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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Council Regulation (EU) No 359/2011 of 12 April 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran** 1
- ★ **Council Implementing Regulation (EU) No 360/2011 of 12 April 2011 implementing Article 16(1) and (2) of Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya** 12
- ★ **Commission Implementing Regulation (EU) No 361/2011 of 13 April 2011 concerning the authorisation of *Enterococcus faecium* NCIMB 10415 as a feed additive for chickens for fattening (holder of authorisation DSM Nutritional products Ltd represented by DSM Nutritional Products Sp. z o.o) and amending Regulation (EC) No 943/2005 ⁽¹⁾** 22
- ★ **Commission Regulation (EU) No 362/2011 of 13 April 2011 amending the Annex to Regulation (EU) No 37/2010 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin, as regards the substance monepantel ⁽¹⁾** 26
- ★ **Commission Regulation (EU) No 363/2011 of 13 April 2011 amending the Annex to Regulation (EU) No 37/2010 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin, as regards the substance isoeugenol ⁽¹⁾** 28

Price: EUR 4

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EU) No 364/2011 of 13 April 2011 amending Annex I to Commission Regulation (EC) No 798/2008 and amending Commission Regulation (EC) No 1291/2008 as regards a control programme for <i>Salmonella</i> in certain poultry and eggs in Croatia in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and correcting Commission Regulations (EU) No 925/2010 and (EU) No 955/2010 ⁽¹⁾	30
Commission Implementing Regulation (EU) No 365/2011 of 13 April 2011 establishing the standard import values for determining the entry price of certain fruit and vegetables	37

DIRECTIVES

★ Commission Implementing Directive 2011/43/EU of 13 April 2011 amending Council Directive 91/414/EEC to include lime sulphur as active substance and amending Commission Decision 2008/941/EC ⁽¹⁾	39
★ Commission Implementing Directive 2011/44/EU of 13 April 2011 amending Council Directive 91/414/EEC to include azadirachtin as active substance and amending Commission Decision 2008/941/EC ⁽¹⁾	43
★ Commission Implementing Directive 2011/45/EU of 13 April 2011 amending Council Directive 91/414/EEC to include diclofop as active substance and amending Commission Decision 2008/934/EC ⁽¹⁾	47

DECISIONS

★ Council Decision 2011/235/CFSP of 12 April 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Iran	51
★ Council Implementing Decision 2011/236/CFSP of 12 April 2011 implementing Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya	58
2011/237/CFSP:	
★ Political and Security Committee Decision Atalanta/1/2011 of 13 April 2011 on the appointment of an EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)	72



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 359/2011

of 12 April 2011

concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(2) thereof,

Having regard to Council Decision 2011/235/CFSP of 12 April 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Iran⁽¹⁾, adopted in accordance with Chapter 2 of Title V of the Treaty on European Union,

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

Whereas:

- (1) Decision 2011/235/CFSP provides for the freezing of funds and economic resources of certain persons responsible for serious human rights violations in Iran. Those persons and entities are listed in the Annex to the Decision.
- (2) The restrictive measures should target persons complicit in or responsible for directing or implementing grave human rights violations in the repression of peaceful demonstrators, journalists, human rights defenders, students or other persons who speak up in defence of their legitimate rights, including freedom of expression, as well as persons complicit in or responsible for directing or implementing grave violations of the right to due process, torture, cruel, inhuman and degrading treatment, or the indiscriminate, excessive and increasing application of the death penalty, including public

executions, stoning, hangings or executions of juvenile offenders in contravention of Iran's international human rights obligations.

- (3) Those measures fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.
- (4) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and in particular the right to an effective remedy and to a fair trial and the right to the protection of personal data. This Regulation should be applied in accordance with those rights.
- (5) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the political situation in Iran, and to ensure consistency with the process for amending and reviewing the Annex to Decision 2011/235/CFSP.
- (6) The procedure for amending the lists in Annex I to this Regulation should include providing designated persons, entities or bodies with the grounds for listing, so as to give them an opportunity to submit observations. Where observations are submitted, or substantial new evidence is presented, the Council should review its decision in light of those observations and inform the person, entity or body concerned accordingly.
- (7) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources must be frozen in accordance with this Regulation, must be made public. Any processing of

⁽¹⁾ See page 51 of this Official Journal.

personal data should respect Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽¹⁾ and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽²⁾.

- (8) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'funds' means financial assets and benefits of every kind, including but not limited to:
- (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (iii) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (iv) interest, dividends or other income on or value accruing from or generated by assets;
 - (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (vi) letters of credit, bills of lading, bills of sale;
 - (vii) documents evidencing an interest in funds or financial resources;
- (b) 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (c) 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but may be used to obtain funds, goods or services;
- (d) 'freezing of economic resources' means preventing their use to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (e) 'territory of the Union' means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by the natural or legal persons, entities and bodies listed in Annex I shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex I.
3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

Article 3

1. Annex I shall consist of a list of persons who, in accordance with Article 2(1) of Decision 2011/235/CFSP, have been identified by the Council as being persons responsible for serious human rights violations in Iran, and persons, entities or bodies associated with them.
2. Annex I shall include the grounds for the listing of listed persons, entities and bodies concerned.
3. Annex I shall also include, where available, information necessary to identify the natural or legal persons, entities and bodies concerned. With regard to natural persons, such information may include names including aliases, date and place of birth, nationality, passport and identity card numbers, gender, address, if known, and function or profession. With regard to legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

⁽²⁾ OJ L 281, 23.11.1995, p. 31.

Article 4

1. By way of derogation from Article 2, the competent authorities in the Member States, as listed in Annex II, may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources are:

- (a) necessary to satisfy the basic needs of persons listed in Annex I and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for the payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses, provided that the Member State concerned has notified all other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least 2 weeks prior to the authorisation.

2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 5

1. By way of derogation from Article 2, the competent authorities in the Member States, as listed in Annex II, may authorise the release of certain frozen funds or economic resources, provided that the following conditions are met:

- (a) the funds or economic resources in question are the subject of a judicial, administrative or arbitral lien established prior to the date on which the person, entity or body referred to in Article 2 was listed in Annex I, or of a judicial, administrative or arbitral judgment rendered prior to that date;
- (b) the funds or economic resources in question will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the lien or judgment is not for the benefit of a person, entity or body listed in Annex I; and

(d) recognising the lien or judgment is not contrary to public policy in the Member State concerned.

2. The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under paragraph 1.

Article 6

1. Article 2(2) shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose before the date on which the natural or legal person, entity or body referred to in Article 2 has been listed in Annex I,

provided that any such interest, other earnings and payments are also frozen in accordance with Article 2(1).

2. Article 2(2) shall not prevent financial or credit institutions in the Union from crediting frozen accounts where they receive funds transferred to the account of a listed natural or legal person, entity or body, provided that any additions to such accounts will also be frozen. The financial or credit institution shall inform the relevant competent authority about any such transaction without delay.

Article 7

By way of derogation from Article 2, and provided that a payment by a person, entity or body listed in Annex I is due under a contract or agreement that was concluded by, or an obligation that arose for the person, entity or body concerned, before the date on which that person, entity or body had been designated, the competent authorities of the Member States, as indicated on the websites listed in Annex II, may authorise, under such conditions as they deem appropriate, the release of certain frozen funds or economic resources, if the following conditions are met:

- (a) the competent authority concerned has determined that:
 - (i) the funds or economic resources will be used for a payment by a person, entity or body listed in Annex I; and
 - (ii) the payment is not in breach of Article 2(2); and
- (b) the Member State concerned has, at least 2 weeks prior to granting the authorisation, notified the other Member States and the Commission of that determination and its intention to grant an authorisation.

Article 8

1. The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen or withheld as a result of negligence.

2. The prohibition set out in Article 2(2) shall not give rise to any liability of any kind on the part of the natural and legal persons, entities and bodies who made funds or economic resources available if they did not know, and had no reasonable cause to suspect, that their actions would infringe the prohibition in question.

Article 9

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy, natural and legal persons, entities and bodies shall:

- (a) supply immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 2, to the competent authority in the Member State where they are resident or located, as indicated on the websites listed in Annex II, and shall transmit such information, either directly or through the Member States, to the Commission; and
- (b) cooperate with that competent authority in any verification of that information.

2. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

Article 10

Member States and the Commission shall immediately inform each other of measures taken under this Regulation and shall supply each other with any other relevant information at their disposal in connection with this Regulation, in particular information in respect of violations, enforcement problems and judgments handed down by national courts.

Article 11

The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.

Article 12

1. Where the Council decides to subject a natural or legal person, entity or body to the measures referred to in Article 2(1), it shall amend Annex I accordingly.

2. The Council shall communicate its decision, including the grounds for the listing, to the natural or legal person, entity or body, either directly, if the address is known, or through the publication of a notice, providing such person, entity or body with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and shall inform the person, entity or body accordingly.

4. The list in Annex I shall be reviewed at regular intervals and at least every 12 months.

Article 13

1. Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.

2. Member States shall notify the Commission of those rules without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment to them.

Article 14

Where there is, in this Regulation, a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

Article 15

This Regulation shall apply:

- (a) within the territory of the Union, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Union who is a national of a Member State;
- (d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Article 16

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 Luxembourg, 12 April 2011.

For the Council
The President
C. ASHTON

ANNEX I

List of natural and legal persons, entities and bodies referred to in Article 2(1)

Persons

	Name	Identifying information	Reasons	Date of listing
1.	AHMADI-MOQADDAM Esmail	POB: Tehran (Iran) - DOB: 1961	Chief of Iran's National Police. Forces under his command led brutal attacks on peaceful protests, and a violent night time attack on the dormitories of Tehran University on June 15, 2009.	
2.	ALLAHKARAM Hossein		Ansar-e Hezbollah Chief and Colonel in the IRGC. He co-founded Ansar-e Hezbollah. This paramilitary force was responsible for extreme violence during crackdown against students and universities in 1999, 2002 and 2009.	
3.	ARAGHI (ERAGHI) Abdollah		Deputy Head of IRGC's Ground Forces. He had a direct and personal responsibility in the crackdown of protests all through the Summer of 2009.	
4.	FAZLI Ali		Deputy Commander of the Basij, former Head of the IRGC's Seyyed al-Shohada Corps, Tehran Province (until February 2010). The Seyyed al-Shohada Corps is in charge of security in Tehran province and played a key role in brutal repression of protesters in 2009.	
5.	HAMEDANI Hossein		Head of the IRGC's Rassoulollah Corps in charge of Greater Tehran since November 2009. The Rassoulollah Corps is in charge of security in greater Tehran, and played a key role in violent suppression of protesters in 2009. Responsible for the crackdown of protests through Ashura events (December 2009) and since.	
6.	JAFARI Mohammad-Ali (a.k.a. "Aziz Jafari")	POB: Yazd (Iran) - DOB: 1.9.1957	General Commander of the IRGC. IRGC and the Sarollah Base commanded by General Aziz Jafari has played a key role in illegally interfering with the 2009 Presidential Elections, arresting and detaining political activists, as well as clashing with protestors in the streets.	
7.	KHALILI Ali		IRGC General, Head of the Medical Unit of Sarollah Base. He signed a letter sent to the Ministry of Health June 26 2009 forbidding the submission of documents or medical records to anyone injured or hospitalized during post-elections events.	
8.	MOTLAGH Bahram Hosseini		Head of the IRGC's Seyyed al-Shohada Corps, Tehran Province. The Seyyed al-Shohada Corps played a key role in organising the repression of protests.	

	Name	Identifying information	Reasons	Date of listing
9.	NAQDI Mohammad-Reza	POB: Najaf (Iraq) – DOB: Circa 1952	Commander of the Basij. As commander of the IRGC's Basij Forces, Naqdi was responsible for or complicit in Basij abuses occurring in late 2009, including the violent response to the December 2009 Ashura Day protests, which resulted in up to 15 deaths and the arrests of hundreds of protesters. Prior to his appointment as commander of the Basij in October 2009, Naqdi was the head of the intelligence unit of the Basij responsible for interrogating those arrested during the post-election crackdown.	
10.	RADAN Ahmad-Reza	POB: Isfahan (Iran) – DOB:1963	Deputy Chief of Iran's National Police. As Deputy Chief of National Police since 2008, Radan was responsible for beatings, murder, and arbitrary arrests and detentions against protestors that were committed by the police forces.	
11.	RAJABZADEH Azizollah		Former Head of Tehran Police (until January 2010). As Commander of the Law Enforcement Forces in the Greater Tehran, Azizollah Rajabzadeh is the highest ranking accused in the case of abuses in Kahrizak Detention Center.	
12.	SAJEDI-NIA Hossein		Head of Tehran Police, former Deputy Chief of Iran's National Police responsible for Police Operations. He is in charge of coordinating, for the Ministry of Interior, repression operations in the Iranian capital.	
13.	TAEB Hossein	POB: Tehran - DOB: 1963	Former Commander of the Basij (until October 2009). Currently deputy IRGC commander for intelligence. Forces under his command participated in mass beatings, murders, detentions and tortures of peaceful protestors.	
14.	SHARIATI Seyeed Hassan		Head of Mashhad Judiciary. Trials under his supervision have been conducted summarily and inside closed sessions, without adherence to basic rights of the accused, and with reliance on confessions extracted under pressure and torture. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
15.	DORRI-NADJAFABADI Ghorban-Ali	POB: Najafabad (Iran) - DOB: 1945	Former Prosecutor General of Iran until September 2009 (former Intelligence minister under Khatami presidency). As Prosecutor General of Iran, he ordered and supervised the show trials following the first post-election protests, where the accused were denied their rights, an attorney. He also carries responsibility for the Kahrizak abuses..	
16.	HADDAD Hassan (alias Hassan ZAREH DEHNAVI)		Judge, Tehran Revolutionary Court, branch 26. He was charge of the detainee cases related to the post election crises and regularly threatened families of detainees in order to silence them. He has been instrumental in issuing detention orders to the Kahrizak Detention Centre.	

	Name	Identifying information	Reasons	Date of listing
17.	Hodjatoleslam Seyed Mohammad SOLTANI		Judge, Mashhad Revolutionary Court. Trials under his jurisdiction have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
18.	HEYDARIFAR Ali-Akbar		Judge, Tehran Revolutionary Court. He participated in protesters trial. He was questioned by the Judiciary about Kahrizak exactions. He was instrumental in issuing detention orders to consign detainees to Kahrizak Detention Centre	
19.	JAFARI-DOLATABADI Abbas		Prosecutor general of Tehran since August 2009. Dolatabadi's office indicted a large number of protesters, including individuals who took part in the December 2009 Ashura Day protests. He ordered the closure of Karroubi's office in September 2009 and the arrest of several reformist politicians, and he banned two reformist political parties in June 2010. His office charged protesters with the charge of Muharebeh, or enmity against God, which carries a death sentence, and denied due process to those facing the death sentence. His office has also targeted and arrested reformists, human rights activists, and members of the media, as part of a broad crackdown on the political opposition.	
20.	MOGHISSEH Mohammad (a.k.a. NASSERIAN)		Judge, Head of Tehran Revolutionary Court, branch 28. He is in charge of post-election cases. He issued long prison sentences during unfair trials for social, political activists and journalists and several death sentences for protesters and social and political activists.	
21.	MOHSENI-EJEI Gholam-Hossein	POB: Ejiyeh -DOB: circa 1956	Prosecutor General of Iran since September 2009 and spokesman of the Judiciary (former Intelligence minister during the 2009 elections). While he was Intelligence minister during the election, intelligence agents under his command were responsible for detention, torture and extraction of false confessions under pressure from hundreds of activists, journalists, dissidents, and reformist politicians. In addition, political figures were coerced into making false confessions under unbearable interrogations, which included torture, abuse, blackmail, and the threatening of family members.	
22.	MORTAZAVI Said	POB: Meybod, Yazd (Iran) - DOB: 1967	Head of Iran's Anti-smuggling Task Force, former Prosecutor general of Tehran until August 2009. As Tehran Prosecutor General, he issued a blanket order used for detention of hundreds of activists, journalists and students. He was suspended from office in August 2010 after an investigation by the Iranian judiciary of his role in the deaths of three men detained on his orders following the election.	

