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Π

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 168/2010

of 1 March 2010

amending Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(1) thereof,

Having regard to Council Decision 2010/128/CFSP of 1 March 2010 amending Common Position 2003/495/CFSP on Iraq (1),

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the Commission,

Whereas:

- (1) In line with United Nations Security Council (UNSC) Resolution 1483 (2003), Article 2 of Council Regulation (EC) No 1210/2003 of 7 July 2003 concerning certain specific restrictions on economic and financial relations with Iraq (²) made specific arrangements as regards payments for petroleum, petroleum products, and natural gas exported from Iraq, whereas Article 10 of that Regulation made specific arrangements concerning immunity from legal proceedings of certain Iraqi assets. These specific arrangements applied until 31 December 2008.
- (2) UNSC Resolution 1859 (2008) provided that both specific arrangements should be extended until 31 December 2009. In accordance with Council Common Position 2009/175/CFSP (³), Regulation (EC) No 1210/2003 was amended accordingly by means of Regulation (EC) No 175/2009 (⁴).
- (3) UNSC Resolution 1905 (2009) provided that both specific arrangements should be further extended until

31 December 2010. In accordance with Decision 2010/128/CFSP, it is appropriate to amend Regulation (EC) No 1210/2003 accordingly.

(4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 18 of Regulation (EC) No 1210/2003, paragraph 3 shall be replaced by the following:

'3. Articles 2 and 10 shall apply until 31 December 2010.'

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, 1 March 2010.

For the Council The President D. LÓPEZ GARRIDO

- ⁽²⁾ OJ L 169, 8.7.2003, p. 6.
- (³) OJ L 62, 6.3.2009, p. 28.

⁽¹⁾ See page 22 of this Official Journal.

^{(&}lt;sup>4</sup>) OJ L 62, 6.3.2009, p. 1.

COMMISSION REGULATION (EU) No 169/2010

of 1 March 2010

amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (1), and in particular Article 247 thereof,

Whereas:

- Articles 4k to 4t of Commission Regulation (EEC) No (1)2454/93 (2), as amended by Regulation (EC) No 312/2009 (3), provide that economic operators not established in the customs territory of the Community are to be registered by the customs authority or the designated authority of the Member State involved. However, it is necessary to specify that economic operators not established in the customs territory of the Community who lodge a customs declaration in the Community to place goods under the temporary importation procedure will not have to be registered for an economic operators registration and identification number (EORI number) if they discharge that procedure by re-exportation.
- Economic operators established in a contracting party to (2)the Convention on a common transit procedure, approved by Council Decision 87/415/EEC (4), other than the European Union lodging a customs declaration to place goods under the common transit procedure and economic operators established in Andorra and San Marino lodging a customs declaration to place goods under the Community transit procedure are already assigned traders' identification numbers that can be used to identify them. They should therefore be excluded from the obligation to be registered for an EORI number. However, that exception should be limited solely to cases where the data provided in the customs declaration is not used as an entry or exit summary declaration, as an EORI number is important for performing risk analyses in such cases.
- In view of Article 186 of Regulation (EEC) No 2454/93 (3) as amended by Regulation (EC) No 312/2009, Annex 30a to Regulation (EEC) No 2454/93 should be adapted.
- (¹) OJ L 302, 19.10.1992, p. 1.
- ⁽²⁾ OJ L 253, 11.10.1993, p. 1.
- ⁽³⁾ OJ L 98, 17.4.2009, p. 3.
- (⁴) OJ L 226, 13.8.1987, p. 1.

- In order to allow the customs office of the first port or (4) airport of entry to forward, where relevant, information necessary to carry out an appropriate risk analysis to the customs office at any subsequent port or airport as provided for in Article 184e of Regulation (EEC) No 2454/93, it is necessary to add a new data requirement and the related data explanatory note to Annex 30a to Regulation (EEC) No 2454/93.
- Annex 38 to Regulation (EEC) No 2454/93 should reflect (5) the fact that in some specific cases duties are imposed under customs union agreements concluded by the European Union.
- Council Regulation (EEC) No 565/80 of 4 March 1980 (6) on the advance payment of export refunds in respect of agricultural products (5) has been repealed. Currently, Commission Regulation (EC) No 1741/2006 (6) lays down the conditions for granting the special export refund on boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export while Commission Regulation (EC) No 1731/2006 (7) lays down special detailed rules for the application of export refunds in the case of certain preserved beef and veal products which require customs supervision and customs control during manufacturing prior to export. Annexes 37 and 38 to Regulation (EEC) No 2454/93 should be updated accordingly.
- Article 152(1)(a)a of Regulation (EEC) No 2454/93, as (7)amended by Regulation (EC) No 215/2006 (8) provides for a system whereby unit prices notified by Member States and disseminated by the Commission may be used to determine the customs value of certain perishable goods imported on consignment. That system replaces specific rules for the determination of the customs value of certain perishable goods laid down in Articles 173 to 177 of Regulation (EEC) No 2454/93. Annex 38 to that Regulation should therefore be updated.
- Commission Regulation (EC) No 3223/94 of (8) 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables (9) has been replaced by Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector (10). That replacement should be reflected in Annex 38 to Regulation (EEC) No 2454/93.

