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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 120/2011

of 11 February 2011

fixing the reference prices for certain fishery products for the 2011 fishing year

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 29(1) and (5) thereof,

Whereas:

(1) Regulation (EC) No 104/2000 provides that reference prices valid for the Union may be fixed each year, by product category, for products that are the subject of a tariff suspension under Article 28(1). The same holds for products which, by virtue of being either the subject of a binding tariff reduction under the WTO or some other preferential arrangements, must comply with a reference price.

(2) Pursuant to Article 29(3)(a) of Regulation (EC) No 104/2000, the reference price for the products listed in Annex I, Parts A and B to that Regulation, is to be the same as the withdrawal price fixed in accordance with Article 20(1) of that Regulation.

(3) The Union withdrawal prices for the products concerned are fixed for the 2011 fishing year by Commission Regulation (EU) No 122/2011 ⁽²⁾.

(4) Pursuant to Article 29(3)(d) of Regulation (EC) No 104/2000, the reference price for products other than those listed in Annexes I and II to that Regulation is to be established in particular on the basis of the weighted average of customs values recorded on the import markets or in the ports of import in the 3 years immediately preceding the date on which the reference price is fixed.

(5) There is no need to fix reference prices for those products falling under the criteria laid down in Art. 29(1) of Regulation (EC) No 104/2000 which are imported from third countries in insignificant volumes.

(6) In order to allow a swift application of the reference prices in the year 2011, this Regulation should enter into force on the day following its publication in the *Official Journal of the European Union*.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 2011 fishing year of fishery products, as referred to in Article 29 of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ See page 9 of this Official Journal.

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, 11 February 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

1. Reference prices for fishery products referred to in Article 29(3)(a) of Regulation (EC) No 104/2000

Species	Size (l)	Reference price (EUR/tonne)			
		Gutted with head (l)		Whole fish (l)	
		Additional Taric code	Extra, A (l)	Additional Taric code	Extra, A (l)
Herring of the species <i>Clupea harengus</i> ex 0302 40 00	1		—	F011	129
	2		—	F012	197
	3		—	F013	186
	4a		—	F016	118
	4b		—	F017	118
	4c		—	F018	247
	5		—	F015	219
	6		—	F019	110
	7a		—	F025	110
7b		—	F026	99	
8		—	F027	82	
Redfish (<i>Sebastes</i> spp.) ex 0302 69 31 and ex 0302 69 33	1		—	F067	982
	2		—	F068	982
	3		—	F069	824
Cod of the species <i>Gadus morhua</i> ex 0302 50 10	1	F073	1 144	F083	826
	2	F074	1 144	F084	826
	3	F075	1 081	F085	636
	4	F076	858	F086	477
	5	F077	604	F087	350
Deepwater prawns (<i>Pandalus borealis</i>) ex 0306 23 10	1	Boiled in water		Fresh or refrigerated	
		Additional Taric code	Extra, A (l)	Additional Taric code	Extra, A (l)
	2	F317	5 134	F321	1 098
		F318	1 800	—	—

(l) The freshness, size and presentation categories are those laid down under Article 2 of Regulation (EC) No 104/2000.

2. Reference prices for fishery products referred to in Article 29(3)(d) of Regulation (EC) No 104/2000

Product	Additional Taric code	Presentation	Reference price (EUR/tonne)
1. Redfish (<i>Sebastes</i> spp.)		Whole:	
ex 0303 79 35 ex 0303 79 37	F411	— with or without head	969
ex 0304 29 35 ex 0304 29 39	F412	Fillets: — with bones (standard)	1 952
	F413	— without bones	2 094
	F414	— blocks in immediate packing weighing not more than 4 kg	2 239
2. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i>			
ex 0303 52 10, ex 0303 52 30, ex 0303 52 90, ex 0303 79 41	F416	Whole, with or without head	1 095
ex 0304 29 29	F417	Fillets: — interleaved or in industrial blocks, with bones (standard)	2 451
	F418	— interleaved or in industrial blocks, without bones	2 663
	F419	— individual or fully interleaved fillets, with skin	2 499
	F420	— individual or fully interleaved fillets, without skin	2 972
	F421	— blocks in immediate packing weighing not more than 4 kg	2 990
ex 0304 99 33	F422	Pieces and other meat, except minced blocks	1 448
3. Coalfish (<i>Pollachius virens</i>)		Fillets:	
ex 0304 29 31	F424	— interleaved or in industrial blocks, with bones (standard)	1 564
	F425	— interleaved or in industrial blocks, without bones	1 688
	F426	— individual or fully interleaved fillets, with skin	1 476
	F427	— individual or fully interleaved fillets, without skin	1 663
	F428	— blocks in immediate packing weighing not more than 4 kg	1 840
ex 0304 99 41	F429	Pieces and other meat, except minced blocks	966

Product	Additional Taric code	Presentation	Reference price (EUR/tonne)	
4. Haddock (<i>Melanogrammus aeglefinus</i>) ex 0304 29 33	}	Fillets:		
		F431	— interleaved or in industrial blocks, with bones (standard)	2 241
		F432	— interleaved or in industrial blocks, without bones	2 580
		F433	— individual or fully interleaved fillets, with skin	2 537
		F434	— individual or fully interleaved fillets, without skin	2 737
	F435	— blocks in immediate packing weighing not more than 4 kg	2 901	
5. Alaska Pollack (<i>Theragra chalcogramma</i>) ex 0304 29 85		Fillets:		
		F441	— interleaved or in industrial blocks, with bones (standard)	1 170
	F442	— interleaved or in industrial blocks, without bones	1 311	
6. Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>) ex 0304 19 97 ex 0304 99 23		Herring flaps		
		F450	— exceeding 80 g. a piece	510
	F450	— exceeding 80 g. a piece	464	

COMMISSION REGULATION (EU) No 121/2011

of 11 February 2011

fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 2011 fishing year

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 21(5) and (8) thereof,

Whereas:

(1) Regulation (EC) No 104/2000 provides for financial compensation to be paid to producer organisations which withdraw on certain conditions the products listed in points (A) and (B) of Annex I to that Regulation. The amount of such financial compensation should be reduced by standard values in the case of products intended for purposes other than human consumption.

(2) Commission Regulation (EC) No 2493/2001 of 19 December 2001 on the disposal of certain fishery products which have been withdrawn from the market ⁽²⁾ specifies the ways of disposing of the products withdrawn from the market. The value of such products should be fixed at a standard level for each of these modes of disposal, taking into account the average revenues which may be obtained from such disposal in the various Member States.

(3) Under Article 7 of Commission Regulation (EC) No 2509/2000 of 15 November 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards granting financial compensation for withdrawals of certain fishery products ⁽³⁾, special rules provide that, where a producer organisation or one of its members puts its products up for sale in a Member State other than the country in which it is recognised, that body responsible for granting the

financial compensation must be informed. This body is the one in the Member State in which the producer organisation is recognised. The standard value deductible should therefore be the value applied in that Member State.