	Name	Identifying information	Reasons	Date of listing
23.	PIR-ABASSI Abbas		Tehran Revolutionary Court, branches 26 and 28. He is in charge of post-election cases, he issued long prison sentences during unfair trials against human rights activists and has issued several death sentences for protesters.	
24.	MORTAZAVI Amir		Deputy Prosecutor of Mashhad. Trials under his prosecution have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
25.	SALAVATI Abdolghassem		Judge, Head of Tehran Revolutionary Court, branch 15. In charge of the post-election cases, he was the Judge presiding the "show trials" in summer 2009, he condemned to death two monarchists that appeared in the show trials. He has sentenced more than a hundred political prisoners, human rights activists and demonstrators to lengthy prison sentences.	
26.	SHARIFI Malek Adjar		Head of East Azerbaidjan Judiciary. He was responsible for Sakineh Mohammadi-Ashtiani's trial.	
27.	ZARGAR Ahmad		Judge, Tehran Appeals Court, branch 36. He confirmed long-term jail warrants and death warrants against protesters.	
28.	YASAGHI Ali-Akbar		Judge, Mashhad Revolutionary Court. Trials under his jurisdiction have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
29.	BOZORGNIA Mostafa		Head of ward 350 of Evin Prison. He unleashed on a number of occasions disproportionate violence upon prisoners.	
30.	ESMAILI Gholam-Hossein		Head of Iran's Prisons Organisation. In this capacity, he was complicit to the massive detention of political protesters and covering up abuses performed in the jailing system.	
31.	SEDAQAT Farajollah		Assistant Secretary of the General Prison Administration in Tehran - Former Head of Evin's prison, Tehran until October 2010 during which time torture took place. He was warden and threatened and exerted pressure on prisoners numerous times.	
32.	ZANJIREI Mohammad-Ali		As Deputy Head of Iran's Prisons Organisation, responsible for abuses and deprivation of rights in detention center. He ordered the transfer of many inmates into solitary confinement.	

ANNEX II

List of competent authorities in the Member States referred to in Articles 4(1), 5(1), 7 and 9(1), and address for notifications to the European Commission

A. Competent authorities in each Member State:

BELGIUM

<http://www.diplomatie.be/eusanctions>

BULGARIA

<http://www.mfa.bg/bg/pages/view/5519>

CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisankce>

DENMARK

<http://www.um.dk/da/menu/Udenrigspolitik/FredSikkerhedOgInternationalRetsorden/Sanktioner/>

GERMANY

<http://www.bmw.de/BMWi/Navigation/Aussenwirtschaft/Aussenwirtschaftsrecht/embargos.html>

ESTONIA

http://www.vm.ee/est/kat_622/

IRELAND

<http://www.dfa.ie/home/index.aspx?id=28519>

GREECE

<http://www.mfa.gr/www.mfa.gr/en-US/Policy/Multilateral+Diplomacy/Global+Issues/International+Sanctions/>

SPAIN

http://www.maec.es/es/MenuPpal/Asuntos/Sanciones%20Internacionales/Paginas/Sanciones_%20Internacionales.aspx

FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

ITALY

http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm

CYPRUS

<http://www.mfa.gov.cy/sanctions>

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt>

LUXEMBOURG

<http://www.mae.lu/sanctions>

HUNGARY

http://www.kulugyminiszterium.hu/kum/hu/bal/Kulpolitikank/nemzetkozi_szankciok/

MALTA

http://www.doi.gov.mt/EN/bodies/boards/sanctions_monitoring.asp

NETHERLANDS

<http://www.minbuza.nl/sancties>

AUSTRIA

http://www.bmeia.gv.at/view.php?f_id=12750&LNG=en&version=

POLAND

<http://www.msz.gov.pl>

PORTUGAL

<http://www.min-nestrangeiros.pt>

ROMANIA

<http://www.mae.ro/node/1548>

SLOVENIA

http://www.mzz.gov.si/si/zunanja_politika/mednarodna_varnost/omejevalni_ukrepi/

SLOVAKIA

<http://www.foreign.gov.sk>

FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

SWEDEN

<http://www.ud.se/sanktioner>

UNITED KINGDOM

www.fco.gov.uk/competentauthorities

B. Address for notifications to or other communication with the European Commission:

European Commission
Foreign Policy Instruments Service
CHAR 12/106
1049 Bruxelles/Brussel
BELGIUM

E-mail: relex-sanctions@ec.europa.eu

Tel.: +32 22955585

Fax: +32 22990873

COUNCIL IMPLEMENTING REGULATION (EU) No 360/2011**of 12 April 2011****implementing Article 16(1) and (2) of Regulation (EU) No 204/2011 concerning restrictive measures
in view of the situation in Libya**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EU) No 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya ⁽¹⁾, and in particular Article 16(1) and (2) thereof,

Whereas:

- (1) On 2 March 2011, the Council adopted Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya.
- (2) In view of the gravity of the situation in Libya, additional persons and entities should be included in the list of persons and entities subject to restrictive measures as set out in Annex III to Regulation (EU) No 204/2011.

- (3) Furthermore, one person should be removed from the list in Annex III, and the information relating to certain persons and entities included in the lists in Annexes II and III to that Regulation should be updated,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EU) No 204/2011 shall be replaced by the text set out in Annexes I and II respectively 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 Luxembourg, 12 April 2011.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 58, 3.3.2011, p. 1.

ANNEX I

ANNEX II

List of natural and legal persons, entities or bodies referred to in Article 6(1)

1. **QADHAFI, Aisha Muammar**
Date of birth: 1978. Place of birth: Tripoli, Libya.
Daughter of Muammar QADHAFI. Closeness of association with regime.
Date of UN designation: 26.2.2011.
2. **QADHAFI, Hannibal Muammar**
Passport number: B/002210. Date of birth: 20.9.1975. Place of birth: Tripoli, Libya.
Son of Muammar QADHAFI. Closeness of association with regime.
Date of UN designation: 26.2.2011.
3. **QADHAFI, Khamis Muammar**
Date of birth: 1978. Place of birth: Tripoli, Libya.
Son of Muammar QADHAFI. Closeness of association with regime. Command of military units involved in repression of demonstrations.
Date of UN designation: 26.2.2011.
4. **QADHAFI, Muammar Mohammed Abu Minyar**
Date of birth: 1942. Place of birth: Sirte, Libya.
Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.
Date of UN designation: 26.2.2011.
5. **QADHAFI, Mutassim**
Date of birth: 1976. Place of birth: Tripoli, Libya.
National Security Adviser. Son of Muammar QADHAFI. Closeness of association with regime.
Date of UN designation: 26.2.2011.
6. **QADHAFI, Saif al-Islam**
Passport number: B014995. Date of birth: 25.6.1972. Place of birth: Tripoli, Libya.
Director, Qadhafi Foundation. Son of Muammar QADHAFI. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.
Date of UN designation: 26.2.2011.
7. **DORDA, Abu Zayd Umar**
Position: Director, External Security Organisation
Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)
8. **JABIR, Major General Abu Bakr Yunis**
Date of birth: 1952. Place of birth: Jalo, Libya.
Position: Defence Minister. Title: Major General.
Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)
9. **MATUQ, Matuq Mohammed**
Date of birth: 1956. Place of birth: Khoms, Libya.
Position: Secretary for Utilities.
Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

10. QADHAFI, Mohammed Muammar

Date of birth: 1970. Place of birth: Tripoli, Libya.

Son of Muammar QADHAFI. Closeness of association with regime.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

11. QADHAFI, Saadi

Date of birth: 27.5.1973. Place of birth: Tripoli, Libya.

Position: Commander Special Forces. Son of Muammar QADHAFI. Closeness of association with regime. Command of military units involved in repression of demonstrations.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

12. QADHAFI, Saif al-Arab

Date of birth: 1982. Place of birth: Tripoli, Libya.

Son of Muammar QADHAFI. Closeness of association with regime.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

13. AL-SENUSSI, Colonel Abdullah

Date of birth: 1949. Place of birth: Sudan.

Position: Director Military Intelligence

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

Entities**1. Central Bank of Libya (CBL)**

Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.

Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

2. Libyan Investment Authority

Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.

a.k.a.: Libyan Arab Foreign Investment Company (LAFICO) 1 Fateh Tower Office No 99 22nd Floor, Borgaida Street, Tripoli, 1103 Libya

Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

3. Libyan Foreign Bank

Under control of Muammar Qadhafi and his family and a potential source of funding for his regime.

Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

4. Libyan Africa Investment Portfolio

Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.

Jamahiriya Street, LAP Building, PO Box 91330, Tripoli, Libya

Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

5. Libyan National Oil Corporation

Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.

Bashir Saadwi Street, Tripoli, Tarabulus, Libya

Date of UN designation: 17.3.2011'

ANNEX II

ANNEX III

List of natural and legal persons, entities or bodies referred to in article 6(2)

Persons

	Name	Identifying information	Reasons	Date of listing
1.	ABDULHAFIZ, Colonel Mas'ud	Position: Armed Forces Commander	3rd in command of Armed Forces. Significant role in Military Intelligence.	28.2.2011
2.	ABDUSSALAM, Abdussalam Mohammed	Position: Head Counter-Terrorism, External Security Organisation Date of Birth: 1952 Place of Birth: Tripoli, Libya	Prominent Revolutionary Committee member. Close associate of Muammar QADHAFI.	28.2.2011
3.	ABU SHAARIYA	Position: Deputy Head, External Security Organisation	Prominent member of regime. Brother-in-law of Muammar QADHAFI.	28.2.2011
4.	ASHKAL, Al-Barrani	Position: Deputy Director, Military Intelligence	Senior member of regime.	28.2.2011
5.	ASHKAL, Omar	Position: Head, Revolutionary Committees Movement Place of Birth: Sirte, Libya	Revolutionary Committees involved in violence against demonstrators.	28.2.2011
6.	AL-BAGHDADI, Dr Abdulqader Mohammed	Position: Head of the Liaison Office of the Revolutionary Committees Passport No: B010574 Date of Birth: 1.7.1950	Revolutionary Committees involved in violence against demonstrators.	28.2.2011
7.	DIBRI, Abdulqader Yusef	Position: Head of Muammar QADHAFI's personal security Date of Birth: 1946 Place of Birth: Houn, Libya	Responsibility for regime security. History of directing violence against dissidents.	28.2.2011
8.	QADHAF AL-DAM, Ahmed Mohammed	Date of Birth: 1952 Place of Birth: Egypt	Cousin of Muammar QADHAFI. Since 1995, he is believed to have had command of an elite army battalion in charge of Qadhafi's personal security and to have a key role in External Security Organisation. He has been involved in planning operations against Libyan dissidents abroad and was directly involved in terrorist activity.	28.2.2011
9.	QADHAF AL-DAM, Sayyid Mohammed	Date of Birth: 1948 Place of Birth: Sirte, Libya	Cousin of Muammar QADHAFI. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.	28.2.2011
10.	AL-BARASSI, Safia Farkash	Date of birth: 1952 Place of birth: Al Bayda, Libya	Wife of Muammar QADHAFI. Closeness of association with regime.	28.2.2011

	Name	Identifying information	Reasons	Date of listing
11.	SALEH, Bachir	Date of birth: 1946 Place of birth: Traghan	Head of Cabinet of the Leader. Closeness of association with regime.	28.2.2011
12.	TOHAMI, General Khaled	Date of birth: 1946 Place of birth: Genzur	Director of Internal Security Office. Closeness of association with regime.	28.2.2011
13.	FARKASH, Mohammed Boucharaya	Date of birth: 1 July 1949 Place of birth: Al-Bayda	Director of intelligence in External Security Office. Closeness of association with regime.	28.2.2011
14.	ZARTI, Mustafa	born on 29 March 1970, Austrian citizen (passport no. P1362998, valid from 6 November 2006 until 5 November 2016)	Closeness of association with regime and vice chief executive of "Libyan Investment Authority", board member of the National Oil Corporation and vice chairman of First Energy Bank in Bahrain.	10.3.2011
15.	EL-KASSIM ZOUAI, Mohamed Abou		Secretary General of the General People's Congress; involved in violence against demonstrators.	21.3.2011
16.	AL-MAHMOUDI, Baghdadadi		Prime Minister of Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
17.	HIJAZI, Mohamad Mahmoud		Minister for Health and Environment in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
18.	ZLITNI, Abdelhaziz	Date of birth: 1935	Minister for Planning and Finance in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
19.	HOUEJ, Mohamad Ali	Date of birth: 1949 Place of birth: Al-Azizia (near Tripoli)	Minister for Industry, Economy and Trade in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
20.	AL-GAOUJ, Abdelmajid	Date of birth: 1943	Minister for Agriculture, Animal and Maritime Resources in Colonel Qadhafi's Government.	21.3.2011
21.	AL-CHARIF, Ibrahim Zarroug		Minister for Social Affairs in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
22.	FAKHIRI, Abdelkebir Mohamad	Date of birth: 04 May 1963 Passport number: B/014965 (expired end 2013)	Minister for Education, Higher Education and Research in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
23.	ZIDANE, Mohamad Ali	Date of birth: 1958 Passport number: B/0105075 (expired end 2013)	Minister for Transport in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011

	Name	Identifying information	Reasons	Date of listing
24.	MANSOUR, Abdallah	Date of birth: 8.7.1954 Passport number: B/014924 (expired end 2013)	Close collaborator of Colonel Qadhafi, senior role in security services and former director of radio and television; involved in violence against demonstrators.	21.3.2011
25.	AL QADHAFI, Quren Salih Quren		Libyan Ambassador to Chad. Has left Chad for Sabha. Involved directly in recruiting and coordinating mercenaries for the regime.	12.4.2011
26.	AL KUNI, Colonel Amid Husain		Governor of Ghat (South Libya). Directly involved in recruiting mercenaries.	12.4.2011

Entities

	Name	Identifying information	Reasons	Date of listing
1.	Libyan Housing and Infrastructure Board (HIB)	Tajora, Tripoli, Libya Legislation number: 60/2006 by Libyan General People's Committee Tel: +218 21 369 1840, Fax: +218 21 369 6447 http://www.hib.org.ly	Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.	10.3.2011
2.	Economic and Social Development Fund (ESDF)	Qaser Bin Ghasher road Salaheddine Cross - BP: 93599 Libya-Tripoli Telephone: +218 21 490 8893 - Fax: +218 21 491 8893 - email: info@esdf.ly	Controlled by Muammar Qadhafi's regime and potential source of funding for it	21.3.2011
3.	Libyan Arab African Investment Company - LAAICO	Site: http://www.laaico.com Company established in 1981 76351 Janzour-Libya. 81370 Tripoli-Libya Tel: 00 218 (21) 4890146 - 4890586 - 4892613 Fax: 00 218 (21) 4893800 - 4891867 email: info@laaico.com	Controlled by Muammar Qadhafi's regime and potential source of funding for it	21.3.2011
4.	Gaddafi International Charity and Development Foundation	Contact details of administration: Hay Alandalus - Jian St. - Tripoli - PoBox: 1101 - LIBYA Telephone: (+218) 214778301 - Fax: (+218) 214778766; email: info@gicdf.org	Controlled by Muammar Qadhafi's regime and potential source of funding for it.	21.3.2011
5.	Waatassimou Foundation	Based in Tripoli.	Controlled by Muammar Qadhafi's regime and potential source of funding for it	21.3.2011
6.	Libyan Jamahirya Broadcasting Corporation	Contact details: tel: 00 218 21 444 59 26; 00 21 444 59 00; fax: 00 218 21 340 21 07 http://www.ljbc.net ; email: info@ljbc.net	Public incitement to hatred and violence through participation in disinformation campaigns concerning violence against demonstrators.	21.3.2011