- (⁶) OJ L 329, 25.11.2006, p. 7.
- (⁷) OJ L 325, 24.11.2006, p. 12.
- (*) OJ L 32, 24.11.2006, p. 12.
 (*) OJ L 38, 9.2.2006, p. 11.
 (*) OJ L 337, 24.12.1994, p. 66.
 (1°) OJ L 350, 31.12.2007, p. 1.

^{(&}lt;sup>5</sup>) OJ L 62, 7.3.1980, p. 5.

- (9) Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products (¹) has been replaced by Commission Regulation (EC) No 612/2009 of 7 July 2009 on laying down common detailed rules for the application of the system of export refunds on agricultural products (²). Box 37 of Annex 38 to Regulation (EEC) No 2454/93 should therefore be adjusted accordingly.
- (10) In view of the provisions on simplified procedures set out in Regulation (EEC) No 2454/93 as amended by Regulation (EC) No 1875/2006 (³), it is necessary to update the codes for 'Additional information' in Box 44 of Annex 38 to Regulation (EEC) No 2454/93, accordingly.
- (11) Regulation (EEC) No 2913/92 as amended by Regulation (EC) No 648/2005 of the European Parliament and of the Council (⁴) contains an obligation to lodge entry summary declarations and Regulation (EEC) No 2454/93 as amended by Regulation (EC) No 1875/2006, provides for summary declarations for the purposes of temporary storage. Those two declarations should therefore be included in the 'List of abbreviations for documents' in Annex 38 to Regulation (EEC) No 2454/93.
- (12) Regulation (EEC) No 2454/93 should therefore be amended accordingly.
- (13) In order to ensure a smooth implementation of this Regulation, it is necessary to provide Member States with time for the necessary adaptation of their computerised systems.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2454/93 is amended as follows:

- 1. in Article 41(3), point (a) is replaced by the following:
 - (a) he lodges in the Community a summary or customs declaration other than any of the following:
 - (i) a customs declaration made in accordance with Articles 225 to 238;
 - (ii) a customs declaration made for temporary importation or for discharging this procedure by re-exportation;
 - (iii) a customs declaration made under the common transit procedure by an economic operator established in a contracting party to the Convention on a common transit procedure other than the European Union, where that declaration is not also used as an entry or exit summary declaration;
 - (iv) a customs declaration made under the Community transit procedure by an economic operator established in Andorra or in San Marino, where that declaration is not also used as an entry or exit summary declaration.';
- 2. Annex 30a is amended as set out in Annex I to this Regulation;
- 3. Annex 37 is amended as set out in Annex II to this Regulation;
- 4. Annex 38 is amended as set out in Annex III to this Regulation.

Article 2

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

It shall apply from 1 July 2010.

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

Done at Brussels, 1 March 2010.

For the Commission The President José Manuel BARROSO

- (³) OJ L 360, 19.12.2006, p. 64.
- (⁴) OJ L 117, 4.5.2005, p. 13.

⁽¹⁾ OJ L 102, 17.4.1999, p. 11.

^{(&}lt;sup>2</sup>) OJ L 186, 17.7.2009, p. 1.

ANNEX I

Annex 30a to Regulation (EEC) No 2454/93 is amended as follows:

1. in Section 1, note 1, the second sentence of point 1.3 is deleted;

2. Section 2 is amended as follows:

(a) in Table 1, the following row is added:

'Subsequent customs office(-s) of entry code	Z'
--	----

(b) in Table 2, the following row is added:

|--|

(c) in Table 5, the following row is added:

'Subsequent customs office(-s) of entry code	Z'

3. Section 4 is amended as follows:

- (a) under the data element explanatory note 'Customs office of exit', the first paragraph is replaced by the following: 'Code provided for in Annex 38 for SAD box 29 for the intended customs office of exit.';
- (b) the following data element explanatory note is added:

'Subsequent customs office(-s) of entry code

Identification of the subsequent customs offices of entry in the customs territory of the Community.

This code needs to be provided when the code for the mode of transport at the border is 1, 4 or 8.

The code shall adhere to the pattern provided in Annex 38 for SAD Box 29 for the customs office of entry.'

ANNEX II

Annex 37 to Regulation (EEC) No 2454/93 is amended as follows:

- 1. in Title I, Section B, under the heading 'Legend', column heading B is replaced by the following:
 - 'B: Customs warehousing procedure in order to obtain payment of special export refunds prior to exportation or manufacturing under customs supervision and under customs control prior to exportation and payment of export refunds 76, 77';
- 2. Title II, Section A, is amended as follows:
 - (a) the heading is replaced by the following:
 - 'A. FORMALITIES RELATING TO EXPORT/DISPATCH, RE-EXPORTATION, CUSTOMS WAREHOUSING OR MANUFACTURING UNDER CUSTOMS SUPERVISION AND UNDER CUSTOMS CONTROL OF GOODS SUBJECT TO EXPORT REFUNDS, OUTWARD PROCESSING, COMMUNITY TRANSIT AND/OR PROVING THE COMMUNITY STATUS OF GOODS';

(b) under 'Box 8', first paragraph, the second sentence is deleted.