(4) The same method of calculation should be applied to advances on financial compensation as provided for in Article 6 of Regulation (EC) No 2509/2000.

(5) In order not to hinder the operation of the intervention system in the year 2011, this Regulation should apply retroactively from 1 January 2011.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2011 fishing year, the standard values to be used in calculating financial compensation and associated advances for fishery products withdrawn from the market by producer organisations and intended for purposes other than human consumption, as referred to in Article 21(5) of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

Article 2

The standard value to be deducted from financial compensation and associated advances shall be that applied in the Member State in which the producer organisation is recognised.

Article 3

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

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 337, 20.12.2001, p. 20.

⁽³⁾ OJ L 289, 16.11.2000, p. 11.

It shall apply from 1 January 2011.

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

Done at Brussels, 11 February 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX

STANDARD VALUES

Use of products withdrawn from the market	EUR/tonne
1. Use following processing into meal (animal feed)	
(a) Herring of the species <i>Clupea harengus</i> and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :	
— Denmark and Sweden,	55
— United Kingdom,	50
— other Member States,	15
— France,	2
(b) Shrimps of the species <i>Crangon crangon</i> and deep-water prawns (<i>Pandalus borealis</i>):	
— Denmark and Sweden,	0
— other Member States,	10
(c) Other products:	
— Denmark,	40
— Sweden, Portugal and Ireland,	20
— United Kingdom,	25
— other Member States,	1
2. Use fresh or preserved (animal feed)	
(a) Sardines of the species <i>Sardina pilchardus</i> and anchovies (<i>Engraulis</i> spp.):	
— all Member States,	8
(b) Other products:	
— Sweden,	0
— France,	30
— other Member States,	30
3. Use as bait	
— France,	55
— other Member States,	20
4. Use for purposes other than animal feed	0

COMMISSION REGULATION (EU) No 122/2011**of 11 February 2011****fixing the Union withdrawal and selling prices for the fishery products listed in Annex I to Council Regulation (EC) No 104/2000 for the 2011 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 20(3) and Article 22 thereof,

Whereas:

- (1) Regulation (EC) No 104/2000 provides that the Union withdrawal and selling prices for each of the products listed in Annex I thereto are to be fixed on the basis of the freshness, size or weight, and presentation of the product by applying the conversion factor for the product category concerned to an amount not more than 90 % of the relevant guide price.
- (2) The withdrawal prices may be multiplied by adjustment factors in landing areas which are very distant from the main centres of consumption in the Union. The guide prices for the 2011 fishing year were fixed for all the products concerned by Council Regulation (EU) No 1258/2010 ⁽²⁾.
- (3) In order not to hinder the operation of the intervention system in the year 2011, this Regulation should apply retroactively from 1 January 2011.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The conversion factors used for calculating the Union withdrawal and selling prices, as referred to in Articles 20 and 22 of Regulation (EC) No 104/2000, for the 2011 fishing year for the products listed in Annex I to that Regulation, are set out in Annex I to this Regulation.

Article 2

The Union withdrawal and selling prices applicable for the 2011 fishing year and the products to which they relate are set out in Annex II.

Article 3

The withdrawal prices applicable for the 2011 fishing year in landing areas which are very distant from the main centres of consumption in the Union, the adjustment factors used for calculating those prices and the products to which those prices relate are set out in Annex III.

Article 4

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

It shall apply from 1 January 2011.

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

Done at Brussels, 11 February 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 343, 29.12.2010, p. 6.

ANNEX I

Conversion factors for the products listed in points A, B and C of Annex I to Regulation (EC) No 104/2000

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	1	0,00	0,47
	2	0,00	0,72
	3	0,00	0,68
	4a	0,00	0,43
	4b	0,00	0,43
	4c	0,00	0,90
	5	0,00	0,80
	6	0,00	0,40
	7a	0,00	0,40
	7b	0,00	0,36
8	0,00	0,30	
Sardines of the species <i>Sardina pilchardus</i>	1	0,00	0,51
	2	0,00	0,64
	3	0,00	0,72
	4	0,00	0,47
Dogfish <i>Squalus acanthias</i>	1	0,60	0,60
	2	0,51	0,51
	3	0,28	0,28
Dogfish <i>Scyliorhinus</i> spp.	1	0,64	0,60
	2	0,64	0,56
	3	0,44	0,36
Redfish <i>Sebastes</i> spp.	1	0,00	0,81
	2	0,00	0,81
	3	0,00	0,68
Cod of the species <i>Gadus morhua</i>	1	0,72	0,52
	2	0,72	0,52
	3	0,68	0,40
	4	0,54	0,30
	5	0,38	0,22
Coalfish <i>Pollachius virens</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,71	0,55
	4	0,61	0,30

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Haddock <i>Melanogrammus aeglefinus</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,62	0,43
	4	0,52	0,36
Whiting <i>Merlangius merlangus</i>	1	0,66	0,50
	2	0,64	0,48
	3	0,60	0,44
	4	0,41	0,30
Ling <i>Molva</i> spp.	1	0,68	0,56
	2	0,66	0,54
	3	0,60	0,48
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,72
	2	0,00	0,71
	3	0,00	0,69
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,77
	2	0,00	0,77
	3	0,00	0,63
	4	0,00	0,47
Anchovies <i>Engraulis</i> spp.	1	0,00	0,68
	2	0,00	0,72
	3	0,00	0,60
	4	0,00	0,25
Plaice <i>Pleuronectes platessa</i>	1	0,75	0,41
	2	0,75	0,41
	3	0,72	0,41
	4	0,52	0,34
Hake of the species <i>Merluccius merluccius</i>	1	0,90	0,71
	2	0,68	0,53
	3	0,68	0,52
	4	0,56	0,43
	5	0,52	0,41
Megrims <i>Lepidorhombus</i> spp.	1	0,68	0,64
	2	0,60	0,56
	3	0,54	0,49
	4	0,34	0,29

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Dab <i>Limanda limanda</i>	1	0,71	0,58
	2	0,54	0,42
Flounder <i>Platichthys flesus</i>	1	0,66	0,58
	2	0,50	0,42
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	0,90	0,81
	2	0,90	0,77
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0,00	0,64
	2	0,00	0,64
	3	0,00	0,40

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

Species	Size (*)	Conversion factor	
		Whole fish	Fish without head (*)
		Gutted fish, with head (*)	
		Extra, A (*)	Extra, A (*)
Monkfish <i>Lophius</i> spp.	1	0,61	0,77
	2	0,78	0,72
	3	0,78	0,68
	4	0,65	0,60
	5	0,36	0,43
		All presentations	
		Extra, A (*)	
Shrimps of the species <i>Crangon crangon</i>	1	0,59	
	2	0,27	
		Cooked in water	Fresh or chilled
		Extra, A (*)	Extra, A (*)
Deep-water prawns <i>Pandalus borealis</i>	1	0,77	0,68
	2	0,27	—
		Whole (*)	
Edible crabs <i>Cancer pagurus</i>	1	0,72	
	2	0,54	

