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⁽¹⁾ Text with EEA relevance

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 413/2010

of 12 May 2010

amending Annexes III, IV and V to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste so as to take account of changes adopted by OECD Council Decision C(2008) 156

(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 1013/2006 of the European Parliament and the Council of 14 June 2006 on shipments of waste ⁽¹⁾, and in particular Article 58(1)(a) thereof,

Whereas:

- (1) In December 2005, at its 8th meeting, the Working Group on Waste Prevention and Recycling (WGWPR) of the Organisation for Economic Cooperation and Development (OECD) agreed to clarify the wording of entry B1030 of Annex IX to the Basel Convention. The amendment of that entry has been adopted by OECD Council Decision C(2008) 156 and still needs to be agreed under the Basel Convention. Pending approval by the Conference of the Parties to the Basel Convention and amendment of Annex V to Regulation (EC) No 1013/2006, it is appropriate to incorporate that clarification in Union legislation.
- (2) In April 2008, at its 11th meeting, WGWPR of OECD agreed to amend the wording of entry AA010 of the

OECD Amber list of wastes. The amendment of that entry has been adopted by OECD Council Decision C(2008) 156. It is therefore appropriate to incorporate that amendment in Union legislation.

- (3) Regulation (EC) No 1013/2006 should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18 of Directive 2006/12/EC of the European Parliament and of the Council ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes III, IV and V to Regulation (EC) No 1013/2006 are 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*.

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

Done at Brussels, 12 May 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 190, 12.7.2006, p. 1.

⁽²⁾ OJ L 114, 27.4.2006, p. 9.

ANNEX

Annexes III, IV and V are amended as follows:

1. In Part I of Annex III, the third paragraph is replaced by the following:

‘For the purposes of this Regulation:

- (a) any reference to list A in Annex IX to the Basel Convention shall be understood as a reference to Annex IV to this Regulation;
- (b) in Basel entry B1020, the term “bulk finished form” includes all metallic non-dispersible ⁽³⁾ forms of the scrap listed therein;
- (c) Basel entry B1030 shall read: “Residues containing refractory metals”;
- (d) the part of Basel entry B1100 that refers to “Slags from copper processing” etc., does not apply and (OECD) entry GB040 in Part II applies instead;
- (e) Basel entry B1110 does not apply and (OECD) entries GC010 and GC020 in Part II apply instead;
- (f) Basel entry B2050 does not apply and (OECD) entry GG040 in Part II applies instead;
- (g) the reference in Basel entry B3010 to fluorinated polymer wastes shall be deemed to include polymers and co-polymers of fluorinated ethylene (PTFE).’;

2. In Part II of Annex IV, entry AA010 is replaced by the following:

‘AA010 261900 Dross, scalings and other wastes from the iron and steel industry ⁽³⁾’;

3. In List B of Part 3 of Annex V, entry AA010 is replaced by the following:

‘AA010 261900 Dross, scalings and other wastes from the iron and steel industry ⁽⁵⁾’.

COMMISSION REGULATION (EU) No 414/2010**of 12 May 2010****entering a name in the register of protected designations of origin and protected geographical indications (Nieheimer Käse (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) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Germany's application to register the name 'Nieheimer Käse' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection pursuant to 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, 12 May 2010.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 234, 29.9.2009, p. 15.

ANNEX

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

Class 1.3. Cheeses

GERMANY

Nieheimer Käse (PGI)

COMMISSION REGULATION (EU) No 415/2010**of 12 May 2010****entering a name in the register of protected designations of origin and protected geographical indications (Tettnanger Hopfen (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) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Germany's application to register the name 'Tettnanger Hopfen' was published in the *Official Journal of the European Union*⁽²⁾.

- (2) As no statement of objection pursuant to 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, 12 May 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 222, 15.9.2009, p. 8.

ANNEX

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

Class 1.8. Other products of Annex I of the Treaty (spices etc.)