ANNEX III

In Annex 38 to Regulation (EEC) No 2454/93, Title II is amended as follows:

1. Box 1 is amended as follows:

(a) in the 'First subdivision', the second paragraph of code CO is replaced by the following:

'Placing of goods under the customs warehousing procedure in order to obtain payment of special export refunds prior to exportation or manufacturing under customs supervision and under customs control prior to exportation and payment of export refunds.';

(b) in the 'Second subdivision', codes X and Y are replaced by the following:

'X for a supplementary declaration under a simplified procedure covered by B and E.

Y for a supplementary declaration under a simplified procedure covered by C and F.;

- 2. In Box 36, point 1(4) is replaced by the following:
 - '4. Customs duties under the provisions of customs union agreements concluded by the European Union';

3. Box 37 is amended as follows:

- (a) Section A, 'First subdivision' is amended as follows:
 - (i) under Code 49, the 'Examples' are replaced by the following:

'Examples: Goods arriving from Martinique and entered for home use in Belgium.

Goods coming from Andorra and entered for home use in Germany.';

- (ii) Codes 76 and 77 are replaced by the following:
 - '76 Placing of goods under the customs warehousing procedure in order to obtain payment of special export refunds prior to exportation.
 - *Example:* Boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export (Article 4 of Commission Regulation (EC) No 1741/2006 of 24 November 2006 laying down the conditions for granting the special export refund on boned meat of adult male bovine animals placed under the customs warehousing procedure prior to export (*)).
 - 77 Manufacturing of goods under supervision by the customs authorities and under customs control (within the meaning of Article 4(13) and (14) of the Code) prior to exportation and payment of export refunds.
 - *Example:* Preserved beef and veal products manufactured under supervision by the customs authorities and under customs control prior to export (Articles 2 and 3 of Commission Regulation (EC) No 1731/2006 of 23 November 2006 on special detailed rules for the application of export refunds in the case of certain preserved beef and veal products (**)).

^(*) OJ L 329, 25.11.2006, p. 7.

^(**) OJ L 325, 24.11.2006, p. 12.';

(b) Section B, 'Second subdivision' is amended as follows:

(i) in the table 'Agricultural products', the entries for codes E01 and E02 are replaced by the following:

Use of the unit price for the determination of the customs value for certain perishable goods (Article 152 $(1)(a)a$)	E01
Standard import values (for example: Commission Regulation (EC) No 1580/2007 (*))	E02
(*) OJ L 350, 31.12.2007, p. 1.;	

(ii) in the table 'Other', the entry for code F63 is replaced by the following:

'Entry in victualling warehouse (Articles 37 to 40 of Commission Regulation (EC) No 612/2009 (*))	F63
(*) OJ L 186, 17.7.2009, p. 1.';	

4. Under Box 40, in the table 'List of abbreviations for documents', between rows 'T2M' and 'Other', the following rows are inserted:

'Entry summary declaration	355
Summary declaration for temporary storage	337'

- 5. Under Box 44, Section 1, 'Additional information' is amended as follows:
 - (a) the 'Example' is replaced by the following:
 - 'Example: The declarant may indicate his wish to have Copy 3 returned to him by entering "RET-EXP" or the code 30400 in Box 44 (Article 793a(2)).';
 - (b) the third paragraph is replaced by the following:
 - 'All types of additional information are listed at the end of this title.';
- 6. In 'Additional information Code XXXXX', the table 'On export: Code 3 xxxx', is replaced by the following:

'On	export:	Code	3xxxx
-----	---------	------	-------

298	Export of agricultural goods subject to end-use	Article 298 Regulation (EEC) No 2454/93 End-use: Goods destined for exportation — agricultural refunds not applicable		30 300
793a(2)	The desire to have copy 3 returned	"RET-EXP"	44	30 400'

COMMISSION REGULATION (EU) No 170/2010

of 1 March 2010

amending Regulation (EC) No 1249/96 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92

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) (¹), and in particular Article 143 in conjunction with Article 4 thereof,

Whereas:

(1) The first indent of Article 2(4) of Commission Regulation (EC) No 1249/96 (²) provides for a reduction in the import duty of three euro per tonne where the port of unloading is a Mediterranean one and where the goods arrive via the Atlantic Ocean or the Suez Canal. To apply similar treatment to ports of unloading on the Black Sea, the above provision should be extended to those ports subject to the same conditions.

- (2) Regulation (EC) No 1249/96 should therefore be amended accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The first indent of Article 2(4) of Regulation (EC) No 1249/96 is replaced by the following:

'— on the Mediterranean (beyond the Strait of Gibraltar) or on the Black Sea and where the goods arrive via the Atlantic Ocean or the Suez Canal, the Commission shall reduce the import duty by EUR 3 per tonne,'.