Species	Size (*)	Conversion factor		
		Whole fish	Fish without head (*)	
		Gutted fish, with head (*)		
		Extra, A (*)	Extra, A (*)	
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	0,86	0,86	0,81
	2	0,86	0,59	0,68
	3	0,77	0,59	0,50
	4	0,50	0,41	0,41
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea</i> spp.	1	0,75	0,58	
	2	0,75	0,58	
	3	0,71	0,54	
	4	0,58	0,42	
	5	0,50	0,33	

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

ANNEX II

Withdrawal and selling prices in the Union of the products listed in points A, B and C of Annex I to Regulation (EC) No 104/2000

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	1	0	129
	2	0	197
	3	0	186
	4a	0	118
	4b	0	118
	4c	0	247
	5	0	219
	6	0	110
	7a	0	110
7b	0	99	
8	0	82	
Sardines of the species <i>Sardina pilchardus</i>	1	0	293
	2	0	367
	3	0	413
	4	0	270
Dogfish <i>Squalus acanthias</i>	1	654	654
	2	556	556
	3	305	305
Dogfish <i>Scyliorhinus</i> spp.	1	451	422
	2	451	394
	3	310	253
Redfish <i>Sebastes</i> spp.	1	0	982
	2	0	982
	3	0	824
Cod of the species <i>Gadus morhua</i>	1	1 144	826
	2	1 144	826
	3	1 081	636
	4	858	477
	5	604	350
Coalfish <i>Pollachius virens</i>	1	575	447
	2	575	447
	3	567	439
	4	487	240

Species	Size (*)	Withdrawal price (EUR/t)		
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Haddock <i>Melanogrammus aeglefinus</i>	1	688	535	
	2	688	535	
	3	593	411	
	4	497	344	
Whiting <i>Merlangius merlangus</i>	1	587	445	
	2	569	427	
	3	533	391	
	4	364	267	
Ling <i>Molva</i> spp.	1	784	646	
	2	761	623	
	3	692	553	
Mackerel of the species <i>Scomber scombrus</i>	1	0	230	
	2	0	227	
	3	0	221	
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	219	
	2	0	219	
	3	0	180	
	4	0	134	
Anchovies <i>Engraulis</i> spp.	1	0	866	
	2	0	917	
	3	0	764	
	4	0	319	
Plaice <i>Pleuronectes platessa</i>	— 1 January to 30 April 2011	1	770	421
		2	770	421
		3	739	421
		4	534	349
	— 1 May to 31 December 2011	1	1 069	584
		2	1 069	584
		3	1 026	584
		4	741	485
Hake of the species <i>Merluccius merluccius</i>	1	2 986	2 356	
	2	2 256	1 759	
	3	2 256	1 725	
	4	1 858	1 427	
	5	1 725	1 360	

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Megrims <i>Lepidorhombus</i> spp.	1	1 593	1 499
	2	1 405	1 312
	3	1 265	1 148
	4	796	679
Dab <i>Limanda limanda</i>	1	570	466
	2	434	337
Flounder <i>Platichys flesus</i>	1	321	282
	2	243	204
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	2 193	1 869
	2	2 193	1 777
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0	1 140
	2	0	1 140
	3	0	712
		Whole fish	Fish without head (*)
		Gutted fish, with head (*)	
		Extra, A (*)	Extra, A (*)
Monkfish <i>Lophius</i> spp.	1	1 783	4 632
	2	2 280	4 331
	3	2 280	4 090
	4	1 900	3 609
	5	1 052	2 586
		All presentations	
		Extra, A (*)	
Shrimps of the species <i>Crangon crangon</i>	1	1 430	
	2	654	
		Cooked in water	Fresh or chilled
		Extra, A (*)	Extra, A (*)
Deep-water prawns <i>Pandalus borealis</i>	1	5 134	1 098
	2	1 800	—

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

Species	Size (*)	Selling prices (EUR/t)		
		Whole (*)		
Edible crabs	1	1 207		
<i>Cancer pagurus</i>	2	905		
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	4 402	4 402	3 223
	2	4 402	3 020	2 706
	3	3 942	3 020	1 990
	4	2 560	2 099	1 631
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea</i> spp.	1	5 132	3 969	
	2	5 132	3 969	
	3	4 859	3 695	
	4	3 969	2 874	
	5	3 422	2 258	

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

ANNEX III

Withdrawal prices in landing areas which are very distant from the main centres of consumption

Species	Landing area	Adjustment Factor	Size (*)	Withdrawal price (in EUR/tonne)	
				Gutted fish, with head (*)	Whole fish (*)
				Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	Coastal regions and islands of Ireland	0,90	1	0	116
			2	0	178
			3	0	168
			4a	0	106
	Coastal regions of eastern England from Berwick to Dover Coastal regions of Scotland from Portpatrick to Eyemouth and the islands located west and north of those regions Coastal regions of County Down (Northern Ireland)	0,90	1	0	116
			2	0	178
			3	0	168
			4a	0	106
Mackerel of the species <i>Scomber scombrus</i>	Coastal regions and islands of Ireland	0,96	1	0	221
			2	0	218
			3	0	212
	Coastal regions and islands of Cornwall and Devon in the United Kingdom	0,95	1	0	219
			2	0	216
			3	0	210
Hake of the species <i>Merluccius merluccius</i>	Coastal regions from Troon (in south-west Scotland) to Wick (in north-east Scotland) and the islands located west and north of those regions	0,75	1	2 240	1 767
			2	1 692	1 319
			3	1 692	1 294
			4	1 394	1 070
			5	1 294	1 020
Albacore or longfinned tuna <i>Thunnus alalunga</i>	Islands of the Azores and Madeira	0,48	1	1 053	897
			2	1 053	853
Sardines of the species <i>Sardina pilchardus</i>	Canary Islands	0,48	1	0	141
			2	0	176
			3	0	198
			4	0	129
	Coastal regions and islands of Cornwall and Devon in the United Kingdom	0,74	1	0	217
			2	0	272
			3	0	306
			4	0	200
	Atlantic coastal regions of Portugal	0,93	2	0	342
			3	0	335

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

COMMISSION REGULATION (EU) No 123/2011**of 11 February 2011****fixing the Union selling prices for the fishery products listed in Annex II to Council Regulation (EC) No 104/2000 for the 2011 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 25(1) and (6) thereof,

Whereas:

- (1) A Union selling price is to be fixed for each of the products listed in Annex II to Regulation (EC) No 104/2000 before the beginning of the fishing year, at a level at least equal to 70 % and not exceeding 90 % of the guide price.
- (2) Council Regulation (EU) No 1258/2010 ⁽²⁾ fixes the guide prices for the 2011 fishing year for all the products concerned.
- (3) Market prices vary considerably depending on the species and how the products are presented, particularly in the case of squid and hake.
- (4) Conversion factors should therefore be fixed for the different species and presentations of frozen products

landed in the Union in order to determine the price level that trigger the intervention measure provided for in Article 25(2) of Regulation (EC) No 104/2000.