	Name	Identifying information	Reasons	Date of listing
7.	Revolutionary Guard Corps		Involved in violence against demonstrators.	21.3.2011
8.	National Commercial Bank	Orouba Street AlBayda, Libya Phone: +218 21-361-2429 Fax: +218 21-446-705 www.ncb.ly	National Commercial Bank is a commercial bank in Libya. The bank was founded in 1970 and is based in AlBayda, Libya. It has locations in Tripoli and AlBayda, as well as operates branches in Libya. It is 100 % government-owned and a potential source of funding for the regime.	21.3.2011
9.	Gumhouria Bank	Gumhouria Bank Building Omar Al Mukhtar Avenue Giaddal Omer Al Moukhtar P.O. Box 685 Tarabulus Tripoli Libya Tel: +218 21-333-4035 +218 21-444-2541 +218 21-444-2544 +218 21-333-4031 Fax: +218 21-444-2476 +218 21-333-2505 Email: info@gumhouria-bank.com.ly Website: www.gumhouria-bank.com.ly	Gumhouria Bank is a commercial bank in Libya. The bank was created in 2008 through the merger of Al Ummah and Gumhouria banks. It is 100 % government-owned and a potential source of funding for the regime.	21.3.2011
10.	Sahara Bank	Sahara Bank Building First of September Street P.O. Box 270 Tarabulus Tripoli Libya Tel: +218 21-379-0022 Fax: +218 21-333-7922 Email: info@saharabank.com.ly Website: www.saharabank.com.ly	Sahara Bank is a commercial bank in Libya. It is 81 % government-owned and a potential source of funding for the regime.	21.3.2011
11.	Azzawia (Azawiya) Refining	P.O. Box 6451 Tripoli Libya +218 023 7976 26778 http://www.arc.com.ly	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
12.	Ras Lanuf Oil and Gas Processing Company (RASCO)	Ras Lanuf Oil and Gas Processing Company Building Ras Lanuf City P.O. Box 2323 Libya Tel: +218 21-360-5171 +218 21-360-5177 +218 21-360-5182 Fax: +218 21-360-5174 Email: info@raslanuf.ly Website: www.raslanuf.ly	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011

	Name	Identifying information	Reasons	Date of listing
13.	Brega	Head Office: Azzawia / coast road P.O. Box Azzawia 16649 Tel: 2 – 625021-023 / 3611222 Fax: 3610818 Telex: 30460 / 30461 / 30462	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
14.	Sirte Oil Company	Sirte Oil Company Building Marsa Al Brega Area P.O. Box 385 Tarabulus Tripoli Libya Tel: +218 21-361-0376 +218 21-361-0390 Fax: +218 21-361-0604 +218 21-360-5118 Email: info@soc.com.ly Website: www.soc.com.ly	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
15.	Waha Oil Company	Waha Oil Company Office Location: Off Airport Road Tripoli Tarabulus Libya Postal Address: P.O. Box 395 Tripoli Libya Tel: +218 21-3331116 Fax: +218 21-3337169 Telex: 21058	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
16.	Libyan Agricultural Bank (a.k.a. Agricultural Bank; a.k.a. Al Masraf Al Zirae Agricultural Bank; a.k.a. Al Masraf Al Zirae; a.k.a. Libyan Agricultural Bank)	El Ghayran Area, Ganzor El Sharqya, P.O. Box 1100, Tripoli, Libya; Al Jumhouria Street, East Junzour, Al Gheran, Tripoli, Libya; Email Address agbank@agrilibank.ly; SWIFT/BIC AGRULYLT (Libya); Tel No. (218)214870586; Tel No. (218) 214870714; Tel No. (218) 214870745; Tel No. (218) 213338366; Tel No. (218) 213331533; Tel No. (218) 213333541; Tel No. (218) 213333544; Tel No. (218) 213333543; Tel No. (218) 213333542; Fax No. (218) 214870747; Fax No. (218) 214870767; Fax No. (218) 214870777; Fax No. (218) 213330927; Fax No. (218) 213333545	Libyan subsidiary of the Central Bank of Libya	12.4.2011
17.	Tamoil Africa Holdings Limited (a.k.a. Oil Libya Holding Company)		Libyan subsidiary of the Libyan Africa Investment Portfolio	12.4.2011
18.	Al-Inma Holding Co. for Services Investments		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
19.	Al-Inma Holding Co. For Industrial Investments		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011

	Name	Identifying information	Reasons	Date of listing
20.	Al-Inma Holding Company for Tourism Investment	Hasan al-Mashay Street (off al-Zawiyah Street) Tel No.: (218) 213345187 Fax: +218.21.334.5188 e-mail: info@ethic.ly	Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
21.	Libyan Holding Company for Development and Investment		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
22.	Al-Inma Holding Co. for Construction and Real Estate Developments		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
23.	First Gulf Libyan Bank	The 7th of November Street, P.O. Box 81200, Tripoli, Libya; SWIFT/BIC FGLBLYLT (Libya); Tel No. (218) 213622262; Fax No. (218) 213622205	Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
24.	LAP Green Networks (a.k.a. LAP Green Holding Company)		Libyan subsidiary of the Libyan Africa Investment Portfolio	12.4.2011
25.	National Oil Wells and Drilling and Workover Company (a.k.a. National Oil Wells Chemical and Drilling and Workover Equipment Co.; a.k.a. National Oil Wells Drilling And Workover Equipment Co.)	National Oil Wells Drilling and Workover Company Building, Omar Al Mokhtar Street, P.O. Box 1106, Tarabulus, Tripoli, Libya Tel No. (218) 213332411; Tel No. (218) 213368741; Tel No. (218) 213368742 Fax (218) 214446743 Email: info@nwd-ly.com Website: www.nwd-ly.com	Libyan subsidiary of the National Oil Corporation (NOC) This company was created in 2010 by a merger between the National Drilling Co. and the National Company for Oil Wells Services.	12.4.2011
26.	North African Geophysical Exploration Company (a.k.a. NAGECO; a.k.a. North African Geophysical Exploration)	Airport Road, Ben Ghasir 6.7 KM, Tripoli, Libya Tel No. (218) 215634670/4 Fax: (218) 215634676 Email: nageco@nageco.com Website: www.nageco.com	Libyan subsidiary of the National Oil Corporation In 2008 NOC acquired 100 % ownership of NAGECO	12.4.2011
27.	National Oil Fields and Terminals Catering Company	Airport Road Km 3, Tripoli, Libya	Libyan subsidiary of the National Oil Corporation	12.4.2011
28.	Mabruk Oil Operations	Dat El-Emad 2, Ground Floor, PO Box 91171, Tripoli.	Joint Venture between Total and the National Oil Corporation	12.4.2011
29.	Zueitina Oil Company (a.k.a. ZOC; a.k.a. Zueitina)	Zueitina Oil Building, Sidi Issa Street, Al Dahra Area, P.O. Box 2134, Tripoli, Libya	Joint Venture between Occidental and the National Oil Corporation	12.4.2011
30.	Harouge Oil Operations (a.k.a. Harouge; a.k.a. Veba Oil Libya GMBH)	Al Magharba Street, P.O. Box 690, Tripoli, Libya	Joint Venture between Petro Canada and the National Oil Corporation	12.4.2011
31.	Jawaby Property Investment Limited	Cutlers Farmhouse, Marlow Road, Lane End, High Wycombe, Buckinghamshire, UK Other info: Reg no 01612618 (UK)	UK-incorporated subsidiary of the National Oil Corporation	12.4.2011

	Name	Identifying information	Reasons	Date of listing
32.	Tekxel Limited	One Wood Street, London, UK Other info: Reg no 02439691	UK-incorporated subsidiary of the National Oil Corporation	12.4.2011
33.	Sabtina Ltd	530-532 Elder Gate, Elder House, Milton Keynes, UK Other info: Reg no 01794877 (UK)	UK-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
34.	Dalia Advisory Limited (LIA sub)	11 Upper Brook Street, London, UK Other info: Reg no 06962288 (UK)	UK-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
35.	Ashton Global Investments Limited	Woodbourne Hall, PO Box 3162, Road Town, Tortola, British Virgin Islands Other Info: Reg no 1510484 (BVI)	BVI-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
36.	Capitana Seas Limited	c/o Trident Trust Company (BVI) Ltd, Trident Chambers, PO Box 146, Road Town, Tortola, British Virgin Islands Other info: Reg no: 1526359 (BVI)	BVI -incorporated entity owned by Saadi Qadhafi	12.4.2011
37.	Kinloss Property Limited	Woodbourne Hall, PO Box 3162, Road Town, Tortola, British Virgin Islands Other Info: Reg no 1534407 (BVI)	BVI -incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
38.	Baroque Investments Limited	c/o ILS Fiduciaries (IOM) Ltd, First Floor, Millennium House, Victoria Road, Douglas, Isle of Man Other info: Reg no 59058C (IOM)	IOM-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
39.	Mediterranean Oil Services Company (a.k.a. Mediterranean Sea Oil Services Company)	Bashir El Saadawy Street, P.O. Box 2655, Tripoli, Libya.	Owned or controlled by NOC.	12.4.2011
40.	Mediterranean Oil Services GMBH (a.k.a. MED OIL OFFICE DUESSELDORF, a.k.a. MEDOIL)	Werdener strasse 8 Duesseldorf Nordhein - Westfalen, 40227 Germany	Owned or controlled by National Oil Company	12.4.2011
41.	Libyan Arab Airlines	P.O.Box 2555 Haiti street Tripoli, Libya HQ Phone: + 218 (21) 602 093 HQ Fax: + 218 (22) 30970	100 % owned by the Government of Libya	12.4.2011'

COMMISSION IMPLEMENTING REGULATION (EU) No 361/2011

of 13 April 2011

concerning the authorisation of *Enterococcus faecium* NCIMB 10415 as a feed additive for chickens for fattening (holder of authorisation DSM Nutritional products Ltd represented by DSM Nutritional Products Sp. z o.o) and amending Regulation (EC) No 943/2005

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC⁽²⁾.
- (2) The preparation of *Enterococcus faecium* NCIMB 10415 was authorised in accordance with Directive 70/524/EEC as a feed additive without a time limit for use on calves up to 6 months by Commission Regulation (EC) No 1288/2004⁽³⁾, for use on chickens for fattening and pigs for fattening by Commission Regulation (EC) No 943/2005⁽⁴⁾, for use on sows by Commission Regulation (EC) No 1200/2005⁽⁵⁾, for use on piglets by Commission Regulation (EC) No 252/2006⁽⁶⁾ and for use on cats and dogs by Commission Regulation (EC) No 102/2009⁽⁷⁾. That additive was subsequently entered in the Community Register of feed additives as an existing product, in accordance with Article 10(1)(b) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 of that Regulation, an application was submitted for the re-evaluation of *Enterococcus faecium* NCIMB 10415 as a

feed additive for chickens for fattening, requesting that additive be classified in the additive category 'zootechnical additives'. That application was accompanied by the particulars and documents required pursuant to Article 7(3) of Regulation (EC) No 1831/2003.

- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 22 June 2010⁽⁸⁾ that, under the proposed conditions of use, *Enterococcus faecium* NCIMB 10415 does not have an adverse effect on animal health, human health or on the environment, and that that additive has the potential to increase the final body weight of chickens for fattening. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the European Union Reference Laboratory for Feed Additives set up by Regulation (EC) No 1831/2003.
- (5) The assessment of *Enterococcus faecium* NCIMB 10415 shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in Annex I to this Regulation.
- (6) As a consequence of a new authorisation being granted by this Regulation, the entry concerning *Enterococcus faecium* NCIMB 10415 for chickens for fattening in Regulation (EC) No 943/2005 should be deleted.
- (7) Since the modifications to the conditions of the authorisation are not related to safety reasons, it is appropriate to allow a transitional period for the disposal of existing stocks of premixtures and compound feed.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 270, 14.12.1970, p. 1.

⁽³⁾ OJ L 243, 15.7.2004, p. 10.

⁽⁴⁾ OJ L 159, 22.6.2005, p. 6.

⁽⁵⁾ OJ L 195, 27.7.2005, p. 6.

⁽⁶⁾ OJ L 44, 15.2.2006, p. 3.

⁽⁷⁾ OJ L 34, 4.2.2009, p. 8.

⁽⁸⁾ EFSA Journal 2010; 8(7):1661.

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in Annex I, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

Annex I to Regulation (EC) No 943/2005 is replaced by the text in Annex II to this Regulation.

Article 3

Premixtures and compound feed containing *Enterococcus faecium* NCIMB 10415 labelled in accordance with Directive 70/524/EEC may continue to be placed on the market and used until stocks are exhausted.

Article 4

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, 13 April 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers									
4b1705	DSM Nutritional Products Ltd represented by DSM Nutritional products Sp. Z o.o	<i>Enterococcus faecium</i> NCIMB 10415	<p><i>Additive composition</i></p> <p>Preparation of <i>Enterococcus faecium</i></p> <p>NCIMB 10415 containing a minimum of:</p> <p>coated form (with shellac):</p> <p>2×10^{10} CFU/g of additive;</p> <p>Other microencapsulated forms:</p> <p>1×10^{10} CFU/g additive</p> <p><i>Characterisation of the active substance</i></p> <p><i>Enterococcus faecium</i></p> <p>NCIMB 10415</p> <p><i>Analytical method</i> ⁽¹⁾</p> <p>Enumeration: spread plate method using bile esculin azide agar</p> <p>Identification: Pulsed- Field Gel Electrophoresis (PFGE)</p>	Chickens for fattening		3×10^8	—	<p>1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.</p> <p>2. The use is permitted in feed containing the authorised coccidiostats: deco-quinat, monensin sodium, robenidine hydrochloride, diclazuril, or semduramycin.</p>	4 May 2021

⁽¹⁾ Details of the analytical methods are available at the following address of the European Union Reference Laboratory for Feed Additives: www.irmm.jrc.be/eurl-feed-additives

ANNEX II

Annex I to Regulation (EC) No 943/2005 is replaced by the following:

'ANNEX I

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					CFU/kg of complete feedingstuff			
Micro-organisms								
E 1705	<i>Enterococcus faecium</i> NCIMB 10415	Preparation of <i>Enterococcus faecium</i> containing a minimum of: Microencapsulated form: $1,0 \times 10^{10}$ CFU/g of additive; Granulated form: $3,5 \times 10^{10}$ CFU/g additive	Pigs for fattening	—	$0,35 \times 10^9$	$1,0 \times 10^9$	In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting.	Without a time limit'

COMMISSION REGULATION (EU) No 362/2011**of 13 April 2011****amending the Annex to Regulation (EU) No 37/2010 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin, as regards the substance monepantel****(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 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council⁽¹⁾, and in particular Article 14, in conjunction with Article 17, thereof,

Having regard to the opinion of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

(1) The maximum residue limit for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry should be established in accordance with Regulation (EC) No 470/2009.

(2) Pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin are set out in the Annex to Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin⁽²⁾.

(3) Monepantel is currently included in Table 1 of the Annex to Regulation (EU) No 37/2010 as an allowed substance,

for ovine and caprine species, applicable to muscle, fat, liver and kidney, excluding animals producing milk for human consumption. The provisional maximum residue limits (hereinafter 'MRLs') for that substance set out for caprine species will expire on 1 January 2011.

(4) An application for the extension of the expiry date for provisional MRLs of the existing entry for monepantel applicable to caprine species has been submitted to the European Medicines Agency.

(5) The Committee for Medicinal Products for Veterinary Use has recommended the extension of the time period for which the provisional MRLs for monepantel for caprine species apply.

(6) The entry for monepantel in Table 1 of the Annex to Regulation (EU) No 37/2010 should therefore be amended to extend the provisional MRLs for caprine species. The provisional MRLs set out in that Table for monepantel for caprine species should expire on 1 January 2012.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 37/2010 is amended as set out in 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*.

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ OJ L 15, 20.1.2010, p. 1.

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

Done at Brussels, 13 April 2011.

For the Commission
The President
 José Manuel BARROSO

ANNEX

The entry Monepantel in Table 1 of the Annex to Regulation (EU) No 37/2010 shall be replaced by the following:

Pharmacologically active Substance	Marker residue	Animal Species	MRL	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
Monepantel	Monepantel-sulfone	Ovine	700 µg/kg 7 000 µg/kg 5 000 µg/kg 2 000 µg/kg	Muscle Fat Liver Kidney	Not for use in animals producing milk for human consumption.	Antiparasitic agents/Agents acting against endoparasites
		Caprine	700 µg/kg 7 000 µg/kg 5 000 µg/kg 2 000 µg/kg	Muscle Fat Liver Kidney	Provisional MRLs shall expire on 1 January 2012. Not for use in animals producing milk for human consumption.	Antiparasitic agents/Agents acting against endoparasites

COMMISSION REGULATION (EU) No 363/2011

of 13 April 2011

amending the Annex to Regulation (EU) No 37/2010 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin, as regards the substance isoeugenol

(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 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council⁽¹⁾, and in particular Article 14, in conjunction with Article 17, thereof,

Having regard to the opinion of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

- (1) The maximum residue limit for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry should be established in accordance with Regulation (EC) No 470/2009.
- (2) Pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin are set out in the Annex to Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin⁽²⁾.