Article 2

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

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

Done at Brussels, 1 March 2010.

For the Commission The President José Manuel BARROSO

^{(&}lt;sup>1</sup>) OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 161, 29.6.1996, p. 125.

COMMISSION REGULATION (EU) No 171/2010

of 1 March 2010

entering a name in the register of protected designations of origin and protected geographical indications (Mela di Valtellina (PGI))

THE EUROPEAN COMMISSION,

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

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

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Mela di Valtellina' was published in the Official Journal of the European Union (²).

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 1 March 2010.

For the Commission The President José Manuel BARROSO

^{(&}lt;sup>1</sup>) OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 148, 30.6.2009, p. 20.

ANNEX

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

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

ITALY

Mela di Valtellina (PGI)

COMMISSION REGULATION (EU) No 172/2010

of 1 March 2010

entering a name in the register of traditional specialities guaranteed (Prekmurska gibanica (TSG))

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed (¹), and in particular the first subparagraph of Article 9(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006, and pursuant to Article 19(3) of the same Regulation, the application submitted by Slovenia to register the name 'Prekmurska gibanica' was published in the Official Journal of the European Union (²).
- (2) As no objection under Article 9 of Regulation (EC) No 509/2006 has been received by the Commission, this name should be entered in the register.

(3) The application also requested protection under Article 13(2) of Regulation (EC) No 509/2006. That protection should be granted to the name 'Prekmurska gibanica' in so far as, in the absence of objections, it could not be demonstrated that the name is used in a lawful, renowned and economically significant manner for similar agricultural products or foodstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Protection as referred to in Article 13(2) of Regulation (EC) No 509/2006 shall apply.

Article 2

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

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

Done at Brussels, 1 March 2010.

For the Commission The President José Manuel BARROSO

^{(&}lt;sup>1</sup>) OJ L 93, 31.3.2006, p. 1.

⁽²⁾ OJ C 138, 18.6.2009, p. 9.

ANNEX

Foodstuffs referred to in Annex I to Regulation (EC) No 509/2006:

Class 2.3. Confectionery, bread, pastry, cakes, biscuits and other baker's wares

SLOVENIA

Prekmurska gibanica (TSG)

The use of the name is reserved.

COMMISSION REGULATION (EU) No 173/2010

of 25 February 2010

amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe (¹), and in particular Article 11(b) thereof,

Whereas:

- Annex III to Regulation (EC) No 314/2004 lists the persons covered by the freezing of funds and economic resources under that Regulation.
- (2) Council Decision 2010/92/CFSP (²) amends the Annex to Common Position 2004/161/CFSP (³). Annex III to Regulation (EC) No 314/2004 should, therefore, be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 314/2004 is hereby amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 25 February 2010.

For the Commission, On behalf of the President, João VALE DE ALMEIDA Director-General for External Relations

^{(&}lt;sup>1</sup>) OJ L 55, 24.2.2004, p. 1.

⁽²⁾ OJ L 41, 16.2.2010, p. 6.

^{(&}lt;sup>3</sup>) OJ L 50, 20.2.2004, p. 66.

ANNEX

Annex III to Regulation (EC) No 314/2004 is amended as follows:

1. The following entries shall be removed from the part 'I. Natural persons'

Name	Function/Reason for listing; Identifying data	Date of designation referred to in Article 7 (2)
3. Al Shanfari, Thamer Bin	Former Chairman of Oryx Group and Oryx Natural Resources (see item 22 in part II), born 3.1.1968. Ties to the Government and implicated in activities that seriously undermine democracy, respect for human rights and the rule of law.	27.1.2009
39. Dabengwa, Dumiso	Former ZANU-PF Politburo Senior Committee Member, ZAPU leader, born 1939. Former member of the politburo and as such with strong ties to the Government and its policy.	25.7.2002
54. Hove, Richard	ZANU-PF Politburo Secretary for Economic Affairs, born 1935. Member of the politburo and as such with strong ties to the Government and its policy.	25.7.2002
113. Msika, Joseph W	Vice-President, born 6.12.1923. Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.	25.7.2002
203. Zvinavashe, Vitalis	Politburo, Indigenisation and Empowerment Committee in the party, born 27.9.1943. Former member of the security forces and complicit in forming or directing repressive state policy and member of politburo.	21.2.2002