- (5) In order not to hinder the operation of the intervention system in the year 2011, this Regulation should apply retroactively from 1 January 2011.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Union selling prices, as referred to in Article 25(1) of Regulation (EC) No 104/2000, applicable during the 2011 fishing year for the products listed in Annex II to that Regulation and the presentations and conversion factors to which they relate are 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*.

It shall apply from 1 January 2011.

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

Done at Brussels, 11 February 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 343, 29.12.2010, p. 6.

ANNEX

SELLING PRICES AND CONVERSION FACTORS

Species	Presentation	Conversion factor	Intervention level	Selling price (EUR/tonne)
Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Whole or gutted, with or without head	1,0	0,85	1 629
Hake (<i>Merluccius</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 047
	Individual fillets			
	— with skin	1,0	0,85	1 273
	— skinless	1,1	0,85	1 401
Sea-bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 230
Swordfish (<i>Xiphias gladius</i>)	Whole or gutted, with or without head	1,0	0,85	3 449
Shrimps and prawns <i>Penaeidae</i>	Frozen			
(a) <i>Parapenaeus Longirostris</i>		1,0	0,85	3 461
(b) Other <i>Penaeidae</i>		1,0	0,85	6 641
Cuttlefishes (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> and <i>Sepiola rondeletti</i>)	Frozen	1,0	0,85	1 628
Squid (<i>Loligo</i> spp.)				
(a) <i>Loligo patagonica</i>	— whole, not cleaned	1,00	0,85	997
	— cleaned	1,20	0,85	1 196
(b) <i>Loligo vulgaris</i>	— whole, not cleaned	2,50	0,85	2 493
	— cleaned	2,90	0,85	2 891
Octopus (<i>Octopus</i> spp)	Frozen	1,00	0,85	1 837
<i>Illex argentinus</i>	— whole, not cleaned	1,00	0,80	698
	— tube	1,70	0,80	1 187

Forms of commercial presentation:

whole, not cleaned: product which has not undergone any treatment

cleaned: product which has at least been gutted

tube: squid body which has at least been gutted and had the head removed

COMMISSION REGULATION (EU) No 124/2011**of 11 February 2011****fixing the amount of private storage aid for certain fishery products in the 2011 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾,Having regard to Commission Regulation (EC) No 2813/2000 of 21 December 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of private storage aid for certain fishery products ⁽²⁾, and in particular Article 1 thereof,

Whereas:

- (1) Private storage aid should not exceed the sum of technical and financial costs recorded in the Union during the fishing year preceding the year in question.
- (2) To discourage long-term storage, to shorten payment times and to reduce the burden of controls, private storage aid should be paid in one single instalment.

- (3) In order not to hinder the operation of the intervention system in the year 2011, this Regulation should apply retroactively from 1 January 2011.

- (4) The measures provided for in this Regulation are in accordance with the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2011 fishing year the amount of private storage aid, referred to in Article 25 of Regulation (EC) No 104/2000, for the products listed in Annex II to that Regulation shall be as follows:

- first month: EUR 219 per tonne,
- second month: EUR 0 per tonne.

*Article 2*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2011.

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

Done at Brussels, 11 February 2011.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 326, 22.12.2000, p. 30.

COMMISSION REGULATION (EU) No 125/2011**of 11 February 2011****fixing the amount of the carry-over aid and the flat-rate aid for certain fishery products for the 2011 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾,

Having regard to Commission Regulation (EC) No 2814/2000 of 21 December 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of carry-over aid for certain fishery products ⁽²⁾, and in particular Article 5 thereof,

Having regard to Commission Regulation (EC) No 939/2001 of 14 May 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of flat-rate aid for certain fishery products ⁽³⁾, and in particular Article 5 thereof,

Whereas:

- (1) Regulation (EC) No 104/2000 provides that aid may be granted for quantities of certain fresh products withdrawn from the market and either processed to stabilise them and stored or preserved.
- (2) The purpose of that aid is to give suitable encouragement to producers' organisations to process or preserve products withdrawn from the market so that their destruction can be avoided.

(3) The aid level should not be such as to disturb the balance of the market for the products in question or distort competition.

(4) The aid level should not exceed the technical and financial costs associated with the operations essential to stabilising and storage recorded in the Union during the fishing year preceding the year in question.

(5) In order not to hinder the operation of the intervention system in the year 2011, this Regulation should apply retroactively from 1 January 2011.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2011 fishing year, the amounts of the carry-over aid referred to in Article 23 of Regulation (EC) No 104/2000, and the amounts of the flat-rate aid referred to in Article 24(4) of that Regulation, are 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*.

It shall apply from 1 January 2011.

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

Done at Brussels, 11 February 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 326, 22.12.2000, p. 34.

⁽³⁾ OJ L 132, 15.5.2001, p. 10.

ANNEX

1. Amount of the carry-over aid for products listed in Annex I, A and B and for sole (*Solea* spp.) listed in Annex I, C to Regulation (EC) No 104/2000

Processing methods listed in Article 23 of Regulation (EC) No 104/2000	Aid (EUR/tonne)
1	2
I. Freezing and storage of whole products, gutted and with head, or cut-up products	
— Sardines of the species <i>Sardina pilchardus</i>	359
— Other species	291
II. Filletting, freezing and storage	400
III. Salting and/or drying and storage of whole products, gutted and with head, or cut-up or filleted products	277
IV. Marinating and storage	260

2. Amount of the carry-over aid for the other products listed in Annex I, C to Regulation (EC) No 104/2000

Processing and/or preservation methods listed in Article 23 of Regulation (EC) No 104/2000	Products	Aid (EUR/tonne)
1	2	3
I. Freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	327
	Norway lobster tails (<i>Nephrops norvegicus</i>)	248
II. Removing the head, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	293
III. Cooking, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	327
	Edible crabs (<i>Cancer pagurus</i>)	248
IV. Pasteurisation and storage	Edible crabs (<i>Cancer pagurus</i>)	392
V. Live storage in fixed tanks or cages	Edible crabs (<i>Cancer pagurus</i>)	210

3. Amount of the flat-rate aid for products listed in Annex IV to Regulation (EC) No 104/2000

Processing methods	Aid (EUR/tonne)
I. Freezing and storage of whole products, gutted and with head, or cut-up products	291
II. Filletting, freezing and storage	400

COMMISSION REGULATION (EU) No 126/2011**of 11 February 2011****entering a name in the register of protected designations of origin and protected geographical indications (Oie d'Anjou (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 having regard to Article 17(2) of Regulation (EC) No 510/2006, France's application to register the name 'Oie d'Anjou' 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, 11 February 2011.

*For the Commission,
On behalf of the President,
Dacian CIOLOȘ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 162, 22.6.2010, p. 11.