- (3) An application for the establishment of maximum residue limits (hereinafter 'MRL') for isoeugenol in Atlantic salmon and rainbow trout has been submitted to the European Medicines Agency.
- (4) The Committee for Medicinal Products for Veterinary Use recommended establishing MRL for isoeugenol for fin fish species, applicable to muscle and skin in natural proportions.
- (5) Table 1 of the Annex to Regulation (EU) No 37/2010 should therefore be amended to include MRL for the substance isoeugenol for fin fish species.
- (6) It is appropriate to provide for a reasonable period of time for the stakeholders concerned to take measures that may be required to comply with the newly set MRL.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 37/2010 is amended as set out in 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*.

It shall apply from 14 July 2011.

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

Done at Brussels, 13 April 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ OJ L 15, 20.1.2010, p. 1.

ANNEX

In Table 1 of the Annex to Regulation (EU) No 37/2010, the following substance is inserted in alphabetical order:

Pharmacologically active Substance	Marker residue	Animal Species	MRL	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
Isoeugenol	Isoeugenol	Fin fish	6 000 µg/kg	Muscle and skin in natural proportions	Not applicable	Agents acting on the nervous system/Agents acting on the central nervous system'

COMMISSION REGULATION (EU) No 364/2011

of 13 April 2011

amending Annex I to Commission Regulation (EC) No 798/2008 and amending Commission Regulation (EC) No 1291/2008 as regards a control programme for *Salmonella* in certain poultry and eggs in Croatia in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and correcting Commission Regulations (EU) No 925/2010 and (EU) No 955/2010

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption⁽¹⁾, and in particular Article 9(2)(b) thereof,

Having regard to Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of *Salmonella* and other specified food-borne zoonotic agents⁽²⁾, and in particular Article 10(2) thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs⁽³⁾, and in particular Articles 23(1) and 26(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements⁽⁴⁾ lays down the veterinary certification requirements for imports into and transit through the Union of those commodities. It provides that the commodities covered by that Regulation are only to be imported into and transit through the Union from the third countries, territories, zones or compartments listed in columns 1 and 3 of the table in Part 1 of Annex I thereto.
- (2) The definition of eggs set out in point 5.1 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽⁵⁾ does not include cooked eggs while the definition of egg products set out in point 7.3 of Annex I to that Regu-

lation covers cooked eggs. Therefore, the appropriate Harmonised System (HS) code of the World Customs Organisation for cooked eggs, namely 04.07, should also be referred to in the model veterinary certificate for egg products set out in Part 2 of Annex I to Regulation (EC) No 798/2008.

- (3) Where egg products covered by HS code 04.07 originating from an area under animal health restrictions are imported into the Union, it is necessary that those products have been subjected to an appropriate treatment for the inactivation of disease agents. For that purpose, certain treatments for egg products recommended in the Terrestrial Animal Health Code of the World Organisation for Animal Health (OIE) as standards for international trade should be taken into account and be included in the Animal health attestation in Part II of the model veterinary certificate for egg products.
- (4) The model veterinary certificate for egg products set out in Part 2 of Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.
- (5) Regulation (EC) No 2160/2003 lays down rules for the control of *Salmonella* in different poultry populations in the Union. It provides that admission to or retention on the lists of third countries provided for in Union legislation, for the relevant species or category, from which Member States are authorised to import those animals or hatching eggs covered by that Regulation is subject to the submission to the Commission by the third country concerned of a control programme for *Salmonella* with equivalent guarantees to those contained in the national control programmes for *Salmonella* in the Member States.
- (6) Commission Regulation (EC) No 1291/2008 of 18 December 2008 concerning the approval of control programmes for *Salmonella* in certain third countries in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and listing of avian influenza surveillance programmes in certain third countries and amending Annex I to Regulation (EC) No 798/2008⁽⁶⁾ approves the control programmes submitted by Croatia on 11 March 2008 as regards *Salmonella* in breeding poultry of *Gallus gallus*, hatching

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 325, 12.12.2003, p. 1.

⁽³⁾ OJ L 343, 22.12.2009, p. 74.

⁽⁴⁾ OJ L 226, 23.8.2008, p. 1.

⁽⁵⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁶⁾ OJ L 340, 19.12.2008, p. 22.

eggs thereof, laying hens of *Gallus gallus*, table eggs thereof and day-old chicks of *Gallus gallus* intended for breeding or laying.

- (7) The control programmes submitted by Croatia on 11 March 2008 also provides the guarantees required by Regulation (EC) No 2160/2003 for *Salmonella* control in all other flocks of *Gallus gallus*. These programmes should therefore also be approved. Regulation (EC) No 1291/2008 should therefore be amended accordingly.
- (8) The entry for Croatia in the list in Part 1 of Annex I to Regulation (EC) No 798/2008 should be amended to take account of the approval of the control programmes for *Salmonella* for all flocks of *Gallus gallus*.
- (9) Commission Decision 2007/843/EC of 11 December 2007 concerning approval of *Salmonella* control programmes in breeding flocks of *Gallus gallus* in certain third countries in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and amending Decision 2006/696/EC, as regards certain public health requirements at import of poultry and hatching eggs⁽¹⁾ approves the control programme submitted by Tunisia for *Salmonella* in flocks of breeding hens, in accordance with Regulation (EC) No 2160/2003. In that Decision, as amended by Commission Decision 2011/238/EU⁽²⁾, the programme submitted by Tunisia has been deleted since that third country has stopped the programme. The entry for Tunisia in the list in Part 1 of Annex I to Regulation (EC) No 798/2008 should be amended to take account of that deletion.
- (10) Regulations (EC) No 798/2008 and (EC) No 1291/2008 should therefore be amended accordingly.
- (11) Commission Regulation (EU) No 925/2010 of 15 October 2010 amending Decision 2007/777/EC and Regulation (EC) No 798/2008 as regards transit through the Union of poultry meat and poultry meat products from Russia⁽³⁾ contains an obvious error in the entry for Israel (IL-2), in column 7 of the table set out in Annex II to that Regulation, which should be corrected. The corrected Regulation should be applicable as of the date of entry into force of that Regulation.
- (12) Commission Regulation (EU) No 955/2010 of 22 October 2010 amending Regulation (EC) No 798/2008 as regards the use of vaccines against Newcastle disease⁽⁴⁾ contains an error in the veterinary model certificate for meat of poultry (POU) set out in the Annex to that Regulation. The error concerns the entry

'Treatment type', which was erroneously, introduced in Part I (Details of dispatched consignment) in box I.28 of that certificate. The entry 'Treatment type' is not applicable for meat of poultry and should therefore be deleted from the model certificate. That error should be corrected.

- (13) It is appropriate to provide for a transitional period to permit Member States and the industry to take the necessary measures to comply with the applicable veterinary certification requirements following the correction to Regulation (EU) No 955/2010.
- (14) Regulations (EU) No 925/2010 and (EU) No 955/2010 should therefore be corrected accordingly.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EC) No 798/2008

Annex I to Regulation (EC) No 798/2008 is amended in accordance with the Annex to this Regulation.

Article 2

Amendment to Regulation (EC) No 1291/2008

Article 1 of Regulation (EC) No 1291/2008 is replaced by the following:

'Article 1

The control programmes submitted by Croatia to the Commission on 11 March 2008 in accordance with Article 10(1) of Regulation (EC) No 2160/2003 are approved as regards *Salmonella* in all flocks of *Gallus gallus*.'

Article 3

Correction to Regulation (EU) No 925/2010

In Annex II to Regulation (EU) No 925/2010, in the entry for Israel (IL-2), column 7 is corrected as follows:

- (a) in the line for veterinary certificate models 'BPR, BPP, DOC, DOR, HEP, HER, SRP', the date '1.5.2010' is replaced by the letter 'A';
- (b) in the line for veterinary certificate model 'WGM', 'A' is deleted.

Article 4

Correction to Regulation (EU) No 955/2010

In the Annex to Regulation (EU) No 955/2010, in point (a), in box I.28 of Part I of the model veterinary certificate for meat of poultry (POU), the words 'Treatment type' are deleted.

⁽¹⁾ OJ L 332, 18.12.2007, p. 81.

⁽²⁾ See page 73 of this Official Journal.

⁽³⁾ OJ L 272, 16.10.2010, p. 1.

⁽⁴⁾ OJ L 279, 23.10.2010, p. 3.

Article 5

It shall apply from 1 May 2011.

Entry into force and applicability

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

However, Article 3 shall apply from 5 November 2010 and Article 4 shall apply from 1 July 2011.

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

Done at Brussels, 13 April 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX

Annex I to Regulation (EC) No 798/2008 is amended as follows:

(a) Part 1 is amended as follows:

(i) the entry for Croatia is replaced by the following:

HR — Croatia	HR-0	Whole country	SPF						
			BPR, BPP, DOR, DOC, HEP, HER, SRA, SRP		N			A	ST0'
			EP, E, POU, RAT, WGM		N				

(ii) the entry for Tunisia is replaced by the following:

TN — Tunisia	TN-0	Whole country	SPF						
			DOR, BPR, BPP, HER						S0, ST0
			WGM	VIII					
			EP, E, POU, RAT						S4'

(b) in Part 2, the model veterinary certificate for egg products (EP) is replaced by the following:

Model veterinary certificate for egg products (EP)

COUNTRY

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.		I.2. Certificate reference No	I.2.a.			
			I.3. Central competent authority				
			I.4. Local competent authority				
	I.5. Consignee Name Address Postcode Tel.		I.6.				
	I.7. Country of origin	ISO code	I.8. Region of origin	Code	I.9. Country of destination	ISO code	I.10.
	I.11. Place of origin Name Address Name Address Name Address		Approval number Approval number Approval number		I.12.		
	I.13. Place of loading		I.14. Date of departure				
	I.15. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification Documentation references		I.16. Entry BIP in the EU				
			I.17.				
	I.18. Description of commodity			I.19. Commodity code (HS code)			
						I.20. Quantity	
	I.21. Temperature of product Ambient <input type="checkbox"/> Chilled <input type="checkbox"/> Frozen <input type="checkbox"/>			I.22. Number of packages			
	I.23. Seal/Container No			I.24. Type of packaging			
	I.25. Commodities certified for: Human consumption <input type="checkbox"/>						
I.26.			I.27. For import or admission into EU <input type="checkbox"/>				
I.28. Identification of the commodities Approval number of establishments							
Species (Scientific name)		Nature of commodity		Manufacturing plant	Cold store	Net weight	

COUNTRY

EP (egg products)

	II.a. Certificate reference number	II.b.
II. Health information		
II.1. Animal health attestation		
I, the undersigned official veterinarian, hereby certify that the egg products described in this certificate were produced from eggs coming from an establishment which at the date of issue of the certificate is free from highly pathogenic avian influenza as defined in Regulation (EC) No 798/2008 and		
<i>either</i>		
(1) II.1.1 [within a 10 km radius of which, including, where appropriate, the territory of a neighbouring country, there has been no outbreak of highly pathogenic avian influenza or Newcastle disease for at least the previous 30 days.]		
<i>or</i>		
(1) II.1.2 [the egg products were processed:		
(1) <i>either</i> [liquid egg white was treated:		
(1) <i>either</i> [with 55,6 °C for 870 seconds.]		
(1) <i>or</i> [with 56,7 °C for 232 seconds.]]		
(1) <i>or</i> [10 % salted yolk was treated with 62,2 °C for 138 seconds.]		
(1) <i>or</i> [dried egg white was treated:		
(1) <i>either</i> [with 67 °C for 20 hours.]		
(1) <i>or</i> [with 54,4 °C for 513 hours.]]		
(1) <i>or</i> [whole eggs were at least treated:		
(1) <i>either</i> [with 60 °C for 188 seconds.]		
(1) <i>or</i> [completely cooked.]]		
(1) <i>or</i> [whole egg blends were at least treated:		
(1) <i>either</i> [with 60 °C for 188 seconds.]		
(1) <i>or</i> [with 61,1 °C for 94 seconds.]]]		
II.2. Public health attestation		
I, the undersigned, official veterinarian/official inspector declare that I am aware of the relevant provisions of Regulations (EC) No 178/2002, (EC) No 852/2004 and (EC) No 853/2004 and hereby certify that the egg products described in this certificate have been obtained in accordance with those requirements, and in particular that:		
II.2.1 they come from (an) establishments(s) implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004;		
II.2.2 they have been produced from raw material which meets the requirements of Section X, Chapter II (II) of Annex III to Regulation (EC) No 853/2004;		
II.2.3 they have been manufactured in compliance with the hygiene requirements laid down in Section X, Chapter II (III) of Annex III to Regulation (EC) No 853/2004;		
II.2.4 they satisfy the analytical specifications in Section X, Chapter II (IV) of Annex III to Regulation (EC) No 853/2004 and the relevant criteria in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs;		
II.2.5 they have been marked with an identification mark in accordance with Section I of Annex II and Section X, Chapter II (V) of Annex III to Regulation (EC) No 853/2004;		
II.2.6 the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled.		

COUNTRY**EP (egg products)**

II. Health information	II.a. Certificate reference number	II.b.						
<p>Notes</p> <p>Part I:</p> <ul style="list-style-type: none"> — Box I.8: provide the code for the zone or the compartment of origin, if necessary, as defined under code of column 2 of Part 1 of Annex I to Regulation (EC) No 798/2008. — Box I.11: Name, address and approval number of establishment of dispatch. — Box I.15: Indicate the registration number(s) of railway wagons and lorries, the names of ships and, if known, the flight numbers of aircraft. In the case of transport in containers or boxes, the total number of these and their registration and where there is a serial number of the seal it has to be indicated in box I.23. — Box I.19: use the appropriate Harmonised System (HS) code the World Customs Organisation: 04.07, 04.08, 35.02 or 21.06.10. — Box I.28: Nature of commodity: specify the egg content percentage. <p>Part II:</p> <p>(¹) Keep as appropriate.</p>								
<p>Official veterinarian or official inspector</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">Name (in capital letters):</td> <td style="width: 40%; border: none;">Qualification and title:</td> </tr> <tr> <td style="border: none;">Date:</td> <td style="border: none;">Signature:</td> </tr> <tr> <td style="border: none;">Stamp:</td> <td style="border: none;"></td> </tr> </table>			Name (in capital letters):	Qualification and title:	Date:	Signature:	Stamp:	
Name (in capital letters):	Qualification and title:							
Date:	Signature:							
Stamp:								

COMMISSION IMPLEMENTING REGULATION (EU) No 365/2011**of 13 April 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 14 April 2011.

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

Done at Brussels, 13 April 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	EG	74,4
	JO	78,3
	MA	53,4
	TN	113,1
	TR	83,4
	ZZ	80,5
0707 00 05	EG	152,2
	TR	141,1
	ZZ	146,7
0709 90 70	MA	82,8
	TR	115,2
	ZA	15,5
	ZZ	71,2
0805 10 20	EG	56,1
	IL	80,2
	MA	50,5
	TN	48,9
	TR	74,0
	ZZ	61,9
0805 50 10	EG	53,5
	TR	48,6
	ZZ	51,1
0808 10 80	AR	68,8
	BR	79,1
	CA	114,9
	CL	92,7
	CN	89,6
	MK	50,2
	NZ	116,0
	US	124,4
	UY	57,7
	ZA	81,6
	ZZ	87,5
0808 20 50	AR	95,2
	CL	100,5
	CN	55,8
	US	72,1
	ZA	91,5
	ZZ	83,0

⁽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'.