2. The following entries shall be removed from the part 'II. Legal persons, entities or bodies':

Name	Identifying data; Reason for listing	Date of designation referred to in Article 7 (2)
16. Industrial Development Corporation of Zimbabwe	93 Park Lane, PO Box CY1431, Harare, Zimbabwe. Wholly owned by the Government of Zimbabwe.	27.1.2009
17. Intermarket Holdings Ltd	Zimbank House, 46 Speke Avenue, PO Box 3198, Harare, Zimbabwe. Subsidiary of ZB Financial Holdings Ltd	27.1.2009
22. Oryx Diamonds Ltd (alias Oryx Natural Resources)	Alexander Forbes Building, Windhoek, Namibia; Parc Nicol Offices, 6, 301 William Nicol Drive, Bryanston, Gauteng 2021, South Africa; S Drive, Georgetown, Grand Cayman, Cayman Islands; 3 Victor Darcy Close, Borrowdale, Harare, Zimbabwe; Bank of Nova Scotia Building, 4th Floor, Georgetown, Grand Cayman, Cayman Islands. Company enabling ZANU-PF officials to derive personal benefit from mining ventures in the Democratic Republic of Congo.	27.1.2009
27. Scotfin Ltd	Zimbank House, 46 Speke Avenue, PO Box 3198, Harare, Zimbabwe. Wholly owned by ZB Financial Holdings Ltd	27.1.2009

33. ZB Financial Holdings Ltd (alias Finhold)	Zimbank House, 46 Speke Avenue, PO Box 3198, Harare, Zimbabwe. Over 75 % owned by the Government of Zimbabwe.	27.1.2009
34. ZB Holdings Ltd	Zimbank House, 46 Speke Avenue, PO Box 3198, Harare, Zimbabwe. Wholly owned by ZB Financial Holdings Ltd.	27.1.2009
37. Zimbabwe Iron and Steel Company (alias Zisco, Ziscosteel)		27.1.2009
39. Zimre Holdings Ltd	9th Floor, Zimre Centre, 25 Kwama Nkrumah Avenue, Harare, Zimbabwe. Over 69 % owned by the Government of Zimbabwe.	27.1.2009
40. Zimre Reinsurance Com- pany (PVT) Ltd	9th Floor, Zimre Centre, 25 Kwama Nkrumah Avenue, Harare, Zimbabwe. Wholly owned by Zimre Holdings Ltd.	27.1.2009

COMMISSION REGULATION (EU) No 174/2010

of 1 March 2010

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector (²), and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 March 2010.

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

Done at Brussels, 1 March 2010.

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

^{(&}lt;sup>1</sup>) OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

CN code	Third country code (1)	Standard import value
0702 00 00	IL	114,6
0702 00 00	JO	80,4
	MA	102,8
	TN	131,7
	TR	127,4
	ZZ	111,4
0707 00 05	EG	216,8
	JO	152,5
	MK	147,9
	TR	151,6
	ZZ	167,2
0709 90 70	MA	136,3
	TR	109,7
	ZZ	123,0
0709 90 80	EG	51,3
	ZZ	51,3
0805 10 20	EG	44,1
	IL	57,7
	MA	49,2
	TN	58,9
	TR	54,2
	ZZ	52,8
0805 50 10	EG	76,3
	IL	76,3
	MA	68,6
	TR	66,0
	ZZ	71,8
0808 10 80	CA	65,9
	CN	68,2
	MK	24,7
	US	107,2
	ZZ	66,5
0808 20 50	AR	79,9
	CL	80,8
	CN	42,0
	US	95,0
	ZA	99,3
	ZZ	79,4

ANNEX

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

(1) 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 DECISION 2010/126/CFSP

of 1 March 2010

amending Common Position 2009/138/CFSP concerning restrictive measures against Somalia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- On 10 December 2002, the Council adopted Common Position 2002/960/CFSP concerning restrictive measures against Somalia ⁽¹⁾ following United Nations Security Council Resolutions (UNSCR) 733 (1992), 1356 (2001) and 1425 (2002) relating to an arms embargo against Somalia.
- (2) On 16 February 2009, the Council adopted Common Position 2009/138/CFSP (²) implementing UNSCR 1844 (2008) which introduced restrictive measures against those who seek to prevent or block a peaceful political process, or those who threaten the Transitional Federal Institutions (TFIs) of Somalia or the African Union Mission in Somalia (AMISOM) by force, or take action that undermines stability in Somalia or the region.
- (3) On 23 December 2009, the United Nations Security Council adopted UNSCR 1907 (2009) calling upon all States to inspect, in accordance with their national authorities and legislation and consistent with international law, all cargoes to and from Somalia, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under the general and complete arms embargo to Somalia established pursuant to paragraph 5 of UNSCR 733 (1992) and elaborated and amended by subsequent resolutions.
- (4) Common Position 2009/138/CFSP should be amended accordingly.
- (5) Further action by the Union is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

Article 1

Common Position 2009/138/CFSP is hereby amended as follows:

The following Article is inserted:

'Article 3a

1. Member States shall inspect, in accordance with their national authorities and legislation and consistent with international law, all cargo to and from Somalia in their territory, including at their airports and seaports, if they have information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under Article 3.

2. Aircrafts and vessels transporting cargo to and from Somalia shall be subject to the requirement of additional pre-arrival or pre-departure information for all goods brought into or out of a Member State.

3. Member States shall, upon discovery, seize and dispose of (either by destroying or rendering inoperable) items whose supply, sale, transfer or export is prohibited under Article 3.'

Article 2

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

Article 3

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels, 1 March 2010.