GERMANY

Tettnanger Hopfen (PGI)

COMMISSION REGULATION (EU) No 416/2010**of 12 May 2010****amending Annexes I, II and III to Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽¹⁾, and in particular Article 74 thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 44/2001 lists the rules of national jurisdiction referred to in Articles 3(2) and 4(2) of the Regulation. Annex II contains the lists of courts or competent authorities that have jurisdiction in the Member States to deal with applications for a declaration of enforceability. Annex III lists the courts with which appeals may be lodged against decisions on a declaration of enforceability.
- (2) Annexes I, II and III to Commission Regulation (EC) No 44/2001 were amended on several occasions, lastly by Commission Regulation (EC) No 280/2009 ⁽²⁾ so as to update the rules of national jurisdiction, the lists of courts or competent authorities and the applicable redress procedures.
- (3) Member States have notified the Commission of additional amendments to the lists set out in Annexes I, II and III. It therefore appears appropriate to publish consolidated versions of the lists contained in these annexes.
- (4) Denmark, in accordance with Article 4 of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters ⁽³⁾, should not take part in the adoption of amendments to the Brussels I Regulation and no such amendments should be binding upon or applicable in Denmark.
- (5) Regulation (EC) No 44/2001 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I to III to Regulation (EC) No 44/2001 are replaced by the corresponding Annexes to this Regulation.

*Article 2*This Regulation shall enter into force on the 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 in accordance with the Treaties.

Done at Brussels, 12 May 2010.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 12, 16.1.2001, p. 1.⁽²⁾ OJ L 93, 7.4.2009, p. 13.⁽³⁾ OJ L 299, 16.11.2005, p. 62.

ANNEX I

Rules of jurisdiction referred to in Article 3 (2) and Article 4 (2)

- in Belgium: Articles 5 through 14 of the Law of 16 July 2004 on private international law;
- in Bulgaria: Article 4(1) (2) of the International Private Law Code,
- in the Czech Republic: Article 86 of Act No 99/1963 Coll., the Code of Civil Procedure (*občanský soudní řád*), as amended,
- in Germany: Article 23 of the code of civil procedure (*Zivilprozessordnung*),
- in Estonia: Article 86 of the Code of Civil Procedure (*tsiviilkohtumenetluse seadustik*),
- in Greece: Article 40 of the code of civil procedure (*Κώδικας Πολιτικής Δικονομίας*),
- in France: Articles 14 and 15 of the civil code (*Code civil*),
- in Ireland: the rules which enable jurisdiction to be founded on the document instituting the proceedings having been served on the defendant during his temporary presence in Ireland,
- in Italy: Articles 3 and 4 law 218 of 31 May 1995,
- in Cyprus: section 21(2) of the Courts of Justice Law No 14 of 1960, as amended,
- in Latvia: section 27 and paragraphs 3, 5, 6 and 9 of section 28 of the Civil Procedure Law (*Civilprocesa likums*),
- in Lithuania: Article 31 of the Code of Civil Procedure (*Civilinio proceso kodeksas*),
- in Luxembourg: Articles 14 and 15 of the civil code (*Code civil*),
- in Hungary: Article 57 of Law Decree No 13 of 1979 on International Private Law (*a nemzetközi magánjogról szóló 1979. évi 13. törvényerejű rendelet*),
- in Malta: Articles 742, 743 and 744 of the Code of Organisation and Civil Procedure - Cap. 12 (*Kodiċi ta' Organizzazzjoni u Proċedura Ċivili - Kap. 12*) and Article 549 of the Commercial Code - Cap. 13 (*Kodiċi tal-kummerċ - Kap. 13*),
- in Austria: Article 99 of the Law on court Jurisdiction (*Jurisdiktionsnorm*),
- in Poland: Article 1103 paragraph 4 of the Code of Civil Procedure (*Kodeksu postępowania cywilnego*),
- in Portugal: Article 65(1a) of the Code of Civil Procedure (*Código de Processo Civil*), in so far as it may encompass exorbitant grounds of jurisdiction, such as the courts of the place in which the branch, agency or other establishment (if located in Portugal) when the central administration (if located in foreign state) is the party served, and Article 10 of the Code of Labour Procedure (*Código de Processo do Trabalho*), in so far as it may encompass exorbitant grounds of jurisdiction, such as the courts of the place where the plaintiff is domiciled in proceedings relating to individual contracts of employment brought by the employee against the employer,
- in Romania: Articles 148-157 of Law No 105/1992 on Private International Law Relations,
- in Slovenia: Article 48(2) of the Private International Law and Procedure Act (*Zakon o mednarodnem zasebnem pravu in postopku*) in relation to Article 47(2) of Civil Procedure Act (*Zakon o pravnem postopku*) and Article 58 of the Private International Law and Procedure Act (*Zakon o mednarodnem zasebnem pravu in postopku*) in relation to Article 59 of Civil Procedure Act (*Zakon o pravnem postopku*),