ANNEX

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

Class 1.1. Fresh meat (and offal)

FRANCE

Oie d'Anjou (PGI)

COMMISSION REGULATION (EU) No 127/2011

of 11 February 2011

amending Regulation (EU) No 1017/2010 as regards the quantities covered by the standing invitations to tender for the resale on the internal market of cereals held by the Danish, French and Finnish intervention agencies

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 43(f), in conjunction with Article 4, thereof,

Whereas:

- (1) Commission Regulation (EU) No 1017/2010 ⁽²⁾ opened standing invitations to tender for the resale on the internal market of cereals held by the intervention agencies of the Member States.
- (2) In view of the situation on the European Union market for common wheat and barley and of developments in demand for cereals in the different regions in recent weeks, new quantities of cereals held in intervention should be made available in some Member States. The intervention agencies in the Member States concerned should therefore be authorised to increase the quantities put out for tender by 125 tonnes in Finland for common wheat, and by 54 tonnes in France and 33 tonnes in Denmark for barley, the 125 tonnes of common wheat held in Finland, and the 54 tonnes and 33 tonnes of barley held in France and Denmark respectively, constituting retrospective corrections following an update of the stocks actually available in the storage facilities at the intervention centres and the sale of the balance under the partial invitations to tender of 16 December 2010, 13 January 2011 and 27 January 2011.

(3) Regulation (EU) No 1017/2010 should therefore be amended accordingly.

(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

The Annex to Regulation (EU) No 1017/2010 is amended as follows:

(a) the row relating to Denmark is replaced by the following:

Denmark	—	59 583	—
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(b) the row relating to France is replaced by the following:

France	—	70 439	—
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(c) the row relating to Finland is replaced by the following:

Finland	22 882	784 136	—
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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, 11 February 2011.

For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 293, 11.11.2010, p. 41.

COMMISSION REGULATION (EU) No 128/2011**of 11 February 2011****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 12 February 2011.

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

Done at Brussels, 11 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
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	IL	116,3
	JO	87,5
	MA	55,4
	TN	102,0
	TR	93,6
	ZZ	91,0
0707 00 05	JO	101,4
	TR	180,3
	ZZ	140,9
0709 90 70	MA	45,5
	TR	132,3
	ZA	57,4
	ZZ	78,4
0709 90 80	EG	97,7
	ZZ	97,7
0805 10 20	AR	41,5
	BR	41,5
	EG	54,5
	IL	78,0
	MA	58,4
	TN	51,9
	TR	69,0
	ZA	41,5
	ZZ	54,5
0805 20 10	IL	163,3
	MA	79,6
	TR	79,6
	ZZ	107,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	58,2
	IL	119,2
	JM	100,7
	MA	103,9
	PK	49,7
	TR	56,7
	ZZ	81,4
0805 50 10	EG	67,9
	MA	49,9
	TR	56,9
	ZZ	58,2
0808 10 80	CA	104,5
	CL	54,0
	CM	52,0
	CN	101,8
	US	122,0
	ZZ	86,9
0808 20 50	AR	130,7
	CL	60,7
	CN	55,1
	US	120,7
	ZA	108,7
	ZZ	95,2

(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 129/2011**of 11 February 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year**

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 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 117/2011 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EU) No 867/2010 for the 2010/11, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 February 2011.

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

Done at Brussels, 11 February 2011.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 259, 1.10.2010, p. 3.

⁽⁴⁾ OJ L 36, 10.2.2011, p. 10.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 12 February 2011

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	59,69	0,00
1701 11 90 ⁽¹⁾	59,69	0,00
1701 12 10 ⁽¹⁾	59,69	0,00
1701 12 90 ⁽¹⁾	59,69	0,00
1701 91 00 ⁽²⁾	57,78	0,14
1701 99 10 ⁽²⁾	57,78	0,00
1701 99 90 ⁽²⁾	57,78	0,00
1702 90 95 ⁽³⁾	0,58	0,18

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.

⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.

⁽³⁾ Per 1 % sucrose content.

COMMISSION REGULATION (EU) No 130/2011**of 11 February 2011****on selling prices for cereals in response to the sixth individual invitations to tender within the tendering procedures opened by Regulation (EU) No 1017/2010**

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⁾, and in particular Article 43(f), in conjunction with Article 4, thereof

Whereas:

- (1) Commission Regulation (EU) No 1017/2010 ⁽²⁾ has opened the sales of cereals by tendering procedures, in accordance with the conditions provided for in Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention ⁽³⁾.
- (2) In accordance with Article 46(1) of Regulation (EU) No 1272/2009 and Article 4 of Regulation (EU) No 1017/2010, in the light of the tenders received in response to individual invitations to tender, the Commission has to fix for each cereal and per Member State a minimum selling price or to decide not to fix a minimum selling price.
- (3) On the basis of the tenders received for the sixth individual invitations to tender, it has been decided that a minimum selling price should be fixed for the cereals and for the Member States.
- (4) In order to give a rapid signal to the market and to ensure efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (5) 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 the sixth individual invitations to tender for selling of cereals within the tendering procedures opened by Regulation (EU) No 1017/2010, in respect of which the time limit for the submission of tenders expired on 9 February 2011, the decisions on the selling price per cereal and Member State are set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 11 February 2011.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 293, 11.11.2010, p. 41.

⁽³⁾ OJ L 349, 29.12.2009, p. 1.

ANNEX

Decisions on sales

(EUR/tonne)

Member State	The minimum selling price		
	Common wheat	Barley	Maize
	CN code 1001 90	CN code 1003 00	CN code 1005 90 00
Belgique/België	X	X	X
Bulgaria	X	X	X
Česká republika	X	204,00	X
Danmark	X	X	X
Deutschland	X	198,86	X
Eesti	X	X	X
Éire/Ireland	X	X	X
Elláda	X	X	X
España	X	X	X
France	X	°	X
Italia	X	X	X
Kýpros	X	X	X
Latvija	X	X	X
Lietuva	X	X	X
Luxembourg	X	X	X
Magyarország	X	X	X
Malta	X	X	X
Nederland	X	X	X
Österreich	X	X	X
Polska	X	X	X
Portugal	X	X	X
România	X	X	X
Slovenija	X	X	X
Slovensko	X	201,47	X
Suomi/Finland	X	180,18	X
Sverige	X	194,00	X
United Kingdom	X	198,51	X

(—) no minimum selling price fixed (all offers rejected)

(°) no offers

(X) no cereals available for sales

#) not applicable

DECISIONS

COUNCIL DECISION

of 25 May 2010

on the signing of the Agreement on certain aspects of air services between the European Union and the United Mexican States

(2011/94/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By its Decision of 5 June 2003, the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with an agreement at Union level.
- (2) On behalf of the Union, the Commission has negotiated an Agreement on certain aspects of air services (hereinafter 'the Agreement') with the United Mexican States in accordance with the mechanisms and directives in the Annex to the Council Decision of 5 June 2003.
- (3) The Agreement negotiated by the Commission should be signed, subject to its conclusion at a later date,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement on certain aspects of air services between the European Union and the United Mexican States is hereby approved on behalf of the Union, subject to the conclusion of the Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union subject to its conclusion.

Article 3

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

Article 4

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

Done at Brussels, 25 May 2010.