For the Council The President D. LÓPEZ GARRIDO

 $^{(^1)\} OJ\ L\ 334,\ 11.12.2002,\ p.\ 1.$

⁽²⁾ OJ L 46, 17.2.2009, p. 73.

COUNCIL DECISION 2010/127/CFSP

of 1 March 2010

concerning restrictive measures against Eritrea

THE COUNCIL OF THE EUROPEAN UNION,

(5) Further action by the Union is needed in order to implement certain measures,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 16 February 2009, the Council adopted Common Position 2009/138/CFSP concerning restrictive measures against Somalia (¹) implementing United Nations Security Council Resolution (UNSCR) 1844 (2008) which introduced restrictive measures against those who seek to prevent or block a peaceful political process, or those who threaten the Transitional Federal Institutions (TFIs) of Somalia or the African Union Mission in Somalia (AMISOM) by force, or take action that undermines stability in Somalia or the region.
- (2) On 14 January 2009, the United Nations Security Council adopted UNSCR 1862 (2009) concerning the border dispute between Djibouti and Eritrea and its possible impact on subregional stability and security.
- (3) On 23 December 2009, the United Nations Security Council adopted UNSCR 1907 (2009) imposing an arms embargo against Eritrea and calling upon all States to inspect, in accordance with their national authorities and legislation and consistent with international law, all cargoes to and from Eritrea, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under that resolution or under the general and complete arms embargo to Somalia established pursuant to paragraph 5 of UNSCR 733 (1992) and elaborated and amended by subsequent resolutions.
- (4) UNSCR 1907 (2009) also introduces restrictive measures against individuals and entities, including but not limited to the Eritrean political and military leadership, designated by the Committee established pursuant to UNSCR 751 (1992) and expanded by UNSCR 1844 (2008).

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall take the necessary measures to prevent the sale or supply of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to Eritrea by nationals of Member States or from the territories of Member States or by using the flag vessels or aircraft of Member States whether originating or not in their territories.

2. The supply to Eritrea of technical assistance, training, financial and other assistance related to military activities or the provision, manufacture, maintenance or use of the items referred to in paragraph 1, by nationals of Member States or from the territories of the Member States, shall be prohibited.

3. The procurement by nationals of Member States, or by using their flag vessels or aircraft, of items referred to in paragraph 1 from Eritrea, as well as the provision to nationals of Member States by Eritrea of technical assistance, training, financial and other assistance related to military activities or the provision, manufacture, maintenance or use of the items referred to in paragraph 1, shall also be prohibited, whether or not originating in the territory of Eritrea.

Article 2

1. Member States shall inspect, in accordance with their national authorities and legislation and consistent with international law, all cargo to and from Eritrea in their territory, including at their airports and seaports, if they have information that provides reasonable grounds to believe that the cargo contains items whose supply, sale, transfer or export is prohibited under this Decision.

2. Aircrafts and vessels transporting cargo to and from Eritrea shall be subject to the requirement of additional prearrival or pre-departure information for all goods brought into or out of a Member State.

3. Member States shall, upon discovery, seize and dispose of (either by destroying or rendering inoperable) items whose supply, sale, transfer or export is prohibited under this Decision.

⁽¹⁾ OJ L 46, 17.2.2009, p. 73.

Article 3

Restrictive measures as provided for in Articles 4, 5(1), 6(1) and (2) shall be imposed against persons and entities, including but not limited to the Eritrean political and military leadership, as well as governmental and parastatal entities, or any persons or entities acting on their behalf or at their direction, designated by the Committee established pursuant to UNSCR 751 (1992) and expanded by UNSCR 1844 (2008) ('the Sanctions Committee') as:

- having acted in violation of the arms embargo and related measures as referred to in Article 1,
- providing support from Eritrea to armed opposition groups which aim to destabilise the region,
- obstructing implementation of UNSCR 1862 (2009) concerning Djibouti,
- harbouring, financing, facilitating, supporting, organising, training or inciting individuals or groups to perpetrate acts of violence or terrorist acts against other States or their citizens in the region,
- obstructing the investigations or work of the Monitoring Group re-established by UNSCR 1853 (2008),

The relevant persons and entities are listed in the Annex.

Article 4

Member States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned and the direct or indirect supply of technical assistance or training, financial and other assistance, including investment, brokering or other financial services related to military activities or to the provision, manufacture, maintenance or use of weapons and military equipment by nationals of Member States or from the territories of the Member States to persons and entities referred to in Article 3.

Article 5

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons referred to in Article 3.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall not apply where the Sanctions Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Sanctions Committee concludes that an exemption would otherwise further the objectives of peace and stability in the region.

4. In cases where, pursuant to paragraph 3, a Member State authorises the entry into, or transit through, its territory of persons designated by the Sanctions Committee, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

Article 6

1. All funds and economic resources owned or controlled directly or indirectly by the persons or entities referred to in Article 3 shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the persons or entities referred to in paragraph 1.