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- in Slovakia: Articles 37 to 37e of Act No 97/1963 on Private International Law and the Rules of Procedure relating thereto,
 - in Finland: paragraphs 1 and 2 of Section 18(1) of Chapter 10 of the Code of Judicial Procedure (*oikeudenkäymiskaari/rättegångsbalken*),
 - in Sweden: the first sentence of the first paragraph of Section 3 of Chapter 10 of the Code of Judicial Procedure (*rättegångsbalken*),
 - in the United Kingdom: the rules which enable jurisdiction to be founded on:
 - (a) the document instituting the proceedings having been served on the defendant during his temporary presence in the United Kingdom; or
 - (b) the presence within the United Kingdom of property belonging to the defendant; or
 - (c) the seizure by the plaintiff of property situated in the United Kingdom.
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ANNEX II

The courts or competent authorities to which the application referred to in Article 39 may be submitted are the following:

- in Belgium, the '*tribunal de première instance*' or '*rechtbank van eerste aanleg*' or '*erstinstanzliches Gericht*',
- in Bulgaria, the '*окръжния съд*',
- in the Czech Republic, the '*okresní soud*' or '*soudní exekutor*',
- in Germany,
 - (a) the presiding judge of a chamber of the '*Landgericht*',
 - (b) a notary in a procedure of declaration of enforceability of an authentic instrument,
- in Estonia, the '*maakohus*' (county court),
- in Greece, the '*Μονομελές Πρωτοδικείο*',
- in Spain, the '*Juzgado de Primera Instancia*',
- in France:
 - (a) the '*greffier en chef du tribunal de grande instance*',
 - (b) the '*président de la chambre départementale des notaires*' in the case of application for a declaration of enforceability of a notarial authentic instrument,
- in Ireland, the '*High Court*',
- in Italy, the '*corte d'appello*',
- in Cyprus, the '*Επαρχιακό Δικαστήριο*' or in the case of a maintenance judgment the '*Οικογενειακό Δικαστήριο*',
- in Latvia, the '*rajona (pilsētas) tiesa*',
- in Lithuania, the '*Lietuvos apeliacinis teismas*',
- in Luxembourg, the presiding judge of the '*tribunal d'arrondissement*',
- in Hungary, the '*megyei bíróság székhelyén működő helyi bíróság*', and in Budapest the '*Budai Központi Kerületi Bíróság*',
- in Malta, the '*Prim' Awla tal-Qorti Ċivili*' or '*Qorti tal-Maġistrati ta' Ghawdex fil-gurisdizzjoni superjuri tagħha*', or, in the case of a maintenance judgment, the '*Reġistratur tal-Qorti*' on transmission by the '*Ministru responsabbli għall-Ġustizzja*',
- in the Netherlands, the '*voorzieningenrechter van de rechtbank*',
- in Austria, the '*Bezirksgericht*',
- in Poland, the '*sąd okręgowy*',
- in Portugal, the '*Tribunal de Comarca*',
- in Romania, the '*Tribunal*',
- in Slovenia, the '*okrožno sodišče*',