DIRECTIVES

COMMISSION IMPLEMENTING DIRECTIVE 2011/43/EU

of 13 April 2011

amending Council Directive 91/414/EEC to include lime sulphur as active substance and amending Commission Decision 2008/941/EC

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

(1) Commission Regulations (EC) No 1112/2002 ⁽²⁾ and (EC) No 2229/2004 ⁽³⁾ lay down the detailed rules for the implementation of the fourth stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list included lime sulphur.

(2) In accordance with Article 24e of Regulation (EC) No 2229/2004 the applicant withdrew its support of the inclusion of that active substance in Annex I to Directive 91/414/EEC within 2 months from receipt of the draft assessment report. Consequently, Commission Decision 2008/941/EC of 8 December 2008 concerning the non-inclusion of certain active substances in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing these substances ⁽⁴⁾ was adopted on the non-inclusion of lime sulphur.

(3) Pursuant to Article 6(2) of Directive 91/414/EEC the original notifier (hereinafter 'the applicant') submitted a new application requesting the application of the accelerated procedure provided for in Articles 14 to 19 of Commission Regulation (EC) No 33/2008 of 17 January 2008 laying down detailed rules for the application of

Council Directive 91/414/EEC as regards a regular and an accelerated procedure for the assessment of active substances which were part of the programme of work referred to in Article 8(2) of that Directive but have not been included into its Annex I ⁽⁵⁾.

(4) The application was submitted to Spain, which had been designated rapporteur Member State by Regulation (EC) No 2229/2004. The time period for the accelerated procedure was respected. The specification of the active substance and the supported uses are the same as were the subject of Decision 2008/941/EC. That application also complies with the remaining substantive and procedural requirements of Article 15 of Regulation (EC) No 33/2008.

(5) Spain evaluated the additional data submitted by the applicant and prepared an additional report. It communicated that report to the European Food Safety Authority (hereinafter 'the Authority') and to the Commission on 14 February 2010. The Authority communicated the additional report to the other Member States and the applicant for comments and forwarded the comments it had received to the Commission. In accordance with Article 20(1) of Regulation (EC) No 33/2008 and at the request of the Commission, the Authority presented its conclusion on lime sulphur to the Commission on 28 October 2010 ⁽⁶⁾. The draft assessment report, the additional report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 11 March 2011 in the format of the Commission review report for lime sulphur.

(6) It has appeared from the various examinations made that plant protection products containing lime sulphur may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which have been examined and detailed in the Commission review report.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 168, 27.6.2002, p. 14.

⁽³⁾ OJ L 379, 24.12.2004, p. 13.

⁽⁴⁾ OJ L 335, 13.12.2008, p. 91.

⁽⁵⁾ OJ L 15, 18.1.2008, p. 5.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance lime sulphur. EFSA Journal 2010; 8(11):1890. [45pp].doi:10.2903/j.efsa.2010.1890. Available online: www.efsa.europa.eu

It is therefore appropriate to include lime sulphur in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.

- (7) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (8) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of 6 months after inclusion to review existing authorisations of plant protection products containing lime sulphur to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (9) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I.
- (10) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (11) Decision 2008/941/EC provides for the non-inclusion of lime sulphur and the withdrawal of authorisation of plant protection products containing that substance by 31 December 2011. It is necessary to delete the line concerning lime sulphur in the Annex to that Decision.

(12) It is therefore appropriate to amend Decision 2008/941/EC accordingly.

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

The line concerning lime sulphur in the Annex to Decision 2008/941/EC is deleted.

Article 3

Member States shall adopt and publish by 30 November 2011 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 December 2011.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 4

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing lime sulphur as an active substance by 30 November 2011.

By that date they shall in particular verify that the conditions in Annex I to that Directive relating to lime sulphur are met, with the exception of those identified in Part B of the entry concerning that active substance, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13 of that Directive.

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing lime sulphur as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 30 April 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account Part B of the entry in Annex I to that Directive concerning lime sulphur. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing lime sulphur as the only active substance, where necessary, amend or withdraw the authorisation by 31 May 2015 at the latest; or
- (b) in the case of a product containing lime sulphur as one of several active substances, where necessary, amend or

withdraw the authorisation by 31 May 2015 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 5

This Directive shall enter into force on 1 June 2011.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 13 April 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EC:

No	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
'349	Lime sulphur CAS No: 1344 – 81 – 6 CIPAC No: 17	<i>Calcium polysulfide</i>	≥ 290 g/Kg.	1 June 2011	31 May 2021	<p>PART A</p> <p>Only uses as fungicide may be authorised.</p> <p>PART B</p> <p>For the implementation of the uniform principles of Annex VI the conclusions of the review report on lime sulphur, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 11 March 2011, shall be taken into account.</p> <p>In this overall assessment Member States shall pay particular attention to:</p> <ul style="list-style-type: none"> — operator safety and shall ensure that the conditions of authorisation include appropriate protective measures, — to the protection of aquatic organisms and non-target arthropods and shall ensure that the conditions of use include risk mitigation measures as appropriate.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING DIRECTIVE 2011/44/EU

of 13 April 2011

amending Council Directive 91/414/EEC to include azadirachtin as active substance and amending Commission Decision 2008/941/EC

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulations (EC) No 1112/2002 ⁽²⁾ and (EC) No 2229/2004 ⁽³⁾ lay down the detailed rules for the implementation of the fourth stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list included azadirachtin.
- (2) In accordance with Article 24e of Regulation (EC) No 2229/2004 the applicant withdrew its support of the inclusion of that active substance in Annex I to Directive 91/414/EEC within 2 months from receipt of the draft assessment report. Consequently, Commission Decision 2008/941/EC of 8 December 2008 concerning the non-inclusion of certain active substances in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing these substances ⁽⁴⁾ was adopted on the non-inclusion of azadirachtin.
- (3) Pursuant to Article 6(2) of Directive 91/414/EEC the original notifier (hereinafter 'the applicant') submitted a new application requesting the application of the accelerated procedure provided for in Articles 14 to 19 of Commission Regulation (EC) No 33/2008 of 17 January 2008 laying down detailed rules for the application of Council Directive 91/414/EEC as regards a regular and an accelerated procedure for the assessment of active substances which were part of the programme of work referred to in Article 8(2) of that Directive but have not been included into its Annex I ⁽⁵⁾.
- (4) The application was submitted to Germany, which had been designated rapporteur Member State by Regulation (EC) No 2229/2004. The time period for the accelerated procedure was respected. The specification of the active

substance and the supported uses are the same as were the subject of Decision 2008/941/EC. That application also complies with the remaining substantive and procedural requirements of Article 15 of Regulation (EC) No 33/2008.

- (5) Germany evaluated the additional data submitted by the applicant and prepared an additional report. It communicated that report to the European Food Safety Authority (hereinafter 'the Authority') and to the Commission on 10 December 2009. The Authority communicated the additional report to the other Member States and the applicant for comments and forwarded the comments it had received to the Commission. In accordance with Article 20(1) of Regulation (EC) No 33/2008 and at the request of the Commission, the Authority presented its conclusion on azadirachtin to the Commission on 28 October 2010 ⁽⁶⁾. The draft assessment report, the additional report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 11 March 2011 in the format of the Commission review report for azadirachtin.
- (6) It has appeared from the various examinations made that plant protection products containing azadirachtin may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which have been examined and detailed in the Commission review report. It is therefore appropriate to include azadirachtin in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.
- (7) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points. Article 6(1) of Directive 91/414/EEC provides that inclusion of a substance in Annex I may be subject to conditions. Therefore, it is appropriate to require that the applicant submit further information to confirm the relationship between azadirachtin A and the rest of the active components in the neem seeds extract with respect to amount, biological activity and persistence, in order to confirm the lead active compound approach with regard to azadirachtin A and to confirm specification of the technical material, residue definition and groundwater risk assessment.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 168, 27.6.2002, p. 14.

⁽³⁾ OJ L 379, 24.12.2004, p. 13.

⁽⁴⁾ OJ L 335, 13.12.2008, p. 91.

⁽⁵⁾ OJ L 15, 18.1.2008, p. 5.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance azadirachtin. EFSA Journal 2011;9(3):2008[76pp.].doi:10.2903/j.efsa.2011.2088. Available online: www.efsa.europa.eu

- (8) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (9) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of 6 months after inclusion to review existing authorisations of plant protection products containing azadirachtin to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (10) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I.
- (11) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (12) Decision 2008/941/EC provides for the non-inclusion of azadirachtin and the withdrawal of authorisation of plant protection products containing that substance by 31 December 2011. It is necessary to delete the line concerning azadirachtin in the Annex to that Decision.
- (13) It is therefore appropriate to amend Decision 2008/941/EC accordingly.
- (14) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

The line concerning azadirachtin in the Annex to Decision 2008/941/EC is deleted.

Article 3

Member States shall adopt and publish by 30 November 2011 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 December 2011.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 4

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing azadirachtin as an active substance by 30 November 2011.

By that date they shall in particular verify that the conditions in Annex I to that Directive relating to azadirachtin are met, with the exception of those identified in Part B of the entry concerning that active substance, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13 of that Directive.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing azadirachtin as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 30 April 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account Part B of the entry in Annex I to that Directive concerning azadirachtin. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

Following that determination Member States shall:

Article 5

This Directive shall enter into force on 1 June 2011.

- (a) in the case of a product containing azadirachtin as the only active substance, where necessary, amend or withdraw the authorisation by 31 May 2015 at the latest; or

Article 6

This Directive is addressed to the Member States.

- (b) in the case of a product containing azadirachtin as one of several active substances, where necessary, amend or withdraw the authorisation by 31 May 2015 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Done at Brussels, 13 April 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EC:

No	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
'350	Azadirachtin CAS No: 11141-17-6 as azadirachtin A CIPAC No: 627 as azadirachtin A	Azadirachtin A: dimethyl (2aR,3S,4S,4aR,5S,7aS,8S, 10R,10aS,10bR)-10- acetoxy-3,5-dihydroxy-4- [(1aR,2S,3aS,6aS,7S,7aS)- 6a-hydroxy-7a-methyl- 3a,6a,7,7a-tetrahydro-2,7- methanofuro[2,3-b]- oxireno[e]oxepin-1a(2H)- yl]-4-methyl-8-(((2E)-2- methylbut-2-enoyl)- oxy)octahydro-1H- naphtho[1,8a-c:4,5-b'c']- difuran-5,10a(8H)-dicar- boxylate.	Expressed as azadi- rachtin A: ≥ 111 g/kg Sum of the aflatoxins B ₁ , B ₂ , G ₁ and G ₂ must not exceed 300 µg/kg of the azadirachtin A content.	1 June 2011	31 May 2021	PART A Only uses as insecticide may be authorised. PART B For the implementation of the uniform principles of Annex VI the conclusions of the review report on azadirachtin, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 11 March 2011, shall be taken into account. In this overall assessment Member States shall pay particular attention to: — the dietary exposure of consumers in view of future revisions of Maximum Residue Levels, — the protection of non-target arthropods and aquatic organisms. Risk mitigation measures shall be applied where appropriate. The Member States concerned shall request the submission of confirmatory information as regards: — the relationship between azadirachtin A and the rest of the active components in the neem seeds extract with respect to amount, biological activity and persistence, in order to confirm the lead active compound approach with regard to azadirachtin A and to confirm specification of the technical material, residue definition and groundwater risk assessment. The Member States concerned shall ensure that the applicant submits such information to the Commission by 31 December 2013.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING DIRECTIVE 2011/45/EU

of 13 April 2011

amending Council Directive 91/414/EEC to include diclofop as active substance and amending Commission Decision 2008/934/EC

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulations (EC) No 451/2000 ⁽²⁾ and (EC) No 1490/2002 ⁽³⁾ lay down the detailed rules for the implementation of the third stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list included diclofop.
- (2) In accordance with Article 11e of Regulation (EC) No 1490/2002 the notifier withdrew its support of the inclusion of that active substance in Annex I to Directive 91/414/EEC within 2 months from receipt of the draft assessment report. Consequently, Commission Decision 2008/934/EC of 5 December 2008 concerning the non-inclusion of certain active substances in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing these substances ⁽⁴⁾ was adopted on the non-inclusion of diclofop.
- (3) Pursuant to Article 6(2) of Directive 91/414/EEC the original notifier (hereinafter the applicant) submitted a new application requesting the accelerated procedure to be applied, as provided for in Articles 14 to 19 of Commission Regulation (EC) No 33/2008 of 17 January 2008 laying down detailed rules for the application of Council Directive 91/414/EEC as regards a regular and an accelerated procedure for the assessment of active substances which were part of the programme of work referred to in Article 8(2) of that Directive but have not been included into its Annex I ⁽⁵⁾.
- (4) The application was submitted to France, which had been designated rapporteur Member State by Regulation (EC) No 1490/2002. The time period for the accelerated procedure was respected. The specification of the active

substance and the supported uses are the same as were the subject of Decision 2008/934/EC. That application also complies with the remaining substantive and procedural requirements of Article 15 of Regulation (EC) No 33/2008.

- (5) France evaluated the additional data submitted by the applicant and prepared an additional report. It communicated that report to the European Food Safety Authority (hereinafter the Authority) and to the Commission on 11 August 2009. The Authority communicated the additional report to the other Member States and the applicant for comments and forwarded the comments it had received to the Commission. In accordance with Article 20(1) of Regulation (EC) No 33/2008 and at the request of the Commission, the Authority presented its conclusion on diclofop (considered variant diclofop-methyl) to the Commission on 1 September 2010 ⁽⁶⁾. The draft assessment report, the additional report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 11 March 2011 in the format of the Commission review report for diclofop.
- (6) It has appeared from the various examinations made that plant protection products containing diclofop may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which have been examined and detailed in the Commission review report. It is therefore appropriate to include diclofop in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.
- (7) Without prejudice to that conclusion, it is appropriate to obtain further information on certain specific points. Article 6(1) of Directive 91/414/EEC provides that inclusion of a substance in Annex I may be subject to conditions. Therefore, it is appropriate to require that the applicant submit further information confirming the results of the risk assessment on the basis of most recent scientific knowledge as regards a metabolism study on cereals. Moreover, it is appropriate to require the submission of confirmatory information on the possible environmental impact of the preferential degradation/conversion of the isomers.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 55, 29.2.2000, p. 25.

⁽³⁾ OJ L 224, 21.8.2002, p. 23.

⁽⁴⁾ OJ L 333, 11.12.2008, p. 11.

⁽⁵⁾ OJ L 15, 18.1.2008, p. 5.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance diclofop. EFSA Journal 2010; 8(10):1718. [74 pp.]. doi:10.2903/j.efsa.2010.1718 Available online: www.efsa.europa.eu

- (8) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (9) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of 6 months after inclusion to review existing authorisations of plant protection products containing diclofop to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive 91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (10) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I.
- (11) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (12) Decision 2008/934/EC provides for the non-inclusion of diclofop-methyl and the withdrawal of authorisations for plant protection products containing that substance by 31 December 2011. It is necessary to delete the line concerning diclofop-methyl in the Annex to that Decision.
- (13) It is therefore appropriate to amend Decision 2008/934/EC accordingly.
- (14) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

The line concerning diclofop-methyl in the Annex to Decision 2008/934/EC is deleted.