For the Council

The President

M. SEBASTIÁN

AGREEMENT**on certain aspects of air services between the European Union and the United Mexican States**

THE EUROPEAN UNION,

of the one part, and

THE UNITED MEXICAN STATES,

of the other part,

(hereinafter referred to as 'the Parties'), in conformity with their respective competences;

HAVING REGARD TO the provisions of the bilateral air service agreements between various Member States of the European Union and the United Mexican States,

NOTING that on 5 June 2003, the Member States of the European Union authorised the European Commission to amend certain provisions of their bilateral air service agreements in an agreement between the European Union and third countries,

NOTING that the European Union has exclusive competence with respect to several aspects that may be included in bilateral air service agreements which Member States of the European Union enter into or have entered into with third countries,

RECOGNISING the importance of updating the relationship between Member States of the European Union and the United Mexican States as regards air services, so as to provide a solid legal basis for air services between the European Union and the United Mexican States and to ensure the continuity of such air services,

UNDERLINING their interest in promoting free competition in the field of air services, and avoiding airlines entering into agreements the purpose of which is to hinder, restrict or distort competition,

NOTING that it is not the purpose of the European Union to affect the balance between European Union air carriers and air carriers of the United Mexican States, nor to amend the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

*Article 1***General provisions**

1. References to nationals of a Member State of the European Union that is a Party to any of the bilateral agreements listed in Annex I shall be understood as references to nationals of the Member States of the European Union.
2. References to air carriers from a Member State of the European Union that is a Party to each of the bilateral agreements listed in Annex I shall be understood as references to air carriers designated by that Member State of the European Union.
3. This Agreement modifies certain provisions of existing bilateral air service agreements listed in Annex I, without affecting existing traffic rights.

*Article 2***Designation by a Member State of the European Union**

1. The provisions of paragraphs 2 and 3 of this Article shall supersede the corresponding provisions of the Articles listed in points (a) and (b) respectively of Annex II, as regards the designation of an air carrier by a Member State of the European Union, the authorisations and permissions granted by the United Mexican States, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

2. Upon receipt of a designation by a Member State of the European Union, the United Mexican States shall grant the relevant authorisations and permissions without delay, provided that:

- (a) the air carrier is established in the territory of the designating Member State of the European Union under the Treaty on the European Union and the Treaty on the Functioning of the European Union and has a valid operating licence in accordance with the law of the European Union; and
- (b) effective regulatory control of the air carrier is exercised and maintained by the Member State of the European Union responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and
- (c) the air carrier is owned, directly or through majority ownership, and is effectively controlled by Member States of the European Union or nationals of such countries or by the countries listed in Annex III or nationals of those other countries.

3. The United Mexican States may refuse, revoke, suspend or limit the authorisations or permissions granted to an air carrier designated by a Member State of the European Union where one of the conditions mentioned in paragraph 2 is not met.

In exercising the rights under this paragraph, the United Mexican States shall not discriminate between air carriers from the European Union on the grounds of nationality.

Article 3

Safety

1. The provisions of paragraph 2 of this Article shall complement the Articles listed in Annex II, point (c).

2. Where a Member State of the European Union has designated an air carrier whose regulatory control is exercised and maintained by another Member State of the European Union, the rights of the United Mexican States under the safety provisions of the agreement between the Member State of the European Union that has designated the air carrier and the United Mexican States shall apply equally in respect of the adoption, exercise and maintenance of safety standards by that other Member State of the European Union and in respect of the operating authorisation for that air carrier.

Article 4

Compatibility with competition rules

1. None of the bilateral agreements between the United Mexican States and Member States of the European Union may:

- (a) favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition;
- (b) reinforce the effects of any such agreement, decision or concerted practice; or
- (c) delegate to private economic operators the responsibility for taking measures that prevent, distort or restrict competition.

2. Any provisions contained in the bilateral agreements listed in Annex I that are incompatible with paragraph 1 shall not apply.

Article 5

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 6

Revision and amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent, in writing. Those modifications shall enter into force in accordance with the procedure set out in Article 7(1) of this Agreement.

Article 7

Entry into force

1. This Agreement shall enter into force thirty (30) days after the date of the last note with which the Parties provide written notification, via diplomatic channels, that their respective internal procedures necessary for that effect have been concluded.

2. This Agreement shall apply to the bilateral agreements listed in Annex I, point (b) once the latter have entered into force.

3. This Agreement shall prevail in the event of a difference between the provisions of this Agreement and the bilateral agreements listed in Annex I.

Article 8

Termination

1. In the event of the termination of any of the bilateral agreements listed in Annex I, all provisions of this Agreement relating to the said agreement shall terminate simultaneously.

2. In the event of the termination of all of the bilateral agreements listed in Annex I, this Agreement shall terminate at the same time as the last of those agreements.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Agreement.

DONE in duplicate at Brussels, on the fifteenth day of December in the year two thousand and ten, in the Bulgarian, Spanish, Czech, Danish, German, Estonian, Greek, English, French, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Finnish and Swedish languages, each text being authentic. In the case of divergence, the Spanish text shall take precedence.

За Европейския съюз
 Por la Unión Europea
 За Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Ghall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

За Съединените мексикански щати
 Por los Estados Unidos Mexicanos
 Za Spojené štáty mexické
 For De Forenede Mexicanske Stater
 Für die Vereinigten Mexikanischen Staaten
 Mehhiko Ühendriikide nimel
 Για τις Ηνωμένες Πολιτείες του Μεξικού
 For the United Mexican States
 Pour les Etats-Unis mexicains
 Per gli Stati Uniti messicani
 Meksikas Savienoto Valstu vārdā –
 Meksikos Jungtinių Valstijų vardu
 A Mexikói Egyesült Államok részéről
 Ghall-Istati Uniti Messikani
 Voor de Verenigde Mexicaanse Staten
 W imieniu Meksykańskich Stanów Zjednoczonych
 Pelos Estados Unidos Mexicanos
 Pentru Statele Unite Mexicane
 Za Spojené štáty mexické
 Za Združene države mehike
 Meksikon yhdysvaltojen puolesta
 För Mexikos förenta stater