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- in Slovakia, '*okresný súd*'
 - in Finland, the '*käräjäoikeus/tingsrätt*',
 - in Sweden, the '*Svea hovrätt*',
 - in the United Kingdom:
 - (a) in England and Wales, the *High Court of Justice*, or in the case of a maintenance judgment to the *Magistrates' Court* on transmission by the Secretary of State;
 - (b) in Scotland, the *Court of Session*, or in the case of a maintenance judgment to the *Sheriff Court* on transmission by the Scottish Ministers;
 - (c) in Northern Ireland, the *High Court of Justice*, or in the case of a maintenance judgment to the *Magistrates' Court* on transmission by the Secretary of State.
 - (d) in Gibraltar, the *Supreme Court of Gibraltar*, or in the case of a maintenance judgment, the *Magistrates' Court* on transmission by the Attorney General of Gibraltar.
-

ANNEX III

The courts with which appeals referred to in Article 43 (2) may be lodged are the following:

- in Belgium,
 - (a) as regards appeal by the defendant, the ‘tribunal de première instance’ or ‘rechtbank van eerste aanleg’ or ‘erstinstanzliche Gericht’,
 - (b) as regards appeal by the applicant: the ‘Cour d’appel’ or ‘hof van beroep’,
- in Bulgaria, the ‘Апелативен съд — София’,
- in the Czech Republic, the court of appeal through the district court,
- in Germany, the ‘Oberlandesgericht’,
- in Estonia, the ‘ringkonnakohus’,
- in Greece the ‘Εφετείο’,
- in Spain, the ‘Juzgado de Primera Instancia’ which issued the contested decision, with the appeal to be solved by the ‘Audiencia Provincial’.
- in France:
 - (a) the ‘cour d’appel’ on decisions allowing the application,
 - (b) the presiding judge of the ‘tribunal de grande instance’, on decisions rejecting the application,
- in Ireland, the High Court,
- in Iceland, the ‘heradsdomur’,
- in Italy, the ‘corte d’appello’,
- in Cyprus, the ‘Επαρχιακό Δικαστήριο’ or in the case of a maintenance judgment the ‘Οικογενειακό Δικαστήριο’,
- in Latvia, the ‘Apgabaltiesa’ via the ‘rajona (pilsētas) tiesa’,
- in Lithuania, the ‘Lietuvos apeliacinis teismas’,
- in Luxembourg, the ‘Cour supérieure de justice’ sitting as a court of civil appeal,
- in Hungary, the local court situated at the seat of the county court (in Budapest, the Central District Court of Buda); the appeal is adjudicated by the county court (in Budapest, the Capital Court),
- in Malta, the ‘Qorti ta’ l-Appell’ in accordance with the procedure laid down for appeals in the *Kodiċi ta’ Organizzazzjoni u Proċedura Ċivili – Kap.12* or in the case of a maintenance judgment by ‘ċitazzjoni’ before the ‘Prim’ Awla tal-Qorti ivili jew il-Qorti tal-Maġistrati ta’ Ghawdex fil-gurisdizzjoni superjuri tagħha”,
- in the Netherlands, the ‘rechtbank’
- in Austria, the ‘Landesgericht’ via the ‘Bezirksgericht’,
- in Poland, the ‘sąd apelacyjny’ via the ‘sąd okręgowy’,
- in Portugal, the ‘Tribunal da Relação’ is the competent court. The appeals are launched, in accordance with the national law in force, by way of a request addressed to the court which issued the contested decision,
- in Romania, the ‘Curte de Apel’,
- in Slovenia, the ‘okrožno sodišče’,

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- in Slovakia, the court of appeal through the district court whose decision is being appealed,
 - in Finland, the 'hovioikeus/hovrätt',
 - in Sweden, the 'Svea hovrätt',
 - in the United Kingdom:
 - (a) in England and Wales, the *High Court of Justice*, or in the case of a maintenance judgment the *Magistrates' Court*;
 - (b) in Scotland, the *Court of Session*, or in the case of a maintenance judgment the *Sheriff Court*;
 - (c) in Northern Ireland, the *High Court of Justice*, or in the case of a maintenance judgment the *Magistrates' Court*;
 - (d) in Gibraltar, the *Supreme Court of Gibraltar*, or in the case of a maintenance judgment, the *Magistrates' Court*.
-

COMMISSION REGULATION (EU) No 417/2010**of 12 May 2010****amending for the 127th 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**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, ⁽¹⁾ and in particular Article 7(1)(a) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 5 May 2010 the Sanctions Committee of the United Nations Security Council decided to remove three natural persons from its list of persons, groups and entities to whom the freezing of funds and economic resources should apply.