Article 3

Member States shall adopt and publish by 30 November 2011 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 December 2011.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 4

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing diclofop as an active substance by 30 November 2011. By that date they shall in particular verify that the conditions in Annex I to that Directive relating to diclofop are met, with the exception of those identified in Part B of the entry concerning that active substance, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13 of that Directive.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing diclofop as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 May 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account Part B of the entry in Annex I to that Directive concerning diclofop. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing diclofop as the only active substance, where necessary, amend or withdraw the authorisation by 31 May 2015 at the latest; or

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

- (b) in the case of a product containing diclofop as one of several active substances, where necessary, amend or withdraw the authorisation by 31 May 2015 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

Article 5

This Directive shall enter into force on 1 June 2011.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 13 April 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EC:

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
'348	Diclofop CAS No 40843-25-2 (parent) CAS No 257-141-8 (diclofop-methyl) CIPAC No 358 (parent) CIPAC No 358.201 (diclofop-methyl)	Diclofop (RS)-2-[4-(2,4-dichlorophenoxy)phenoxy]propionic acid Diclofop-methyl methyl (RS)-2-[4-(2,4-dichlorophenoxy)phenoxy]propionate	≥ 980 g/kg (expressed as diclofop-methyl)	1 June 2011	31 May 2021	PART A Only uses as herbicide may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on diclofop, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 11 March 2011 shall be taken into account. In this overall assessment Member States shall: — pay particular attention to the operators and workers safety and include as a condition for authorisation the application of adequate personal protective equipment, — pay particular attention to the risk to aquatic organisms and non-target plants and require risk mitigation measures to be applied. The Member States concerned shall request the submission of confirmatory information as regards: (a) a metabolism study on cereals; (b) an update of the risk assessment concerning the possible environmental impact of the preferential degradation/conversion of the isomers. The Member States concerned shall ensure that the applicant submits to the Commission the information set out in point (a) by 31 May 2013 and the information set out in point (b) at latest 2 years after the adoption of a specific guidance document on evaluation of isomers mixtures.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

DECISIONS

COUNCIL DECISION 2011/235/CFSP

of 12 April 2011

concerning restrictive measures directed against certain persons and entities in view of the situation in Iran

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

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

Article 1

Whereas:

(1) On 21 March 2011, the Council reiterated its deep concern about the deterioration of the human rights situation in Iran.

(2) The Council underlined in particular the dramatic increase in executions in recent months and the systematic repression of Iranian citizens, who face harassment and arrests for exercising their legitimate rights to freedom of expression and peaceful assembly. The Union also reiterated its strong condemnation of the use of torture and other cruel, inhuman and degrading treatment.

(3) In this context, the Council reaffirmed its determination to continue to address human rights abuses in Iran and declared its readiness to introduce restrictive measures targeted against those responsible for grave human rights violations in Iran.

(4) The restrictive measures should target persons complicit in or responsible for directing or implementing grave human rights violations in the repression of peaceful demonstrators, journalists, human rights defenders, students or other persons who speak up in defence of their legitimate rights, including freedom of expression, as well as persons complicit in or responsible for directing or implementing; grave violations of the right to due process, torture, cruel, inhuman and degrading treatment, or the indiscriminate, excessive and increasing application of the death penalty, including public executions, stoning, hangings or the execution of juvenile offenders in contravention of Iran's international human rights obligations.

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

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons responsible for serious human rights violations in Iran, and persons associated with them, as listed in the Annex.

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

3. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:

(a) as a host country to an international intergovernmental organisation;

(b) as a host country to an international conference convened by, or under the auspices of, the United Nations;

(c) under a multilateral agreement conferring privileges and immunities; or

(d) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and Italy.

4. Paragraph 3 shall be considered as also applying in cases where a Member State is host country to the Organisation for Security and Cooperation in Europe (OSCE).

5. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraph 3 or 4.

6. Member States may grant exemptions from the measures imposed under paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings, including those promoted by the Union, or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes democracy, human rights and the rule of law in Iran.

7. A Member State wishing to grant exemptions as referred to in paragraph 6 shall notify the Council in writing. The exemption shall be deemed to be granted unless one or more of the Council Members raises an objection in writing within 2 working days of receiving notification of the proposed exemption. Should one or more of the Council Members raise an objection, the Council, acting by a qualified majority, may nevertheless decide to grant the proposed exemption.

8. In cases where pursuant to paragraphs 3, 4, 6 or 7, a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by persons responsible for serious human rights violations in Iran, and all funds and economic resources belonging to, owned, held or controlled by persons and entities associated with them, as listed in the Annex, shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the persons and entities listed in the Annex.

3. The competent authority of a Member State may authorise the release of certain frozen funds or economic resources, or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of the persons listed in the Annex and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses, provided that the competent authority has notified the competent authorities of the other Member States and the Commission of the grounds on which it considers that a specific authorisation should be granted, at least 2 weeks prior to the authorisation.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

4. By way of derogation from paragraph 1, the competent authorities of a Member State may authorise the release of certain frozen funds or economic resources, provided that the following conditions are met:

- (a) the funds or economic resources are the subject of a judicial, administrative or arbitral lien established prior to the date on which the person or entity referred to in paragraph 1 was listed in the Annex, or of a judicial, administrative or arbitral judgment rendered prior to that date;
- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the lien or judgment is not for the benefit of a person or entity listed in the Annex; and
- (d) recognising the lien or judgement is not contrary to public policy in the Member State concerned.

The Member State concerned shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

5. Paragraph 1 shall not prevent a listed person or an entity from making a payment due under a contract entered into prior to the date on which such person or entity was listed in the Annex, provided that the Member State concerned has determined that the payment is not directly or indirectly received by a person or entity referred to in paragraph 1.

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

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the measures provided for in paragraphs 1 and 2;

provided that any such interest, other earnings and payments remain subject to the measures provided for in paragraph 1.

Article 3

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall establish and amend the list in the Annex.

2. The Council shall communicate its decision, including the grounds for listing, to the person or the entity concerned, either directly, if the address is known, or through the publication of a notice, providing such person or entity with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person or entity concerned accordingly.

Article 4

1. The Annex shall include the grounds for listing the persons and entities concerned.

2. The Annex shall also contain, where available, the information necessary to identify the persons or entities concerned. With regard to persons, such information may include names, including aliases, date and place of birth, nationality, passport and identity card numbers, gender,

address if known, and function or profession. With regard to entities, such information may include names, place and date of registration, registration number and place of business.

Article 5

In order to maximise the impact of the measures provided for in this Decision, the Union shall encourage third States to adopt similar restrictive measures.

Article 6

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

This Decision shall apply until 13 April 2012. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.

Done at Luxembourg, 12 April 2011.

For the Council
The President
C. ASHTON

ANNEX

List of persons and entities referred to in Articles 1 and 2

Persons

	Name	Identifying information	Reasons	Date of listing
1.	AHMADI-MOQADDAM Esmail	POB: Tehran (Iran) - DOB: 1961	Chief of Iran's National Police. Forces under his command led brutal attacks on peaceful protests, and a violent night time attack on the dormitories of Tehran University on June 15, 2009.	
2.	ALLAHKARAM Hossein		Ansar-e Hezbollah Chief and Colonel in the IRGC. He co-founded Ansar-e Hezbollah. This paramilitary force was responsible for extreme violence during crackdown against students and universities in 1999, 2002 and 2009.	
3.	ARAGHI (ERAGHI) Abdollah		Deputy Head of IRGC's Ground Forces. He had a direct and personal responsibility in the crackdown of protests all through the Summer of 2009.	
4.	FAZLI Ali		Deputy Commander of the Basij, former Head of the IRGC's Seyyed al-Shohada Corps, Tehran Province (until February 2010). The Seyyed al-Shohada Corps is in charge of security in Tehran province and played a key role in brutal repression of protesters in 2009.	
5.	HAMEDANI Hossein		Head of the IRGC's Rassoulollah Corps in charge of Greater Tehran since November 2009. The Rassoulollah Corps is in charge of security in greater Tehran, and played a key role in violent suppression of protesters in 2009. Responsible for the crackdown of protests through Ashura events (December 2009) and since.	
6.	JAFARI Mohammad-Ali (a.k.a. "Aziz Jafari")	POB: Yazd (Iran) - DOB: 1.9.1957	General Commander of the IRGC. IRGC and the Sarollah Base commanded by General Aziz Jafari has played a key role in illegally interfering with the 2009 Presidential Elections, arresting and detaining political activists, as well as clashing with protestors in the streets.	
7.	KHALILI Ali		IRGC General, Head of the Medical Unit of Sarollah Base. He signed a letter sent to the Ministry of Health June 26 2009 forbidding the submission of documents or medical records to anyone injured or hospitalized during post-elections events.	
8.	MOTLAGH Bahram Hosseini		Head of the IRGC's Seyyed al-Shohada Corps, Tehran Province. The Seyyed al-Shohada Corps played a key role in organising the repression of protests.	

	Name	Identifying information	Reasons	Date of listing
9.	NAQDI Mohammad-Reza	POB: Najaf (Iraq) – DOB: Circa 1952	Commander of the Basij. As commander of the IRGC's Basij Forces, Naqdi was responsible for or complicit in Basij abuses occurring in late 2009, including the violent response to the December 2009 Ashura Day protests, which resulted in up to 15 deaths and the arrests of hundreds of protesters. Prior to his appointment as commander of the Basij in October 2009, Naqdi was the head of the intelligence unit of the Basij responsible for interrogating those arrested during the post-election crackdown.	
10.	RADAN Ahmad-Reza	POB: Isfahan (Iran) – DOB:1963	Deputy Chief of Iran's National Police. As Deputy Chief of National Police since 2008, Radan was responsible for beatings, murder, and arbitrary arrests and detentions against protestors that were committed by the police forces.	
11.	RAJABZADEH Azizollah		Former Head of Tehran Police (until January 2010). As Commander of the Law Enforcement Forces in the Greater Tehran, Azizollah Rajabzadeh is the highest ranking accused in the case of abuses in Kahrizak Detention Center.	
12.	SAJEDI-NIA Hossein		Head of Tehran Police, former Deputy Chief of Iran's National Police responsible for Police Operations. He is in charge of coordinating, for the Ministry of Interior, repression operations in the Iranian capital.	
13.	TAEB Hossein	POB: Tehran - DOB: 1963	Former Commander of the Basij (until October 2009). Currently deputy IRGC commander for intelligence. Forces under his command participated in mass beatings, murders, detentions and tortures of peaceful protestors.	
14.	SHARIATI Seyeed Hassan		Head of Mashhad Judiciary. Trials under his supervision have been conducted summarily and inside closed sessions, without adherence to basic rights of the accused, and with reliance on confessions extracted under pressure and torture. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
15.	DORRI-NADJAFABADI Ghorban-Ali	POB: Najafabad (Iran) - DOB: 1945	Former Prosecutor General of Iran until September 2009 (former Intelligence minister under Khatami presidency). As Prosecutor General of Iran, he ordered and supervised the show trials following the first post-election protests, where the accused were denied their rights, an attorney. He also carries responsibility for the Kahrizak abuses..	
16.	HADDAD Hassan (alias Hassan ZAREH DEHNAVI)		Judge, Tehran Revolutionary Court, branch 26. He was charge of the detainee cases related to the post election crises and regularly threatened families of detainees in order to silence them. He has been instrumental in issuing detention orders to the Kahrizak Detention Centre.	

	Name	Identifying information	Reasons	Date of listing
17.	Hodjatoleslam Seyed Mohammad SOLTANI		Judge, Mashhad Revolutionary Court. Trials under his jurisdiction have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
18.	HEYDARIFAR Ali-Akbar		Judge, Tehran Revolutionary Court. He participated in protesters trial. He was questioned by the Judiciary about Kahrizak exactions. He was instrumental in issuing detention orders to consign detainees to Kahrizak Detention Centre	
19.	JAFARI-DOLATABADI Abbas		Prosecutor general of Tehran since August 2009. Dolatabadi's office indicted a large number of protesters, including individuals who took part in the December 2009 Ashura Day protests. He ordered the closure of Karroubi's office in September 2009 and the arrest of several reformist politicians, and he banned two reformist political parties in June 2010. His office charged protesters with the charge of Muharebeh, or enmity against God, which carries a death sentence, and denied due process to those facing the death sentence. His office has also targeted and arrested reformists, human rights activists, and members of the media, as part of a broad crackdown on the political opposition.	
20.	MOGHISSEH Mohammad (a.k.a. NASSERIAN)		Judge, Head of Tehran Revolutionary Court, branch 28. He is in charge of post-election cases. He issued long prison sentences during unfair trials for social, political activists and journalists and several death sentences for protesters and social and political activists.	
21.	MOHSENI-EJEI Gholam-Hossein	POB: Ejiyeh -DOB: circa 1956	Prosecutor General of Iran since September 2009 and spokesman of the Judiciary (former Intelligence minister during the 2009 elections). While he was Intelligence minister during the election, intelligence agents under his command were responsible for detention, torture and extraction of false confessions under pressure from hundreds of activists, journalists, dissidents, and reformist politicians. In addition, political figures were coerced into making false confessions under unbearable interrogations, which included torture, abuse, blackmail, and the threatening of family members.	
22.	MORTAZAVI Said	POB: Meybod, Yazd (Iran) - DOB: 1967	Head of Iran's Anti-smuggling Task Force, former Prosecutor general of Tehran until August 2009. As Tehran Prosecutor General, he issued a blanket order used for detention of hundreds of activists, journalists and students. He was suspended from office in August 2010 after an investigation by the Iranian judiciary of his role in the deaths of three men detained on his orders following the election.	

	Name	Identifying information	Reasons	Date of listing
23.	PIR-ABASSI Abbas		Tehran Revolutionary Court, branches 26 and 28. He is in charge of post-election cases, he issued long prison sentences during unfair trials against human rights activists and has issued several death sentences for protesters.	
24.	MORTAZAVI Amir		Deputy Prosecutor of Mashhad. Trials under his prosecution have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
25.	SALAVATI Abdolghassem		Judge, Head of Tehran Revolutionary Court, branch 15. In charge of the post-election cases, he was the Judge presiding the "show trials" in summer 2009, he condemned to death two monarchists that appeared in the show trials. He has sentenced more than a hundred political prisoners, human rights activists and demonstrators to lengthy prison sentences.	
26.	SHARIFI Malek Adjar		Head of East Azerbaidjan Judiciary. He was responsible for Sakineh Mohammadi-Ashtiani's trial.	
27.	ZARGAR Ahmad		Judge, Tehran Appeals Court, branch 36. He confirmed long-term jail warrants and death warrants against protesters.	
28.	YASAGHI Ali-Akbar		Judge, Mashhad Revolutionary Court. Trials under his jurisdiction have been conducted summarily and inside closed session, without adherence to basic rights of the accused. As execution rulings were issued en masse, death sentences were issued without proper observance of fair hearing procedures.	
29.	BOZORGNIA Mostafa		Head of ward 350 of Evin Prison. He unleashed on a number of occasions disproportionate violence upon prisoners.	
30.	ESMAILI Gholam-Hossein		Head of Iran's Prisons Organisation. In this capacity, he was complicit to the massive detention of political protesters and covering up abuses performed in the jailing system.	
31.	SEDAQAT Farajollah		Assistant Secretary of the General Prison Administration in Tehran - Former Head of Evin's prison, Tehran until October 2010 during which time torture took place. He was warden and threatened and exerted pressure on prisoners numerous times.	
32.	ZANJIREI Mohammad-Ali		As Deputy Head of Iran's Prisons Organisation, responsible for abuses and deprivation of rights in detention center. He ordered the transfer of many inmates into solitary confinement.	

COUNCIL IMPLEMENTING DECISION 2011/236/CFSP
of 12 April 2011
implementing Decision 2011/137/CFSP concerning restrictive measures in view of the situation in
Libya

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya ⁽¹⁾, and in particular Article 8(1) and (2) thereof, in conjunction with Article 31(2) of the Treaty on European Union,

Article 1

Annexes I, II, III, and IV to Decision 2011/137/CFSP shall be replaced by the text set out in Annexes I, II, III, and IV respectively to this Decision.

Whereas:

(1) On 28 February 2011, the Council adopted Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya.

Article 2

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

(2) In view of the gravity of the situation in Libya, additional persons and entities should be included in the list of persons and entities subject to restrictive measures as set out in Annex IV to Decision 2011/137/CFSP.

Done at Luxembourg, 12 April 2011.

(3) Furthermore, one person should be removed from the lists in Annexes II and IV, and the information relating to certain persons and entities on the lists in Annexes I, II, III, and IV to that Decision should be updated,

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 58, 3.3.2011, p. 53.

ANNEX I

‘ANNEX I

List of persons referred to in Article 5(1)(a)**1. AL-BAGHDADI, Dr Abdulqader Mohammed**

Passport number: B010574. Date of birth: 1.7.1950.

Head of the Liaison Office of the Revolutionary Committees. Revolutionary Committees involved in violence against demonstrators.

Date of UN designation: 26.2.2011.

2. DIBRI, Abdulqader Yusef

Date of birth: 1946. Place of birth: Houn, Libya.