ANNEX I

LIST OF BILATERAL AGREEMENTS REFERRED TO IN ARTICLE 1 OF THIS AGREEMENT

- (a) Air service agreements between the United Mexican States and Member States of the European Union which, at the date of signature of this Agreement, have been concluded and/or signed:
- Air Transport Agreement between the Government of the United Mexican States and the Federal Government of Austria, signed at Vienna, Austria on 27 March 1995, hereinafter referred to as the 'Mexico-Austria Agreement',
 - Air Transport Agreement between the Government of the United Mexican States and the Government of the Kingdom of Belgium, signed at Mexico City, on 26 April 1999, hereinafter referred to as the 'Mexico-Belgium Agreement',
 - Air Transport Agreement between the Government of the United Mexican States and the Government of the Czech and Slovak Federal Republic, signed at Mexico City, on 14 August 1990, hereinafter referred to as the 'Mexico-Czech Republic Agreement',
 - Air Transport Agreement between the Government of the United Mexican States and the Government of the French Republic, signed at Paris, France, on 18 May 1993, amended by the Agreement Modifying and Supplementing the Air Transport Agreement between the Government of the United Mexican States and the Government of the French Republic, concluded by exchange of notes dated in Paris and Mexico City on 13 January and 4 February 2004, hereinafter referred to as the 'Mexico-France Agreement',
 - Air Transport Agreement between the United Mexican States and the Federal Republic of Germany, signed at Mexico City, on 8 March 1967, hereinafter referred to as the 'Mexico-Germany Agreement',
 - Air Transport Agreement between the United Mexican States and the Italian Republic, signed at Mexico City on 23 December 1965, amended by the Agreement Modifying and Supplementing the Air Transport Agreement between the United Mexican States and the Italian Republic of 23 December 1965, concluded by exchange of notes dated Rome, Italy, 2 August and 7 December 2004, hereinafter referred to as the 'Mexico-Italy Agreement',
 - Agreement between the Government of the United Mexican States and the Government of the Grand-Duchy of Luxembourg on air transport, signed at Mexico City, on 19 March 1996, hereinafter referred to as the 'Mexico-Luxembourg Agreement',
 - Air Transport Agreement between the Government of the United Mexican States and the Government of the Kingdom of the Netherlands, signed at Mexico City, 6 December 1971, amended by the Agreement Modifying the Air Transport Agreement of 6 December 1971 between the Government of the United Mexican States and the Government of the Kingdom of the Netherlands, concluded by exchange of notes dated 24 August 1992 in Mexico City, hereinafter referred to as the 'Mexico-Netherlands Agreement',
 - Air Transport Agreement between the Government of the United Mexican States and the Government of the Republic of Poland, signed at Mexico City, on 11 October 1990, hereinafter referred to as the 'Mexico-Poland Agreement',
 - Agreement on Civil Air Transport between the Governments of Mexico and Portugal, signed at Lisbon, Portugal on 22 October 1948, hereinafter referred to as the 'Mexico-Portugal Agreement',
 - Air Transport Agreement between the Government of the United Mexican States and the Government of the Kingdom of Spain, signed at Mexico City, on 21 November 1978, hereinafter referred to as the 'Mexico-Spain Agreement',
 - Agreement between the Government of the United Mexican States and the Government of the United Kingdom of Great Britain and Northern Ireland concerning air services, signed at Mexico City, on 18 November 1988, hereinafter referred to as the 'Mexico-United Kingdom Agreement'.
- (b) Air service agreements between the United Mexican States and Member States of the European Union which, at the date of signature of this Agreement, have not yet entered into force:
- Air Transport Agreement between the United Mexican States and the Kingdom of Spain, signed at Madrid, Spain, on 8 April 2003.
-

ANNEX II

LIST OF ARTICLES IN THE AGREEMENTS LISTED IN ANNEX I AND REFERRED TO IN ARTICLES 2 AND 3 OF THIS AGREEMENT

(a) Designation by a Member State:

- Article 3 of the Mexico-Austria Agreement,
- Article 3 of the Mexico-Belgium Agreement,
- Article 3 of the Mexico-Czech Republic Agreement,
- Article 3 of the Mexico-France Agreement,
- Article 3 of the Mexico-Germany Agreement,
- Article 3 of the Mexico-Italy Agreement,
- Article 3 of the Mexico-Luxembourg Agreement,
- Article 3 of the Mexico-Netherlands Agreement,
- Article 3 of the Mexico-Poland Agreement,
- Article II of the Mexico-Portugal Agreement,
- Article 3 of the Mexico-Spain Agreement,
- Article 4 of the Mexico-United Kingdom Agreement.

(b) Refusal, revocation, suspension or limitation of authorisations or permissions:

- Article 4 of the Mexico-Austria Agreement,
- Article 5 of the Mexico-Belgium Agreement,
- Article 4 of the Mexico-Czech Republic Agreement,
- Article 4 of the Mexico-France Agreement,
- Article 4, first sentence, of the Mexico-Germany Agreement,
- Article 4 of the Mexico-Italy Agreement,
- Article 4 of the Mexico-Luxembourg Agreement,
- Article 4 of the Mexico-Netherlands Agreement,
- Article 4 of the Mexico-Poland Agreement,
- Article VII of the Mexico-Portugal Agreement,
- Article 4 of the Mexico-Spain Agreement,
- Article 5 of the Mexico-United Kingdom Agreement.

(c) Safety:

- Article 6 of the Mexico-Austria Agreement,
 - Article 7 of the Mexico-Belgium Agreement,
 - Article 6 of the Mexico-Czech Republic Agreement,
 - Article 6a of the Mexico-France Agreement,
 - Article 6a of the Mexico-Italy Agreement,
 - Article 6 of the Mexico-Luxembourg Agreement,
 - Article 6 of the Mexico-Netherlands Agreement,
 - Article V of the Mexico-Portugal Agreement,
 - Article 8 of the Mexico-United Kingdom Agreement.
-

*ANNEX III***LIST OF OTHER COUNTRIES REFERRED TO IN ARTICLE 2 OF THIS AGREEMENT**

- (a) The Republic of Iceland (under the Agreement on the European Economic Area).
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area).
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area).
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
-

COMMISSION DECISION**of 11 February 2011****authorising a method for grading pig carcasses in the Grand Duchy of Luxembourg***(notified under document C(2011) 750)***(Only the French text is authentic)**

(2011/95/EU)

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 43, point (m), in conjunction with Article 4 thereof,

Whereas:

(1) Point B.IV, paragraph 1, of Annex V to Regulation (EC) No 1234/2007 provides that, for the classification of pig carcasses, the lean-meat content has to be assessed by means of grading methods authorised by the Commission, which methods may only be statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass. The authorisation of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment. This tolerance is defined in Article 23(3) of Commission Regulation (EC) No 1249/2008 of 10 December 2008 laying down detailed rules on the implementation of the Community scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof ⁽²⁾.

(2) The Grand Duchy of Luxembourg is of the opinion that the update of the national formula is absolutely necessary in order to take into account the breeding progress during the past 20 years. The last update of the lean meat equation of the grading instrument (HGP-2) dates back to 1989 and was authorised by Commission Decision 89/51/EEC ⁽³⁾.

(3) The Grand Duchy of Luxembourg has therefore asked the Commission to authorise one method for grading pig carcasses on its territory and has presented a detailed description of the dissection trial, indicating the principles on which this method is based, the results of its dissection trial and the equation used for assessing the percentage of lean meat in the protocol provided for in Article 23(4) of Regulation (EC) No 1249/2008.

(4) Examination of this request has revealed that the conditions for authorising this grading method are fulfilled. This grading method should therefore be authorised in the Grand Duchy of Luxembourg.

(5) No modification of the apparatus or grading method may be authorised except by means of a new Commission Decision adopted in the light of experience gained. For this reason, the present authorisation may be revoked.

(6) Decision 89/51/EEC should therefore be repealed. However, in view of technical circumstances while introducing new devices and new equation the method for grading pig carcasses authorised under Decision 89/51/EEC should continue to apply up to 28 February 2011.