3. Member States may allow for exemptions from the measures referred to in paragraphs 1 and 2 in respect of funds and economic resources which are:

- (a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for the payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for the payment of fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds and economic resources;
- (d) necessary for extraordinary expenses, after notification by the Member State concerned to, and approval by, the Sanctions Committee;
- (e) the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds and economic resources may be used to satisfy that lien or judgment, provided that the lien or judgment was entered prior to the date of adoption of UNSCR 1907 (2009) and is not for the benefit of a person or entity referred to in paragraph 1 of this Article, after notification by the Member State concerned to the Sanctions Committee.

2.3.2010

EN

4. Paragraph 2 shall not apply to the addition to frozen accounts of:

(a) interest or other earnings on those accounts; or

(b) payments to frozen accounts due under contracts, agreements or obligations that were concluded or arose before the date on which those accounts became subject to restrictive measures,

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

5. The exemptions referred to in points (a), (b) and (c) of paragraph 3 may be made after notification by the Member State concerned to the Sanctions Committee of the intention to authorise, where appropriate, access to such funds and economic resources and in the absence of a negative decision by the Sanctions Committee within three working days of such notification.

Article 7

The Council shall establish the list contained in the Annex and amend it in accordance with determinations by the Sanctions Committee.

Article 8

This Decision shall be reviewed, amended or repealed as appropriate, in accordance with relevant decisions of the United Nations Security Council.

Article 9

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

Article 10

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels, 1 March 2010.

For the Council The President D. LÓPEZ GARRIDO

ANNEX

List of persons and entities referred to in Article 3

COUNCIL DECISION 2010/128/CFSP

of 1 March 2010

amending Common Position 2003/495/CFSP on Iraq

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- On 7 July 2003, the Council adopted Common Position 2003/495/CFSP on Iraq (¹), in implementation of United Nations Security Council (UNSC) Resolution 1483 (2003).
- (2) On 21 December 2009, the UNSC adopted Resolution 1905 (2009) by which it decided , *inter alia*, to extend until 31 December 2010 the arrangements for the depositing into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products and natural gas and concerning immunity from legal proceedings of certain Iraqi assets, as referred to in UNSC Resolutions 1483 (2003) and 1546 (2004).
- (3) Common Position 2003/495/CFSP should therefore be amended.
- (4) Further action by the Union is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

Article 1

Common Position 2003/495/CFSP shall be amended as follows:

the second subparagraph of Article 7 is replaced by:

'Articles 4 and 5 shall apply until 31 December 2010.'.

Article 2

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

Article 3

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels, 1 March 2010.

For the Council The President D. LÓPEZ GARRIDO 2.3.2010

EN

COUNCIL DECISION 2010/129/CFSP

of 1 March 2010

amending Common Position 2008/109/CFSP concerning restrictive measures imposed against Liberia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- On 12 February 2008, the Council adopted Common Position 2008/109/CFSP concerning restrictive measures against Liberia (¹).
- (2) On 17 December 2009, the United Nations Security Council adopted Resolution (UNSCR) 1903 (2009) renewing the restrictive measures on travel for a further period of 12 months and amending the restrictive measures on arms.
- (3) Common Position 2008/109/CFSP should be amended accordingly.
- (4) Further action by the Union is needed in order to implement certain of these measures,

HAS ADOPTED THIS DECISION:

Article 1

Common Position 2008/109/CFSP shall be amended as follows:

1. Article 1 shall be replaced by the following:

'Article 1

Member States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer of arms and any related materiel and the provision of any assistance, advice or training related to military activities, including financing and financial assistance, by nationals of Member States or from the territories of Member States, or using the flag vessels or aircraft of Member States, to all non-governmental entities and individuals operating in the territory of Liberia.'

2. Article 2 shall be replaced by the following:

'Article 2

- 1. Article 1 shall not apply to:
- (a) arms and related materiel as well as technical training and assistance intended solely for support of or use by the United Nations Mission in Liberia (UNMIL);
- (b) protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United

Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(c) other non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as notified in advance to the Committee established under paragraph 21 of UNSCR 1521(2003) (the Sanctions Committee);

2. The supply, sale or transfer of arms and related materiel or the provision of services, referred to in points (a) and (c) of paragraph 1 shall be subject to an authorisation granted by the competent authorities of the Member States. Member States shall consider deliveries under points (a) and (c) of paragraph 1 on a case-by-case basis, taking full account of the criteria set out in Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment (¹). Member States shall require adequate safeguards against misuse of authorisations granted pursuant to this paragraph and, where appropriate, make provisions for repatriation of the delivered arms and related materiel.

3. Member States shall notify the Sanctions Committee in advance of any shipment of arms and related materiel to the Government of Liberia or any provision of assistance, advice or training related to military activities for the Government of Liberia except those referred to in points (a) and (b) of paragraph 1.

(1) OJ L 335, 13.12.2008, p. 99.'

Article 2

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

Article 3

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels, 1 March 2010.