Head of Muammar QADHAFI's personal security. Responsibility for regime security. History of directing violence against dissidents.

Date of UN designation: 26.2.2011.

3. DORDA, Abu Zayd Umar

Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.

Date of UN designation: 26.2.2011.

4. JABIR, Major General Abu Bakr Yunis

Date of birth: 1952. Place of birth: Jalo, Libya.

Defence Minister. Overall responsibility for actions of armed forces.

Date of UN designation: 26.2.2011.

5. MATUQ, Matuq Mohammed

Date of birth: 1956. Place of birth: Khoms, Libya.

Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.

Date of UN designation: 26.2.2011.

6. QADHAF AL-DAM, Sayyid Mohammed

Date of birth: 1948. Place of birth: Sirte, Libya.

Cousin of Muammar QADHAFI. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.

Date of UN designation: 26.2.2011.

7. QADHAFI, Aisha Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Daughter of Muammar QADHAFI. Closeness of association with regime.

Date of UN designation: 26.2.2011.

8. QADHAFI, Hannibal Muammar

Passport number: B/002210. Date of birth: 20.9.1975. Place of birth: Tripoli, Libya.

Son of Muammar QADHAFI. Closeness of association with regime.

Date of UN designation: 26.2.2011.

9. QADHAFI, Khamis Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Son of Muammar QADHAFI. Closeness of association with regime. Command of military units involved in repression of demonstrations.

Date of UN designation: 26.2.2011.

10. **QADHAFI, Mohammed Muammar**
Date of birth: 1970. Place of birth: Tripoli, Libya.
Son of Muammar QADHAFI. Closeness of association with regime.
Date of UN designation: 26.2.2011.
 11. **QADHAFI, Muammar Mohammed Abu Minyar**
Date of birth: 1942. Place of birth: Sirte, Libya.
Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.
Date of UN designation: 26.2.2011.
 12. **QADHAFI, Mutassim**
Date of birth: 1976. Place of birth: Tripoli, Libya.
National Security Adviser. Son of Muammar QADHAFI. Closeness of association with regime.
Date of UN designation: 26.2.2011.
 13. **QADHAFI, Saadi**
Passport number: 014797. Date of birth: 27.5.1973. Place of birth: Tripoli, Libya.
Commander Special Forces. Son of Muammar QADHAFI. Closeness of association with regime. Command of military units involved in repression of demonstrations.
Date of UN designation: 26.2.2011.
 14. **QADHAFI, Saif al-Arab**
Date of birth: 1982. Place of birth: Tripoli, Libya.
Son of Muammar QADHAFI. Closeness of association with regime.
Date of UN designation: 26.2.2011.
 15. **QADHAFI, Saif al-Islam**
Passport number: B014995. Date of birth: 25.6.1972. Place of birth: Tripoli, Libya.
Director, Qadhafi Foundation. Son of Muammar QADHAFI. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.
Date of UN designation: 26.2.2011.
 16. **AL-SENUSSI, Colonel Abdullah**
Date of birth: 1949. Place of birth: Sudan.
Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-in-law of Muammar QADHAFI.
Date of UN designation: 26.2.2011.
 17. **AL QADHAFI, Quren Salih Quren**
Libyan Ambassador to Chad. Has left Chad for Sabha. Involved directly in recruiting and coordinating mercenaries for the regime.
Date of UN designation: 17.3.2011
 18. **AL KUNI, Colonel Amid Husain**
Governor of Ghat (South Libya). Directly involved in recruiting mercenaries.
Date of UN designation: 17.3.2011'
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ANNEX II

‘ANNEX II

List of persons referred to in Article 5(1)(b)

	Name	Identifying information	Reasons	Date of listing
1.	ABDULHAFIZ, Colonel Mas'ud	Position: Armed Forces Commander	3rd in command of Armed Forces. Significant role in Military Intelligence.	28.2.2011
2.	ABDUSSALAM, Abdussalam Mohammed	Position: Head Counter-Terrorism, External Security Organisation Date of Birth: 1952 Place of Birth: Tripoli, Libya	Prominent Revolutionary Committee member. Close associate of Muammar QADHAFI.	28.2.2011
3.	ABU SHAARIYA	Position: Deputy Head, External Security Organisation	Prominent member of regime. Brother-in-law of Muammar QADHAFI.	28.2.2011
4.	ASHKAL, Al-Barrani	Position: Deputy Director, Military Intelligence	Senior member of regime.	28.2.2011
5.	ASHKAL, Omar	Position: Head, Revolutionary Committees Movement Place of Birth: Sirte, Libya	Revolutionary Committees involved in violence against demonstrators.	28.2.2011
6.	QADHAF AL-DAM, Ahmed Mohammed	Date of Birth: 1952 Place of Birth: Egypt	Cousin of Muammar QADHAFI. Since 1995, he is believed to have had command of an elite army battalion in charge of Qadhafi's personal security and to have a key role in External Security Organisation. He has been involved in planning operations against Libyan dissidents abroad and was directly involved in terrorist activity.	28.2.2011
7.	AL-BARASSI, Safia Farkash	Date of birth: 1952 Place of birth: Al Bayda, Libya	Wife of Muammar QADHAFI. Closeness of association with regime.	28.2.2011
8.	SALEH, Bachir	Date of birth: 1946 Place of birth: Traghen	Head of Cabinet of the Leader. Closeness of association with regime.	28.2.2011
9.	General TOHAMI, Khaled	Date of birth: 1946 Place of birth: Genzur	Director of Internal Security Office. Closeness of association with regime.	28.2.2011
10.	FARKASH, Mohammed Boucharaya	Date of birth: 1.7.1949 Place of birth: Al-Bayda	Director of intelligence in External Security Office. Closeness of association with regime.	28.2.2011
11.	EL-KASSIM ZOUAI, Mohamed Abou		Secretary General of the General People's Congress; involved in violence against demonstrators.	21.3.2011

	Name	Identifying information	Reasons	Date of listing
12.	AL-MAHMOUDI, Baghdadi		Prime Minister of Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
13.	HIJAZI, Mohamad Mahmoud		Minister for Health and Environment in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
14.	ZLITNI, Abdelhaziz	Date of birth: 1935	Minister for Planning and Finance in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
15.	HOUEJ, Mohamad Ali	Date of birth: 1949 Place of birth: Al-Azizia (near Tripoli)	Minister for Industry, Economy and Trade in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
16.	AL-GAOUD, Abdelmajid	Date of birth: 1943	Minister for Agriculture, Animal and Maritime Resources in Colonel Qadhafi's Government.	21.3.2011
17.	AL-CHARIF, Ibrahim Zarroug		Minister for Social Affairs in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
18.	FAKHIRI, Abdelkebir Mohamad	Date of birth: 4.5.1963 Passport number: B/014965 (expires end 2013)	Minister for Education, Higher Education and Research in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
19.	ZIDANE, Mohamad Ali	Date of birth: 1958 Passport number: B/0105075 (expires end 2013)	Minister for Transport in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
20.	MANSOUR, Abdallah	Date of birth: 8.7.1954 Passport number: B/014924 (expires end 2013)	Close collaborator of Colonel Qadhafi, senior role in security services and former director of radio and television; involved in violence against demonstrators.	21.3.2011'

ANNEX III

'ANNEX III

List of persons and entities referred to in Article 6(1)(a)**1. QADHAFI, Aisha Muammar**

Date of birth: 1978. Place of birth: Tripoli, Libya.

Daughter of Muammar QADHAFI. Closeness of association with regime.

Date of UN designation: 26.2.2011.

2. QADHAFI, Hannibal Muammar

Passport number: B/002210. Date of birth: 20.9.1975. Place of birth: Tripoli, Libya.

Son of Muammar QADHAFI. Closeness of association with regime.

Date of UN designation: 26.2.2011.

3. QADHAFI, Khamis Muammar

Date of birth: 1978. Place of birth: Tripoli, Libya.

Son of Muammar QADHAFI. Closeness of association with regime. Command of military units involved in repression of demonstrations.

Date of UN designation: 26.2.2011.

4. QADHAFI, Muammar Mohammed Abu Minyar

Date of birth: 1942. Place of birth: Sirte, Libya.

Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.

Date of UN designation: 26.2.2011.

5. QADHAFI, Mutassim

Date of birth: 1976. Place of birth: Tripoli, Libya.

National Security Adviser. Son of Muammar QADHAFI. Closeness of association with regime.

Date of UN designation: 26.2.2011.

6. QADHAFI, Saif al-Islam

Director, Qadhafi Foundation. Passport number: B014995. Date of birth: 25.6.1972. Place of birth: Tripoli, Libya. Son of Muammar QADHAFI. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

Date of UN designation: 26.2.2011.

7. DORDA, Abu Zayd Umar

Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

8. JABIR, Major General Abu Bakr Yunis

Date of birth: 1952. Place of birth: Jalo, Libya.

Defence Minister. Overall responsibility for actions of armed forces.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

9. MATUQ, Matuq Mohammed

Date of birth: 1956. Place of birth: Khoms, Libya.

Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

10. QADHAFI, Mohammed Muammar

Date of birth: 1970. Place of birth: Tripoli, Libya.
Son of Muammar QADHAFI. Closeness of association with regime.
Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

11. QADHAFI, Saadi

Commander Special Forces
Son of Muammar QADHAFI. Closeness of association with regime. Command of military units involved in repression of demonstrations.
Date of Birth: 27.5.1973. Place of Birth: Tripoli, Libya. Passport number: 014797.
Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

12. QADHAFI, Saif al-Arab

Son of Muammar QADHAFI. Closeness of association with regime.
Date of birth: 1982. Place of Birth: Tripoli, Libya
Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

13. AL-SENUSSI, Colonel Abdullah

Date of birth: 1949. Place of birth: Sudan.
Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-in-law of Muammar QADHAFI.
Date of UN designation: 17.3.2011 (EU designation: 28.2.2011)

Entities**1. Central Bank of Libya**

Under control of Muammar QADHAFI and his family, and potential source of funding for his regime.
Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

2. Libyan Investment Authority

Under control of Muammar QADHAFI and his family, and potential source of funding for his regime.
a.k.a.: Libyan Arab Foreign Investment Company (LAFICO)
1 Fateh Tower Office No 99, 22nd Floor, Borgaida Street, Tripoli, 1103 Libya
Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

3. Libyan Foreign Bank

Under control of Muammar QADHAFI and his family and a potential source of funding for his regime.
Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

4. Libyan Africa Investment Portfolio

Under control of Muammar QADHAFI and his family, and potential source of funding for his regime.
Jamahiriya Street, LAP Building, PO Box 91330, Tripoli, Libya
Date of UN designation: 17.3.2011 (EU designation: 10.3.2011)

5. Libyan National Oil Corporation

Under control of Muammar QADHAFI and his family, and potential source of funding for his regime.
Bashir Saadwi Street, Tripoli, Tarabulus, Libya
Date of UN designation: 17.3.2011'

ANNEX IV

'ANNEX IV

List of persons and entities referred to in Article 6(1)(b)

Persons

	Name	Identifying information	Reasons	Date of listing
1.	ABDULHAFIZ, Colonel Mas'ud	Position: Armed Forces Commander	3rd in command of Armed Forces. Significant role in Military Intelligence.	28.2.2011
2.	ABDUSSALAM, Abdussalam Mohammed	Position: Head Counter-Terrorism, External Security Organisation Date of Birth: 1952 Place of Birth: Tripoli, Libya	Prominent Revolutionary Committee member. Close associate of Muammar QADHAFI.	28.2.2011
3.	ABU SHAARIYA	Position: Deputy Head, External Security Organisation	Prominent member of regime. Brother-in-law of Muammar QADHAFI.	28.2.2011
4.	ASHKAL, Al-Barrani	Position: Deputy Director, Military Intelligence	Senior member of regime.	28.2.2011
5.	ASHKAL, Omar	Position: Head, Revolutionary Committees Movement Place of Birth: Sirte, Libya	Revolutionary Committees involved in violence against demonstrators.	28.2.2011
6.	AL-BAGHDADI, Dr Abdulqader Mohammed	Position: Head of the Liaison Office of the Revolutionary Committees Passport No: B010574 Date of Birth: 1.7.1950	Revolutionary Committees involved in violence against demonstrators.	28.2.2011
7.	DIBRI, Abdulqader Yusef	Position: Head of Muammar QADHAFI's personal security Date of Birth: 1946 Place of Birth: Houn, Libya	Responsibility for regime security. History of directing violence against dissidents.	28.2.2011
8.	QADHAF AL-DAM, Ahmed Mohammed	Date of Birth: 1952 Place of Birth: Egypt	Cousin of Muammar QADHAFI. Since 1995, he is believed to have had command of an elite army battalion in charge of Qadhafi's personal security and to have a key role in External Security Organisation. He has been involved in planning operations against Libyan dissidents abroad and was directly involved in terrorist activity.	28.2.2011
9.	QADHAF AL-DAM, Sayyid Mohammed	Date of Birth: 1948 Place of Birth: Sirte, Libya	Cousin of Muammar QADHAFI. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.	28.2.2011
10.	AL-BARASSI, Safia Farkash	Date of birth: 1952 Place of birth: Al Bayda, Libya	Wife of Muammar QADHAFI. Closeness of association with regime.	28.2.2011

	Name	Identifying information	Reasons	Date of listing
11.	SALEH, Bachir	Date of birth: 1946 Place of birth: Traghan	Head of Cabinet of the Leader. Closeness of association with regime.	28.2.2011
12.	TOHAMI, General Khaled	Date of birth: 1946 Place of birth: Genzur	Director of Internal Security Office. Closeness of association with regime.	28.2.2011
13.	FARKASH, Mohammed Boucharaya	Date of birth: 1 July 1949 Place of birth: Al-Bayda	Director of intelligence in External Security Office. Closeness of association with regime.	28.2.2011
14.	ZARTI, Mustafa	born on 29 March 1970, Austrian citizen (passport no. P1362998, valid from 6 November 2006 until 5 November 2016)	Closeness of association with regime and vice chief executive of "Libyan Investment Authority", board member of the National Oil Corporation and vice chairman of First Energy Bank in Bahrain.	10.3.2011
15.	EL-KASSIM ZOUAL, Mohamed Abou		Secretary General of the General People's Congress; involved in violence against demonstrators.	21.3.2011
16.	AL-MAHMOUDI, Baghdadi		Prime Minister of Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
17.	HIJAZI, Mohamad Mahmoud		Minister for Health and Environment in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
18.	ZLITNI, Abdelhaziz	Date of birth: 1935	Minister for Planning and Finance in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
19.	HOUEJ, Mohamad Ali	Date of birth: 1949 Place of birth: Al-Azizia (near Tripoli)	Minister for Industry, Economy and Trade in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
20.	AL-GAOUJ, Abdelmajid	Date of birth: 1943	Minister for Agriculture, Animal and Maritime Resources in Colonel Qadhafi's Government.	21.3.2011
21.	AL-CHARIF, Ibrahim Zarroug		Minister for Social Affairs in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
22.	FAKHIRI, Abdelkebir Mohamad	Date of birth: 04 May 1963 Passport number: B/014965 (expired end 2013)	Minister for Education, Higher Education and Research in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011
23.	ZIDANE, Mohamad Ali	Date of birth: 1958 Passport number: B/0105075 (expired end 2013)	Minister for Transport in Colonel Qadhafi's Government; involved in violence against demonstrators.	21.3.2011

	Name	Identifying information	Reasons	Date of listing
24.	MANSOUR, Abdallah	Date of birth: 8.7.1954 Passport number: B/014924 (expired end 2013)	Close collaborator of Colonel Qadhafi, senior role in security services and former director of radio and television; involved in violence against demonstrators.	21.3.2011
25.	AL QADHAFI, Quren Salih Quren		Libyan Ambassador to Chad. Has left Chad for Sabha. Involved directly in recruiting and coordinating mercenaries for the regime.	12.4.2011
26.	AL KUNI, Colonel Amid Husain		Governor of Ghat (South Libya). Directly involved in recruiting mercenaries.	12.4.2011