(7) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following method is hereby authorised for grading pig carcasses pursuant to point B.IV, paragraph 1, of Annex V to Regulation (EC) No 1234/2007 in the Grand Duchy of Luxembourg: the apparatus termed 'Hennessy Grading Probe (HGP 4)' and the assessment method related thereto, details of which are given in the Annex.

Article 2

Modifications of the apparatus or the assessment method shall not be authorised.

Article 3

Decision 89/51/EEC is repealed.

However, up to 28 February 2011, the Grand Duchy of Luxembourg may continue to apply the method for grading pig carcasses authorised under Decision 89/51/EEC.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 337, 16.12.2008, p. 3.

⁽³⁾ OJ L 20, 25.1.1989, p. 31.

Article 4

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 11 February 2011.

For the Commission
Dacian CIOLOŞ
Member of the Commission

ANNEX

Method for grading pig carcasses in the Grand Duchy of Luxembourg

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Hennessy Grading Probe (HGP 4)'.
2. The apparatus shall be equipped with a probe of 5,95 millimetres diameter (and of 6,3 millimetres at the blade on top of the probe) containing a photodiode (Siemens LED of the type LYU 260-EO) and photodetector of the type Silonex SLCD-61N1 and having an operating distance of between 0 and 120 millimetres. The results of the measurements shall be converted into estimated lean meat content by means of the HGP 4 itself or a computer linked to it.
3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\text{LMP} = 62,49268 - 0,94725 \cdot F + 0,16604 \cdot M$$

4. where:

LMP = the estimated percentage of lean meat in the carcass,

F = the thickness of back-fat (including rind) in millimetres, measured at 7 centimetres off the midline of the split carcass, between the second and third last ribs,

M = the thickness of the dorsal muscle in millimetres, measured at the same time and in the same place as F.

This formula shall be valid for carcasses weighing between 50 and 120 kilograms.

COMMISSION DECISION

of 11 February 2011

relating to the clearance of the accounts presented by Romania for the expenditure financed under the special accession programme for agriculture and rural development (Sapard) in 2007

(notified under document C(2011) 759)

(Only the Romanian text is authentic)

(2011/96/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period ⁽¹⁾,

Having regard to Commission Regulation (EC) No 2222/2000 of 7 June 2000 laying down financial rules for the application of Council Regulation (EC) No 1268/1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period ⁽²⁾, and in particular Article 13 thereof,

Having regard to the Multiannual Financing Agreement concluded with Romania on 2 February 2001 and in particular Article 11 of Section A to the Annex thereof,

Having regard to Commission Regulation (EC) No 248/2007 of 8 March 2007 on measures concerning the Multi-annual Financing Agreements and the Annual Financing Agreements concluded under the Sapard programme and the transition from Sapard to rural development ⁽³⁾, in conjunction with the Multiannual Financing Agreements as referred to in Annex II, point 1 to that Regulation, and in particular Article 11 of Section A to the Annex thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) The Commission, acting on behalf of the European Union, concluded multiannual financing agreements (MAFAs) laying down the technical, legal and administrative framework for the execution of the Special Accession Programme for Agriculture and Rural Development (Sapard) with Romania.

- (2) Article 11 of Section A of the Annex to the MAFAs provides for the adoption of a clearance of accounts Decision by the Commission. That provision continues to apply to Romania, by virtue of Regulation (EC) No 248/2007.

- (3) The time limits granted to the recipient countries for the submission to the Commission of the requisite documents have expired.

- (4) Commission Decision C(2008) 5524 of 30 September 2008 cleared the accounts of Bulgaria and Croatia. However, pending the review of supplementary information which had been requested from Romania, the decision concerning the accounts of this country could not be adopted at that stage.

- (5) The supplementary information has in the meantime been submitted. The checks carried out enable the Commission to take a decision on the completeness, accuracy and veracity of the accounts submitted by the Sapard Agency.

- (6) This Decision is adopted on the basis of accounting information. It does not prejudice the possibility for the Commission to decide subsequently to exclude from EU financing expenditure not incurred in accordance with Regulation (EC) No 2222/2000,

HAS ADOPTED THIS DECISION:

Article 1

The accounts of the Sapard Agency, situated on the territory of Romania, which concern expenditure financed by the general budget of the European Union in 2007 are hereby cleared.

Article 2

The expenditure and funding received from the EU for the financial year 2007, as stated on 31 December 2007, and the assets held by this Beneficiary Country on behalf of the EU on 31 December 2007, to be cleared under this Decision, are laid down in the Annex.

⁽¹⁾ OJ L 161, 26.6.1999, p. 87.

⁽²⁾ OJ L 253, 7.10.2000, p. 5.

⁽³⁾ OJ L 69, 9.3.2007, p. 5.

Article 3

This Decision is addressed to Romania.

Done at Brussels, 11 February 2011.

For the Commission
Dacian CIOLOȘ
Member of the Commission

ANNEX

Clearance of the Romanian Sapard Agency's accounts

Financial year 2007

Expenditure and funding received from the EU in respect of the financial year 2007 as stated at 31 December 2007

(all amounts in euro)

Beneficiary Country	Declaration D2 EU-contribution Financial year 2007	EU-contribution cleared with this decision	EU-contribution disjoined with this decision	Total b + c	Adjustments ⁽¹⁾	Funding received from the EU (D1)	Difference to berecovered or paid Financial year 2007 ⁽²⁾
	a	b	c	d	e	f	g = d - e - f
Romania	260 601 503,20	260 601 503,20	0,00	260 601 503,20	39 204,26	260 464 956,44	97 342,50 ⁽³⁾

⁽¹⁾ This amount represents the adjustments made by the Romanian authorities in the declared expenditure to the Commission for the FY 2007 during the subsequent periods, due to recovered amounts for the measure 3.3.

⁽²⁾ This amount represents the mathematical difference between the amount cleared and that reimbursed for the financial year 2007, without taking into account the advances paid in the previous years. The Commission services do not commit to recover or pay any amount at the date of this decision.

⁽³⁾ The difference of (EUR - 97 342,50) is the mathematical result of (EUR 97 452,16) representing expenditure declared but not reimbursed by the Commission following the appraisal of the reperformance reports for the measure 3.3, of (EUR - 92,69) representing corrections made by the Romanian authorities in 2007 for D1 2006, of (EUR - 18,36) triggered by the use of an incorrect exchange rate for three recoveries as explained by the CB, and of (EUR 1,39) due to rounding.

Assets held by the Beneficiary Countries on behalf of the EU on 31 December 2007

(all amounts in euro)

Beneficiary Country	EURO ACCOUNT balance cleared with this decision	EURO ACCOUNT balance disjoined with this decision	DEBTORS cleared with this decision	DEBTORS disjoined with this decision
	h		i	
Romania	815 476,50	0,00	2 735 476,31 ⁽¹⁾	0,00

⁽¹⁾ The amounts do not take into account the interests accrued on debts.

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