- (3) Annex I should therefore be updated accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended as set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the 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, 12 May 2010.

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

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The following entries under the heading 'Natural persons' are deleted:

1. 'Fathur Rohman **Al-Ghozhi** (*alias* (a) Al Ghozi, Fathur Rohman, (b) Al Ghozi, Fathur Rahman, (c) Al-Gozi, Fathur Rohman, (d) Al-Gozi, Fathur Rahman, (e) Alghozi, Fathur Rohman, (f) Alghozi, Fathur Rahman, (g) Al-Gozhi, Fathur Rohman, (h) Al-Gozhi, Fathur Rahman, (i) Randy Alih, (j) Randy Ali, (k) Alih Randy, (l) Randy Adam Alih, (m) Sammy Sali Jamil, (n) Sammy Salih Jamil, (o) Rony Azad, (p) Rony Azad Bin Ahad, (q) Rony Azad Bin Ahmad, (r) Rony Azad Bin Amad, (s) Edris Anwar Rodin, (t) Abu Saad, (u) Abu Sa'ad, (v) Freedom Fighter). Date of birth: 17.2.1971. Place of birth: Madiun, East Java, Indonesia. Nationality: Indonesian. Passport No: Philippines GG 672613. Other information: Reportedly killed in October 2003 in the Philippines.'
 2. 'Huda **bin Abdul Haq** (*alias* (a) Ali Gufron, (b) Ali Ghufron, (c) Ali Gufron al Mukhlas, (d) Mukhlas, (e) Muklas, (f) Muchlas, (g) Sofwan). Date of birth: (a) 9.2.1960, (b) 2.2.1960. Place of birth: Solokuro subdistrict in Lamongan district, East Java province, Indonesia. Nationality: Indonesian. Other information: Reportedly deceased in November 2008. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'
 3. 'Imam **Samudra** (*alias* (a) Abdul Aziz ben Sihabudin, (b) Faiz Yunshar, (c) Abdul Azis, (d) Kudama, (e) Hendri, (f) Heri, (g) Fatih, (h) Abu Omar. Date of birth: 14.1.1970. Place of birth: Serang, Banten, Indonesia. Other information: Reportedly deceased in November 2008. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'
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COMMISSION REGULATION (EU) No 418/2010**of 12 May 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 13 May 2010.

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

Done at Brussels, 12 May 2010.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	65,7
	TN	108,2
	TR	70,6
	ZZ	81,5
0707 00 05	EG	140,2
	MA	29,7
	MK	51,8
	TR	118,8
	ZZ	85,1
0709 90 70	TR	105,1
	ZZ	105,1
0805 10 20	EG	48,4
	IL	56,6
	MA	49,0
	TN	46,4
	TR	49,3
	US	67,7
	ZZ	52,9
0805 50 10	TR	73,7
	ZA	78,4
	ZZ	76,1
0808 10 80	AR	76,4
	BR	78,4
	CA	119,3
	CL	84,7
	CN	85,3
	CR	59,1
	MK	22,1
	NZ	119,0
	US	122,2
	UY	72,1
	ZA	86,6
	ZZ	84,1

⁽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'.

COMMISSION REGULATION (EU) No 419/2010**of 12 May 2010****fixing the import duties in the cereals sector applicable from 16 May 2010**

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 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 in respect of import duties in the cereals sector ⁽²⁾, 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 falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation 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, for the purposes of calculating 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 (EC) No 1249/96, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 4 of that Regulation.

(4) Import duties should be fixed for the period from 16 May 2010 and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 May 2010, 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 16 May 2010.

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

Done at Brussels, 12 May 2010.