Entities

	Name	Identifying information	Reasons	Date of listing
1.	Libyan Housing and Infrastructure Board (HIB)	Tajora, Tripoli, Libya Legislation number: 60/2006 by Libyan General People's Committee Tel: +218 21 369 1840, Fax: +218 21 369 6447 http://www.hib.org.ly	Under control of Muammar Qadhafi and his family, and potential source of funding for his regime.	10.3.2011
2.	Economic and Social Development Fund (ESDF)	Qaser Bin Ghasher road Salaheddine Cross - BP: 93599 Libya-Tripoli Telephone: +218 21 490 8893 - Fax: +218 21 491 8893 - email: info@esdf.ly	Controlled by Muammar Qadhafi's regime and potential source of funding for it	21.3.2011
3.	Libyan Arab African Investment Company - LAAICO	Site: http://www.laaico.com Company established in 1981 76351 Janzour-Libya. 81370 Tripoli-Libya Tel: 00 218 (21) 4890146 - 4890586 - 4892613 Fax: 00 218 (21) 4893800 - 4891867 email: info@laaico.com	Controlled by Muammar Qadhafi's regime and potential source of funding for it	21.3.2011
4.	Gaddafi International Charity and Development Foundation	Contact details of administration: Hay Alandalus - Jian St. - Tripoli - PoBox: 1101 - LIBYA Telephone: (+218) 214778301 - Fax: (+218) 214778766; email: info@gicdf.org	Controlled by Muammar Qadhafi's regime and potential source of funding for it.	21.3.2011
5.	Waatassimou Foundation	Based in Tripoli.	Controlled by Muammar Qadhafi's regime and potential source of funding for it	21.3.2011
6.	Libyan Jamahirya Broadcasting Corporation	Contact details: tel: 00 218 21 444 59 26; 00 21 444 59 00; fax: 00 218 21 340 21 07 http://www.ljbc.net ; email: info@ljbc.net	Public incitement to hatred and violence through participation in disinformation campaigns concerning violence against demonstrators.	21.3.2011

	Name	Identifying information	Reasons	Date of listing
7.	Revolutionary Guard Corps		Involved in violence against demonstrators.	21.3.2011
8.	National Commercial Bank	Orouba Street AlBayda, Libya Phone: +218 21-361-2429 Fax: +218 21-446-705 www.ncb.ly	National Commercial Bank is a commercial bank in Libya. The bank was founded in 1970 and is based in AlBayda, Libya. It has locations in Tripoli and AlBayda, as well as operates branches in Libya. It is 100 % government-owned and a potential source of funding for the regime.	21.3.2011
9.	Gumhouria Bank	Gumhouria Bank Building Omar Al Mukhtar Avenue Giaddal Omer Al Moukhtar P.O. Box 685 Tarabulus Tripoli Libya Tel: +218 21-333-4035 +218 21-444-2541 +218 21-444-2544 +218 21-333-4031 Fax: +218 21-444-2476 +218 21-333-2505 Email: info@gumhouria-bank.com.ly Website: www.gumhouria-bank.com.ly	Gumhouria Bank is a commercial bank in Libya. The bank was created in 2008 through the merger of Al Ummah and Gumhouria banks. It is 100 % government-owned and a potential source of funding for the regime.	21.3.2011
10.	Sahara Bank	Sahara Bank Building First of September Street P.O. Box 270 Tarabulus Tripoli Libya Tel: +218 21-379-0022 Fax: +218 21-333-7922 Email: info@saharabank.com.ly Website: www.saharabank.com.ly	Sahara Bank is a commercial bank in Libya. It is 81 % government-owned and a potential source of funding for the regime.	21.3.2011
11.	Azzawia (Azawiya) Refining	P.O. Box 6451 Tripoli Libya +218 023 7976 26778 http://www.arc.com.ly	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
12.	Ras Lanuf Oil and Gas Processing Company (RASCO)	Ras Lanuf Oil and Gas Processing Company Building Ras Lanuf City P.O. Box 2323 Libya Tel: +218 21-360-5171 +218 21-360-5177 +218 21-360-5182 Fax: +218 21-360-5174 Email: info@raslanuf.ly Website: www.raslanuf.ly	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011

	Name	Identifying information	Reasons	Date of listing
13.	Brega	Head Office: Azzawia / coast road P.O. Box Azzawia 16649 Tel: 2 – 625021-023 / 3611222 Fax: 3610818 Telex: 30460 / 30461 / 30462	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
14.	Sirte Oil Company	Sirte Oil Company Building Marsa Al Brega Area P.O. Box 385 Tarabulus Tripoli Libya Tel: +218 21-361-0376 +218 21-361-0390 Fax: +218 21-361-0604 +218 21-360-5118 Email: info@soc.com.ly Website: www.soc.com.ly	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
15.	Waha Oil Company	Waha Oil Company Office Location: Off Airport Road Tripoli Tarabulus Libya Postal Address: P.O. Box 395 Tripoli Libya Tel: +218 21-3331116 Fax: +218 21-3337169 Telex: 21058	Under control of Muammar Qadhafi and potential source of funding for his regime.	23.3.2011
16.	Libyan Agricultural Bank (a.k.a. Agricultural Bank; a.k.a. Al Masraf Al Zirae Agricultural Bank; a.k.a. Al Masraf Al Zirae; a.k.a. Libyan Agricultural Bank)	El Ghayran Area, Ganzor El Sharqya, P.O. Box 1100, Tripoli, Libya; Al Jumhouria Street, East Junzour, Al Gheran, Tripoli, Libya; Email Address agbank@agrilibank.ly; SWIFT/BIC AGRULYLT (Libya); Tel No. (218)214870586; Tel No. (218) 214870714; Tel No. (218) 214870745; Tel No. (218) 213338366; Tel No. (218) 213331533; Tel No. (218) 213333541; Tel No. (218) 213333544; Tel No. (218) 213333543; Tel No. (218) 213333542; Fax No. (218) 214870747; Fax No. (218) 214870767; Fax No. (218) 214870777; Fax No. (218) 213330927; Fax No. (218) 213333545	Libyan subsidiary of the Central Bank of Libya	12.4.2011
17.	Tamoil Africa Holdings Limited (a.k.a. Oil Libya Holding Company)		Libyan subsidiary of the Libyan Africa Investment Portfolio	12.4.2011
18.	Al-Inma Holding Co. for Services Investments		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
19.	Al-Inma Holding Co. For Industrial Investments		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011

	Name	Identifying information	Reasons	Date of listing
20.	Al-Inma Holding Company for Tourism Investment	Hasan al-Mashay Street (off al-Zawiyah Street) Tel No.: (218) 213345187 Fax: +218.21.334.5188 e-mail: info@ethic.ly	Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
21.	Libyan Holding Company for Development and Investment		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
22.	Al-Inma Holding Co. for Construction and Real Estate Developments		Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
23.	First Gulf Libyan Bank	The 7th of November Street, P.O. Box 81200, Tripoli, Libya; SWIFT/BIC FGLBLYLT (Libya); Tel No. (218) 213622262; Fax No. (218) 213622205	Libyan subsidiary of the Economic & Social Development Fund	12.4.2011
24.	LAP Green Networks (a.k.a. LAP Green Holding Company)		Libyan subsidiary of the Libyan Africa Investment Portfolio	12.4.2011
25.	National Oil Wells and Drilling and Workover Company (a.k.a. National Oil Wells Chemical and Drilling and Workover Equipment Co.; a.k.a. National Oil Wells Drilling And Workover Equipment Co.)	National Oil Wells Drilling and Workover Company Building, Omar Al Mokhtar Street, P.O. Box 1106, Tarabulus, Tripoli, Libya Tel No. (218) 213332411; Tel No. (218) 213368741; Tel No. (218) 213368742 Fax (218) 214446743 Email: info@nwd-ly.com Website: www.nwd-ly.com	Libyan subsidiary of the National Oil Corporation (NOC) This company was created in 2010 by a merger between the National Drilling Co. and the National Company for Oil Wells Services.	12.4.2011
26.	North African Geophysical Exploration Company (a.k.a. NAGECO; a.k.a. North African Geophysical Exploration)	Airport Road, Ben Ghasir 6.7 KM, Tripoli, Libya Tel No. (218) 215634670/4 Fax: (218) 215634676 Email: nageco@nageco.com Website: www.nageco.com	Libyan subsidiary of the National Oil Corporation In 2008 NOC acquired 100 % ownership of NAGECO	12.4.2011
27.	National Oil Fields and Terminals Catering Company	Airport Road Km 3, Tripoli, Libya	Libyan subsidiary of the National Oil Corporation	12.4.2011
28.	Mabruk Oil Operations	Dat El-Emad 2, Ground Floor, PO Box 91171, Tripoli.	Joint Venture between Total and the National Oil Corporation	12.4.2011
29.	Zueitina Oil Company (a.k.a. ZOC; a.k.a. Zueitina)	Zueitina Oil Building, Sidi Issa Street, Al Dahra Area, P.O. Box 2134, Tripoli, Libya	Joint Venture between Occidental and the National Oil Corporation	12.4.2011
30.	Harouge Oil Operations (a.k.a. Harouge; a.k.a. Veba Oil Libya GMBH)	Al Magharba Street, P.O. Box 690, Tripoli, Libya	Joint Venture between Petro Canada and the National Oil Corporation	12.4.2011
31.	Jawaby Property Investment Limited	Cutlers Farmhouse, Marlow Road, Lane End, High Wycombe, Buckinghamshire, UK Other info: Reg no 01612618 (UK)	UK-incorporated subsidiary of the National Oil Corporation	12.4.2011

	Name	Identifying information	Reasons	Date of listing
32.	Tekxel Limited	One Wood Street, London, UK Other info: Reg no 02439691	UK-incorporated subsidiary of the National Oil Corporation	12.4.2011
33.	Sabtina Ltd	530-532 Elder Gate, Elder House, Milton Keynes, UK Other info: Reg no 01794877 (UK)	UK-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
34.	Dalia Advisory Limited (LIA sub)	11 Upper Brook Street, London, UK Other info: Reg no 06962288 (UK)	UK-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
35.	Ashton Global Investments Limited	Woodbourne Hall, PO Box 3162, Road Town, Tortola, British Virgin Islands Other Info: Reg no 1510484 (BVI)	BVI-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
36.	Capitana Seas Limited	c/o Trident Trust Company (BVI) Ltd, Trident Chambers, PO Box 146, Road Town, Tortola, British Virgin Islands Other info: Reg no: 1526359 (BVI)	BVI -incorporated entity owned by Saadi Qadhafi	12.4.2011
37.	Kinloss Property Limited	Woodbourne Hall, PO Box 3162, Road Town, Tortola, British Virgin Islands Other Info: Reg no 1534407 (BVI)	BVI -incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
38.	Baroque Investments Limited	c/o ILS Fiduciaries (IOM) Ltd, First Floor, Millennium House, Victoria Road, Douglas, Isle of Man Other info: Reg no 59058C (IOM)	IOM-incorporated subsidiary of the Libyan Investment Authority.	12.4.2011
39.	Mediterranean Oil Services Company (a.k.a. Mediterranean Sea Oil Services Company)	Bashir El Saadawy Street, P.O. Box 2655, Tripoli, Libya.	Owned or controlled by NOC.	12.4.2011
40.	Mediterranean Oil Services GMBH (a.k.a. MED OIL OFFICE DUESSELDORF, a.k.a. MEDOIL)	Werdener strasse 8 Duesseldorf Nordhein - Westfalen, 40227 Germany	Owned or controlled by National Oil Company	12.4.2011
41.	Libyan Arab Airlines	P.O.Box 2555 Haiti street Tripoli, Libya HQ Phone: + 218 (21) 602 093 HQ Fax: + 218 (22) 30970	100 % owned by the Government of Libya	12.4.2011'

POLITICAL AND SECURITY COMMITTEE DECISION ATALANTA/1/2011**of 13 April 2011****on the appointment of an EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)**

(2011/237/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular Article 38 thereof,

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ⁽¹⁾ (Atalanta), and in particular Article 6 thereof,

Whereas:

- (1) Pursuant to Article 6 of Joint Action 2008/851/CFSP, the Council authorised the Political and Security Committee (PSC) to take decisions on the appointment of the EU Force Commander.
- (2) On 26 November 2010, the PSC adopted Decision Atalanta/5/2010 ⁽²⁾ appointing Rear Admiral Juan RODRÍGUEZ GARAT as EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.
- (3) The EU Operation Commander has recommended the appointment of Commodore Alberto Manuel Silvestre CORREIA as the new EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

(4) The EU Military Committee supports that recommendation.

(5) In accordance with Article 5 of the Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications,

HAS ADOPTED THIS DECISION:

Article 1

Commodore Alberto Manuel Silvestre CORREIA is hereby appointed EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

Article 2

This Decision shall enter into force on 14 April 2011.

Done at Brussels, 13 April 2011.

For the Political and Security Committee
The Chairman
O. SKOOG

⁽¹⁾ OJ L 301, 12.11.2008, p. 33.

⁽²⁾ OJ L 320, 7.12.2010, p. 8.

COMMISSION DECISION

of 13 April 2011

amending Decision 2007/843/EC as regards the control programme for *Salmonella* in certain poultry and eggs in Tunisia

(notified under document C(2011) 2520)

(Text with EEA relevance)

(2011/238/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of *Salmonella* and other specified food-borne zoonotic agents ⁽¹⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) Regulation (EC) No 2160/2003 lays down rules for the control of *Salmonella* in different poultry populations in the Union. It provides that admission to or retention on the lists of third countries provided for in Union legislation, for the relevant species or category, from which Member States are authorised to import those animals or hatching eggs covered by that Regulation is subject to the submission to the Commission by the third country concerned of a control programme for *Salmonella* with equivalent guarantees to those contained in the national control programmes for *Salmonella* in the Member States.
- (2) Commission Decision 2007/843/EC of 11 December 2007 concerning approval of *Salmonella* control programmes in breeding flocks of *Gallus gallus* in certain third countries in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and amending Decision 2006/696/EC, as regards certain public health requirements at import of poultry and hatching eggs ⁽²⁾ approved the control programme submitted by Tunisia for *Salmonella* in flocks of breeding hens, in accordance with Regulation (EC) No 2160/2003.

(3) Tunisia has now informed the Commission that that programme has been stopped. Accordingly, that programme submitted by Tunisia should no longer be approved. Decision 2007/843/EC should therefore be amended.

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

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Decision 2007/843/EC is replaced by the following:

'Article 1

The control programmes submitted by Canada, Israel and the United States in accordance with Article 10(1) of Regulation (EC) No 2160/2003 are hereby approved as regards *Salmonella* in flocks of breeding hens.'

Article 2

This Decision shall apply from 1 May 2011.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 April 2011.

For the Commission

John DALLI

Member of the Commission

⁽¹⁾ OJ L 325, 12.12.2003, p. 1.

⁽²⁾ OJ L 332, 18.12.2007, p. 81.

CORRIGENDA**Corrigendum to Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures against Zimbabwe**

(Official Journal of the European Union L 42 of 16 February 2011)

On page 6, Article 3(1):

for: 'Article 3

1. Article 2 shall not apply to:

- (a) the sale, supply, transfer or export of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or protective use, or for institution-building programmes of the UN and the EU, or of materiel intended for EU and UN crisis management operations;
- (b) the provision of financing and financial assistance related to such equipment;
- (c) the provision of technical assistance related to such equipment, on condition that any export thereof has been approved in advance by the relevant competent authority.'

read: 'Article 3

1. Article 2 shall not apply to:

- (a) the sale, supply, transfer or export of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or protective use, or for institution-building programmes of the UN and the EU, or of materiel intended for EU and UN crisis management operations;
 - (b) the provision of financing and financial assistance related to such equipment;
 - (c) the provision of technical assistance related to such equipment,
- on condition that any export thereof has been approved in advance by the relevant competent authority.'
-

2011/238/EU:

- ★ **Commission Decision of 13 April 2011 amending Decision 2007/843/EC as regards the control programme for *Salmonella* in certain poultry and eggs in Tunisia** (notified under document C(2011) 2520) ⁽¹⁾..... 73

Corrigenda

- ★ **Corrigendum to Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures against Zimbabwe** (OJ L 42, 16.2.2011) 74



⁽¹⁾ Text with EEA relevance

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