheelbase (mm)	Track width steering axle (mm)	Track width other axle (mm)	Fuel type <sup>(1)</sup>	Fuel mode <sup>(1)</sup>	Engine capacity (cm <sup>3</sup> )	Electric energy consumption (Wh/km)	Innovative technology or group of innovative technologies code <sup>(2)</sup>	Emissions reduction through innovative technologies (g/km) <sup>(2)</sup>
Year 1	Manuf. 1	Manuf. 1	Manuf. 1	TAN 1	Type 1	Variant 1	Version 1	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
Year 1	Manuf. 1	Manuf. 1	Manuf. 1	TAN 1	Type 1	Variant 1	Version 2	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
Year 1	Manuf. 1	Manuf. 1	Manuf. 1	TAN 1	Type 1	Variant 2	Version 1	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
Year 1	Manuf. 1	Manuf. 1	Manuf. 1	TAN 1	Type 1	Variant 2	Version 2	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

<sup>(1)</sup> In accordance with Article 6,  
<sup>(2)</sup> In accordance with Article 12.<sup>1</sup>

## COMMISSION IMPLEMENTING REGULATION (EU) No 398/2013

of 30 April 2013

**amending Regulation (EC) No 883/2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the keeping of accounts by the paying agencies, declarations of expenditure and revenue and the conditions for reimbursing expenditure under the EAGF and the EAFRD**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy <sup>(1)</sup>, and in particular Article 42 thereof,

Whereas:

- (1) Commission Regulation (EC) No 883/2006 <sup>(2)</sup> lays down certain specific requirements and rules, inter alia, on the keeping of accounts and declarations of expenditure and revenue by the paying agencies, and the reimbursement of expenditure by the Commission under Regulation (EC) No 1290/2005.
- (2) Article 26(5) of Regulation (EC) No 1290/2005 provides that the Commission is to make intermediate payments within 45 days of registering the declaration of expenditure for which the requirements laid down in paragraph 3 of that Article are complied with.
- (3) In accordance with Article 16(4) of Regulation (EC) No 883/2006, the Commission may interrupt the time limit for payment laid down in Article 26(5) of Regulation (EC) No 1290/2005 for all or part of the amount for which payment is claimed until the submission of the declaration of expenditure for the following period, where the Commission has requested further information from the Member State relating in particular to disagreements, differences of interpretation or inconsistencies relating to a declaration of expenditure.
- (4) In order to ensure that Union funds are used in accordance with the applicable rules, Article 59(6) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 <sup>(3)</sup> provides for the Commission to interrupt payment deadlines or suspend payments in accordance with the sector-specific rules.
- (5) According to Article 9(2) of Regulation (EC) No 1290/2005, the Commission is to check that management and control systems exist and function properly in the Member States and to reduce or

suspend intermediate payments, in particular where those systems fail. In addition, according to Articles 27 and 27a of that Regulation, the Commission may reduce or suspend intermediate payments where a Member State fails to provide it with satisfactory additional information when requested.

- (6) In order to protect the Union's financial interests as regards the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development, it is appropriate to extend the number of cases provided for in Article 16(4) of Regulation (EC) No 883/2006, in which the deadline for intermediary payments may be interrupted, in order to also cover situations where the information provided to the Commission suggests the presence of irregularities linked to a payment request or deficiencies in the functioning of the management and control system in a Member State.
- (7) Regulation (EC) No 883/2006 should therefore be amended accordingly.
- (8) The Committee on the Agricultural Funds has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 16(4) of Regulation (EC) No 883/2006 is replaced by the following:

‘4. In cases where further checks are required in view of a disagreement, difference of interpretation or inconsistency relating to a declaration of expenditure for a reference period, resulting in particular from the failure to communicate the information required under Regulation (EC) No 1698/2005 and its implementing rules, or in view of evidence that expenditure included in the declaration of expenditure is affected by an irregularity having serious financial consequences or that there are deficiencies in the functioning of the management and control system for rural development, the Member State concerned shall, upon request by the Commission, provide additional information within a period set in that request according to the seriousness of the problem. That additional information shall be provided by means of the secure system for the exchange of information referred to in the second paragraph of Article 15 of this Regulation.

The time limit for payment laid down in Article 26(5) of Regulation (EC) No 1290/2005 may be interrupted for all or part of the amount for which payment is claimed, from the

<sup>(1)</sup> OJ L 209, 11.8.2005, p. 1.

<sup>(2)</sup> OJ L 171, 23.6.2006, p. 1.

<sup>(3)</sup> OJ L 298, 26.10.2012, p. 1.

date on which the request for information is sent until receipt of the information requested, but no later than the date on which the declaration of expenditure for the following period is submitted.

Where the Member State concerned fails to respond to the request for additional information within the period set out in that request or if the response is considered unsatisfactory or demonstrates that the applicable rules have not been complied with or that Union funds have been improperly

used, the Commission may suspend or reduce payments in accordance with Article 27(3) of Regulation (EC) No 1290/2005.’.

*Article 2*

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

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

Done at Brussels, 30 April 2013.

*For the Commission*

*The President*

José Manuel BARROSO

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**COMMISSION IMPLEMENTING REGULATION (EU) No 399/2013****of 30 April 2013****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, 30 April 2013.