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

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 161, 29.6.1996, p. 125.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 16 May 2010

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	24,35
1005 10 90	Maize seed other than hybrid	7,49
1005 90 00	Maize, other than seed ⁽²⁾	7,49
1007 00 90	Grain sorghum other than hybrids for sowing	24,35

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

30.4.2010-11.5.2010

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	166,36	113,15	—	—	—	—
Fob price USA	—	—	137,01	127,01	107,01	77,88
Gulf of Mexico premium	—	14,47	—	—	—	—
Great Lakes premium	31,52	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

⁽²⁾ Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

⁽³⁾ Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 26,91 EUR/t

Freight costs: Great Lakes–Rotterdam: 59,79 EUR/t

COMMISSION REGULATION (EU) No 420/2010**of 12 May 2010****fixing the maximum reduction in the duty on maize imported under the invitation to tender issued
in Regulation (EC) No 677/2009**

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 144(1) in conjunction with Article 4 thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal from third countries was opened by Commission Regulation (EC) No 677/2009 ⁽²⁾.
- (2) Under Article 8 of Commission Regulation (EC) No 1296/2008 of 18 December 2008 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal ⁽³⁾ the Commission, in accordance with the procedure laid down in Article 195(2) of Regulation (EC) No 1234/2007, may decide to fix a maximum

reduction in the import duty. In fixing this maximum the criteria provided for in Articles 7 and 8 of Regulation (EC) No 1296/2008 must be taken into account.

- (3) A contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.
- (4) 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

For tenders lodged from 30 April to 12 May 2010 under the invitation to tender issued in Regulation (EC) No 677/2009, the maximum reduction in the duty on maize imported shall be EUR 10,17/t for a total maximum quantity of 33 000 t.

Article 2

This Regulation shall enter into force on 13 May 2010.

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

Done at Brussels, 12 May 2010.

*For the Commission,
On behalf of the President,**Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 196, 28.7.2009, p. 7.⁽³⁾ OJ L 340, 19.12.2008, p. 57.

DECISIONS

COUNCIL DECISION 2010/274/CFSP

of 12 May 2010

amending and extending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Whereas:

- (1) On 25 November 2005, the Council adopted Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) ⁽¹⁾.
- (2) On 10 November 2008, the Council adopted Joint Action 2008/862/CFSP ⁽²⁾ amending Joint Action 2005/889/CFSP and extending it until 24 November 2009.
- (3) On 20 November 2009, the Council adopted Joint Action 2009/854/CFSP ⁽³⁾ amending Joint Action 2005/889/CFSP and extending it until 24 May 2010.
- (4) EU BAM Rafah should be further extended until 24 May 2011 on the basis of its current mandate.
- (5) It is necessary to lay down the financial reference amount intended to cover the expenditure related to EU BAM Rafah for the period from 25 May 2010 to 24 May 2011,

HAS ADOPTED THIS DECISION:

Article 1

Joint Action 2005/889/CFSP is hereby amended as follows:

1. The first paragraph of Article 2 is replaced by the following:

'The aim of EU BAM Rafah is to provide a Third Party presence at the Rafah Crossing Point in order to contribute, in cooperation with the Union's institution-building efforts, to the opening of the Rafah Crossing Point and to build up confidence between the Government of Israel and the Palestinian Authority.;

2. Article 4a(2) is replaced by the following:

'2. The Civilian Operation Commander, under the political control and strategic direction of the Political and Security Committee (PSC) and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EU BAM Rafah at the strategic level.;

3. Article 5(1) is deleted and the remaining paragraphs are renumbered accordingly;

4. Article 8(1) is replaced by the following:

'1. Where required, the status of EU BAM Rafah personnel, including, where appropriate, the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EU BAM Rafah shall be subject of an agreement to be concluded in accordance with the procedure laid down in Article 218 of the Treaty on the Functioning of the European Union.;

5. Article 9(3) and (4) is replaced by the following:

'3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, is the commander of EU BAM Rafah at strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.