For the Council The President D. LÓPEZ GARRIDO

COMMISSION DECISION

of 1 March 2010

granting a derogation from implementation of Regulation (EC) No 543/2009 of the European Parliament and of the Council concerning crop statistics with regard to Belgium, Bulgaria, the Czech Republic, Germany, Poland, Portugal and Sweden

(notified under document C(2010) 1057)

(Only the Bulgarian, Czech, Dutch, French, German, Polish, Portuguese and Swedish texts are authentic)

(2010/130/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 543/2009 of the European Parliament and of the Council of 18 June 2009 concerning crop statistics and repealing Council Regulations (EEC) No 837/90 and (EEC) No 959/93 (¹), and in particular Article 10(1) thereof,

Having regard to the request made by Belgium on 30 July 2009,

Having regard to the request made by Bulgaria on 20 July 2009,

Having regard to the request made by the Czech Republic on 30 July 2009,

Having regard to the request made by Germany on 23 July 2009,

Having regard to the request made by Poland on 31 July 2009,

Having regard to the request made by Portugal on 20 July 2009,

Having regard to the request made by Sweden on 30 July 2009,

Whereas:

 In accordance with Article 10 of Regulation (EC) No 543/2009, the Commission may grant Member States a derogation from implementing that Regulation in so far as applying it to their national statistical systems requires major adaptations and is likely to cause significant practical problems.

- (2) Such derogations should be granted as requested to Belgium, Bulgaria, the Czech Republic, Germany, Poland, Portugal and Sweden.
- (3) In accordance with Regulation (EC) No 543/2009, a Member State having been granted a derogation shall continue to apply the provisions of Council Regulations (EEC) No 837/90 (²) and (EEC) No 959/93 (³) for the duration of the derogation granted.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Statistics, instituted by Council Decision 72/279/EEC (⁴),

HAS ADOPTED THIS DECISION:

Article 1

1. The Czech Republic is granted a derogation from application of Regulation (EC) No 543/2009 for a period ending on 31 December 2010.

2. Belgium, Bulgaria, Germany, Poland, Portugal and Sweden are granted a derogation from application of Regulation (EC) No 543/2009 for a period ending on 31 December 2011.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Poland, the Portuguese Republic and the Kingdom of Sweden.

Done at Brussels, 1 March 2010.

For the Commission Olli REHN Member of the Commission

^{(&}lt;sup>2</sup>) OJ L 88, 3.4.1990, p. 1.

^{(&}lt;sup>3</sup>) OJ L 98, 24.4.1993, p. 1.

^{(&}lt;sup>4</sup>) OJ L 179, 7.8.1972, p. 1.

CORRIGENDA

Corrigendum to Commission Regulation (EU) No 110/2010 of 5 February 2010 amending for the 120th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

(Official Journal of the European Union L 36 of 9 February 2010)

- On page 11, in point (8), second paragraph:
- for: '(c) 002327881.'
- read: '(c) 002327881 (Kuwaiti passport).'
- On page 12, in point (9), second paragraph:
- for: 'Date of designation referred to in Article 2a September 2007(4) (b): 17.3.2004.'
- read: 'Date of designation referred to in Article 2a (4) (b): 17.3.2004.'
- for: 'DRAFRD64R12Z301'
- read: 'DRAFRD64R12Z301C'
- On page 13, in point (15), second paragraph:
- for: 'Passport No: 00685868 (issued in Doha on 5.2.2006 and expiring on 4.2.2010).'
- read: 'Passport No: 00685868 (issued in Doha on 5.2.2006 and expiring on 4.2.2011).'
- On page 14, in point (19), second paragraph:
- for: 'Other information: Mother's name is Hamadche Zoulicha.'
- read: 'Other information: (a) Residing in Algeria as at May 2009, (b) Mother's name is Hamadche Zoulicha.'
- On page 15, in point (22), second paragraph:
- for: '(alias (a) Al-Samman, (b) Umar Uthman, (c) Omar Mohammed,'
- read: '(alias (a) Al-Samman Uthman, (b) Umar Uthman, (c) Omar Mohammed Othman,'
- On page 16, in point (26), second paragraph:
- for: '(f) Mobarak Meshkhas Sanad Al-Bthaly).'
- read: '(f) Mobarak Meshkhas Sanad Al-Bthaly, (g) Abu Abdulrahman).'
- On page 16, in point (27), second paragraph:
- for: 'Other information: Father's name is Ahmed Nacer Abderrahmane. Mother's name is Hafsi Mabtouka.'
- *read*: 'Other information: (a) Residing in Algeria as at May 2009, (b) Father's name is Ahmed Nacer Abderrahmane, mother's name is Hafsi Mabrouka'

Corrigendum to Commission Regulation (EU) No 70/2010 of 25 January 2010 amending for the 119th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban

(Official Journal of the European Union L 20 of 26 January 2010)

On page 2, in point (1), under (c):

- for: '(c) Tanzim Qa'idat al-Jihad fi Jazirat al-Arabm,'
- read: '(c) Tanzim Qa'idat al-Jihad fi Jazirat al-Arab,'
- On page 2, in point (2)(a), under (i):
- for: '(i) Salahm,'

read: '(i) Salah,'

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