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

*Jerzy PLEWA  
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	MA	77,1
	TN	92,5
	TR	125,9
	ZZ	98,5
0707 00 05	AL	65,0
	EG	158,2
	TR	130,2
	ZZ	117,8
0709 93 10	TR	99,6
	ZZ	99,6
0805 10 20	EG	54,2
	IL	71,6
	MA	51,2
	TN	67,7
	TR	70,6
	ZZ	63,1
0805 50 10	TR	97,0
	ZA	116,4
	ZZ	106,7
0808 10 80	AR	117,9
	BR	105,7
	CL	127,3
	CN	74,1
	MK	30,3
	NZ	136,2
	US	202,0
	ZA	109,7
	ZZ	112,9

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

**COMMISSION IMPLEMENTING REGULATION (EU) No 400/2013**  
**of 30 April 2013**  
**fixing the import duties in the cereals sector applicable from 1 May 2013**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector <sup>(2)</sup>, and in particular Article 2(1) thereof,

Whereas:

(1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

(2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, in order to calculate the import duty

referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

(4) Import duties should be fixed for the period from 1 May 2013 and should apply until new import duties are fixed and enter into force.

(5) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

*Article 1*

From 1 May 2013, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

*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, 30 April 2013.

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

Jerzy PLEWA  
*Director-General for Agriculture and  
Rural Development*

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

<sup>(2)</sup> OJ L 187, 21.7.2010, p. 5.

## ANNEX I

**Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 1 May 2013**

CN code	Description	Import duties <sup>(1)</sup> (EUR/t)
1001 19 00	Durum wheat, high quality	0,00
1001 11 00	medium quality	0,00
	low quality	0,00
ex 1001 91 20	Common wheat seed	0,00
ex 1001 99 00	High quality common wheat other than for sowing	0,00
1002 10 00	Rye	0,00
1002 90 00		
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize other than seed <sup>(2)</sup>	0,00
1007 10 90	Grain sorghum other than hybrids for sowing	0,00
1007 90 00		

<sup>(1)</sup> The importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- EUR 3/t, where the port of unloading is located on the Mediterranean Sea (beyond the Strait of Gibraltar) or on the Black Sea, for goods arriving in the Union via the Atlantic Ocean or the Suez Canal,
- EUR 2/t, where the port of unloading is located in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or on the Atlantic coast of the Iberian Peninsula, for goods arriving in the Union via the Atlantic Ocean.

<sup>(2)</sup> The importer may benefit from a flat-rate reduction of EUR 24/t where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.



## ANNEX II

## Factors for calculating the duties laid down in Annex I

16.4.2013-29.4.2013

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat <sup>(1)</sup>	Maize	Durum wheat, high quality	Durum wheat, medium quality <sup>(2)</sup>	Durum wheat, low quality <sup>(3)</sup>
Exchange	Minneapolis	Chicago	—	—	—
Quotation	244,04	196,38	—	—	—
Fob price USA	—	—	246,90	236,90	216,90
Gulf of Mexico premium	—	18,91	—	—	—
Great Lakes premium	30,39	—	—	—	—

<sup>(1)</sup> Premium of EUR 14/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).<sup>(2)</sup> Discount of EUR 10/t (Article 5(3) of Regulation (EU) No 642/2010).<sup>(3)</sup> Discount of EUR 30/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico-Rotterdam: 16,34 EUR/t

Freight costs: Great Lakes-Rotterdam: 50,08 EUR/t

## DECISIONS

## COMMISSION IMPLEMENTING DECISION

of 29 April 2013

**amending Decision 2010/221/EU as regards the approval of national measures for preventing the introduction of ostreid herpesvirus 1  $\mu$ var (OsHV-1  $\mu$ var) into certain areas of Ireland and the United Kingdom**

*(notified under document C(2013) 2381)***(Text with EEA relevance)**

(2013/213/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals <sup>(1)</sup>, and in particular Article 43(2) thereof,

Whereas:

- (1) Commission Decision 2010/221/EU of 15 April 2010 approving national measures for limiting the impact of certain diseases in aquaculture animals and wild aquatic animals in accordance with Article 43 of Council Directive 2006/88/EC <sup>(2)</sup> allows certain Member States to apply restrictions on consignments of aquatic animals that are placed on the market or imported, in order to prevent the introduction of certain diseases into their territory.
- (2) Member States can apply such restrictions provided that they have either demonstrated that their territory, or certain demarcated areas of their territory, are free of such diseases or that they have established an eradication programme to obtain such freedom.
- (3) The restrictions related to ostreid herpesvirus 1  $\mu$ var (OsHV-1  $\mu$ var) provided for in Decision 2010/221/EU are intended to apply only until 30 April 2013. OsHV-1  $\mu$ var is an emerging disease with many

uncertainties and the surveillance programmes approved by this Decision have not yet been fully evaluated. Therefore, the period of time that Member States can put in place specific restrictions related to this disease should be prolonged for another year.

- (4) Decision 2010/221/EU should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 3a(2) of Decision 2010/221/EU, the date '30 April 2013' is replaced by '30 April 2014'.

*Article 2*

This Decision shall apply from 1 May 2013.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2013.

*For the Commission*

Tonio BORG

*Member of the Commission*

<sup>(1)</sup> OJ L 328, 24.11.2006, p. 14.

<sup>(2)</sup> OJ L 98, 20.4.2010, p. 7.

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