4. The Civilian Operation Commander shall report to the Council through the HR.;

6. Article 10(1) is replaced by the following:

'1. The PSC shall exercise, under the responsibility of the Council, political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions for this purpose in accordance with Article 38 of the Treaty. This authorisation shall include the powers to appoint a Head of Mission, upon a proposal from the HR, and to amend the OPLAN. It shall also include powers to take subsequent decisions regarding the appointment of the Head of Mission. The powers of decision with respect to the objectives and termination of the mission shall remain vested in the Council.;

⁽¹⁾ OJ L 327, 14.12.2005, p. 28.

⁽²⁾ OJ L 306, 15.11.2008, p. 98.

⁽³⁾ OJ L 312, 27.11.2009, p. 73.

7. Article 11(4) is replaced by the following:
- ‘4. Detailed arrangements regarding the participation of third States shall be subject of an agreement to be concluded in accordance with the procedures laid down in Article 218 of the Treaty on the Functioning of the European Union. Where the EU and a third State have concluded an agreement establishing a framework for the participation of this third State in the EU crisis management operations, the provisions of such an agreement shall apply in the context of EU BAM Rafah.’
8. Article 13(1) is replaced by the following:
- ‘1. The financial reference amount intended to cover the expenditure related to the mission for the period from 25 May 2010 to 24 May 2011 shall be EUR 1 950 000.’
9. Article 14(1) is replaced by the following:
- ‘1. The Council and the Commission shall, each in accordance with their respective powers, ensure consistency between the implementation of this Joint Action and Union’s external action in accordance with Article 21(3) of the Treaty. The Council and the Commission shall cooperate to this end.’
10. Article 15 is replaced by the following:
- ‘Article 15
- Release of classified information**
1. The HR is authorised to release to third States associated with this Joint Action, as appropriate and in accordance with the operational needs of the mission, EU classified information and documents up to the level “RESTREINT UE” generated for the purposes of the mission, in accordance with the Council’s security regulations.
2. In the event of a specific and immediate operational need, the HR is also authorised to release to the local authorities EU classified information and documents up to the level “RESTREINT UE” generated for the purposes of the mission, in accordance with the Council’s security regulations. In all other cases, such information and documents shall be released to the local authorities in accordance with the procedures appropriate to their level of cooperation with the EU.
3. The HR is authorised to release to third States associated with this Joint Action and to the local authorities EU non-classified documents related to the deliberations of the Council with regard to the mission covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council’s Rules of Procedure ⁽¹⁾.
- ⁽¹⁾ Council Decision 2009/937/EU of 1 December 2009 adopting the Council’s Rules of Procedure (OJ L 325, 11.12.2009, p. 35).’
11. The second paragraph of Article 16 is replaced by the following:
- ‘It shall expire on 24 May 2011.’
12. Article 17 is replaced by the following:
- ‘Article 17
- Review**
- This Joint Action shall be reviewed by 15 April 2011.’
13. The third paragraph of Article 18 shall be deleted.
- Article 2*
- This Decision shall enter into force on the date of its adoption.
- Done at Brussels, 12 May 2010.
- For the Council*
The President
M. Á. MORATINOS

DECISION OF THE EUROPEAN CENTRAL BANK

of 10 May 2010

concerning the management of pooled bilateral loans for the benefit of the Hellenic Republic and amending Decision ECB/2007/7

(ECB/2010/4)

(2010/275/EU)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 132 thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank (hereinafter the Statute of the ESCB), and in particular Articles 17 and 21 thereof,

Whereas:

(1) According to Article 17 of the Statute of the ESCB, in order to conduct its operations the European Central Bank (ECB) may open accounts for credit institutions, public entities and other market participants.

(2) According to Article 21.1 and 21.2 of the Statute of the ESCB, the ECB may act as fiscal agent for Union institutions, bodies, offices or agencies, central governments, regional, local or other public authorities, other bodies governed by public law, or public undertakings of Member States.

(3) Reference is made to a loan facility agreement (hereinafter the Loan Facility Agreement) between the Member States whose currency is the euro (other than the Hellenic Republic and the Federal Republic of Germany) and KfW acting in the public interest, subject to the instructions of and with the benefit of the guarantee of the Federal Republic of Germany (hereinafter the Lenders) with the Hellenic Republic (hereinafter the Borrower) and the Bank of Greece as agent to the Borrower.

(4) Reference is made to an intercreditor agreement (hereinafter the Intercreditor Agreement) between the Member States whose currency is the euro other than the Hellenic Republic entrusting the management of pooled bilateral loans under the Loan Facility Agreement to the European Commission.

(5) Under the Intercreditor Agreement, the Member States whose currency is the euro other than the Hellenic Republic authorise the European Commission to organise pooled bilateral loans to the Hellenic Republic, and to represent them in managing such loans. Article 3 of the Intercreditor Agreement authorises the European Commission to open an account with the ECB, in the name of the Lenders, to be used for processing all payments on behalf of the Lenders and the Borrower in the context of the Loan Facility Agreement. The Intercreditor Agreement lays down the necessary provisions concerning disbursement and repayment.

(6) It is necessary to lay down provisions concerning the cash account to be opened with the ECB for the operation of the Loan Facility Agreement and the Intercreditor Agreement.

(7) According to Article 1(2) of Decision ECB/2007/7 of 24 July 2007 concerning the terms and conditions of TARGET2-ECB⁽¹⁾, the ECB may only accept central banks and European and international organisations as customers. The operation of the Loan Facility Agreement and the Intercreditor Agreement requires an extension of the categories of persons eligible to be customers of the ECB,

HAS ADOPTED THIS DECISION:

Article 1

Amendment to Decision ECB/2007/7

Article 1(2) of Decision ECB/2007/7 is replaced by the following:

‘2. The ECB may only accept central banks, European and international organisations, and, pursuant to an ad-hoc decision of the Governing Council, central governments of the European Union Member States or public entities designated by such central governments to act on their behalf as customers.’

⁽¹⁾ OJ L 237, 8.9.2007, p. 71.

*Article 2***Opening of an account**

The ECB shall, in connection with the Loan Facility Agreement, and upon request by the European Commission, open an account in the name of the Lenders.

*Article 3***Acceptance of payments on the account**

The ECB shall only accept payments to be made from or to the account in the name of the Lenders, if those payments arise in connection with the Loan Facility Agreement.

*Article 4***Acceptance of instructions**

The ECB shall, in relation to the account in the name of the Lenders, only accept and act upon the European Commission's instructions and shall not accept any instructions from an individual Lender.

*Article 5***Remuneration**

The ECB shall pay interest on the balance of the account in the name of the Lenders in an amount equivalent to the applicable ECB deposit facility rate on an actual/360 basis.

*Article 6***Entry into force**

This Decision shall enter into force on 12 May 2010.

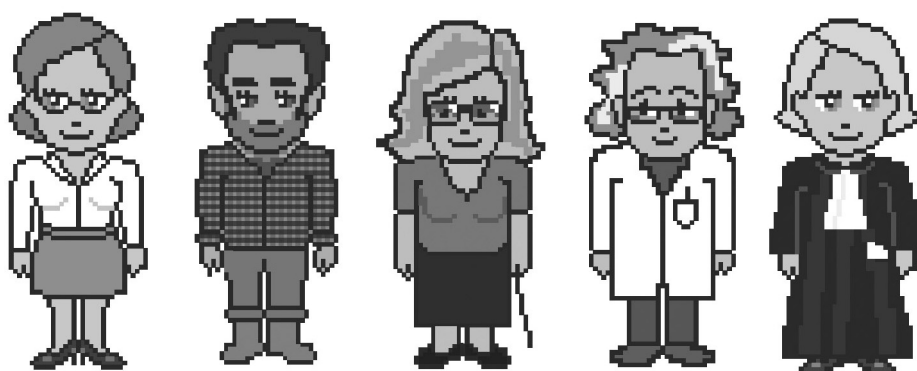
Done at Frankfurt am Main, 10 May 2010.

The President of the ECB
Jean-Claude TRICHET

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