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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 588/2011

of 20 June 2011

amending Regulation (EC) No 765/2006 concerning restrictive measures against President Lukashenko and certain officials of Belarus

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2011/357/CFSP of 20 June 2011 amending Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EC) No 765/2006 of 18 May 2006 ⁽²⁾ provides for a freezing of the assets of President Lukashenko and certain officials of Belarus.
- (2) By Decision 2011/357/CFSP, the Council has decided to take certain additional restrictive measures in relation to Belarus, in particular by imposing an arms embargo and a prohibition on internal repression equipment.
- (3) Some elements of these 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) In view of the gravity of the situation in Belarus and in accordance with Council Decision 2011/357/CFSP, additional persons and entities should be included in the list of persons and entities subject to restrictive measures set out in Annex IA to Regulation (EC) No 765/2006.
- (5) Regulation (EC) No 765/2006 should therefore be amended accordingly.
- (6) In order to ensure that the measures in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 765/2006 is hereby amended as follows:

- (1) The title of Regulation (EC) No 765/2006 is replaced by the following:

‘Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus’.

- (2) Article 1 is amended as follows:

- (a) Point (5) is replaced by the following:

‘5. “territory of the Community” means the territories of the Member States, including their airspace, to which the Treaty is applicable, under the conditions laid down in the Treaty.’.

- (b) The following point is added:

‘6. “technical assistance” means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services; including verbal forms of assistance.’.

- (3) The following Articles are inserted:

Article 1a

1. It shall be prohibited:

- (a) to sell, supply, transfer or export, directly or indirectly, equipment which might be used for internal repression as listed in Annex III, whether or not originating in the Union, to any person, entity or body in Belarus or for use in Belarus;

⁽¹⁾ See page 25 of this Official Journal.

⁽²⁾ OJ L 134, 20.5.2006, p. 1.

(b) to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in point (a).

2. Paragraph 1 shall not apply to protective clothing, including flak jackets and helmets, temporarily exported to Belarus by United Nations (UN) personnel, personnel of the Union or its Member States, representatives of the media or humanitarian and development workers and associated persons exclusively for their personal use.

3. By way of derogation from paragraph 1, the competent authorities in the Member States as listed in Annex II may authorise the sale, supply, transfer or export of equipment which might be used for internal repression, under such conditions as they deem appropriate, if they determine that such equipment is intended solely for humanitarian or protective use.

Article 1b

1. It shall be prohibited:

(a) to provide, directly or indirectly, technical assistance related to the goods and technology listed in the Common Military List of the European Union⁽¹⁾ ("Common Military List"), or related to the provision, manufacture, maintenance and use of goods included in that list, to any person, entity or body in Belarus or for use in Belarus;

(b) to provide, directly or indirectly, technical assistance or brokering services related to equipment which might be used for internal repression as listed in Annex III, to any person, entity or body in Belarus or for use in Belarus;

(c) to provide, directly or indirectly, financing or financial assistance related to the goods and technology listed in the Common Military List or in Annex III, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance to any person, entity or body in Belarus or for use in Belarus;

(d) to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a) to (c).

2. By way of derogation from paragraph 1, the prohibitions referred to therein shall not apply to:

(a) non-lethal military equipment, or equipment which might be used for internal repression, intended solely for humanitarian purposes or protective use or for institution building programmes of the UN and the Union, or for EU or UN crisis management operations; or

(b) non-combat vehicles fitted with materials to provide ballistic protection, intended solely for the protective use of personnel of the Union and its Member States in Belarus,

provided that the provision thereof has first been approved by the competent authority of a Member State, as identified on the websites listed in Annex II.

3. Paragraph 1 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Belarus by UN personnel, personnel of the Union or its Member States, representatives of the media or humanitarian and development workers and associated persons exclusively for their personal use.

⁽¹⁾ OJ C 86, 18.3.2011, p. 1.'

Article 2

1. The persons and entities listed in Annex I to this Regulation shall be added to the list set out in Annex IA to Regulation (EC) No 765/2006.

2. Annex II to this Regulation shall be added to Regulation (EC) No 765/2006.

Article 3

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, 20 June 2011.

For the Council
The President
C. ASHTON

ANNEX I

Persons and entities referred to in Article 2(1)

A. Persons

| | Names Transcription of Belarusian spelling Transcription of Russian spelling | Names (Belarusian spelling) | Names (Russian spelling) | Place and date of birth, other identifying information (passport number, ...) | Reasons |
|---|---|-----------------------------------|---------------------------------|---|---|
| 1 | Andrey Kazheunikau Andrey Kozhevnikov | Андрэй Кажэўнікаў | Андрей Кожевников | | Public prosecutor of the case against ex-presidential candidates Vladimir Neklyaev, Vitaly Rimashevsky, members of Neklyaev's campaign team Andrei Dmitriev, Aleksandr Feduta and Sergei Vozniak, as well as Young Front deputy chairperson Anastasia Polozhanka. The accusation presented by him had a clear political motivation and it was a clear violation of the Code of Penal Procedure. It was based on wrong classification of the events of 19 December 2010, not sustained by evidence, proofs and testimonies of witnesses. |
| 2 | Grachova, Liudmila (Grachova, Ludmila; Grachova Lyudmila) Gracheva Liudmila (Gracheva Lyudmila; Grachiova Ludmila) | Грачова Людміла | Грачева Людмила | | Judge of the Leninski District Court of Minsk. She dealt with the case of ex-presidential candidates Nikolai Statkevich and Dmitri Uss, as well as political and civil society activists Andrei Pozniak, Aleksandr Klaskovski, Aleksandr Kvetkevich, Artiom Gribkov and Dmitri Bulanov. Her way of conducting the trial was a clear violation of the Code of Penal Procedure. She sustained the use of evidence and testimonies irrelevant to the accused persons. |
| 3 | Chubkavets Kiril Chubkovets Kirill | Чубкавец Кірыл | Чубковец Кирилл | | Public prosecutor of the case against ex-presidential candidates Nikolai Statkevich and Dmitri Uss, as well as political and civil society activists Andrei Pozniak, Aleksandr Klaskovski, Aleksandr Kvetkevich, Artiom Gribkov and Dmitri Bulanov. The accusation presented by him had a clear political motivation and it was a clear violation of the Code of Penal Procedure. It was based on wrong classification of the events of 19 December 2010, not sustained by evidence, proofs and testimonies of witnesses. |
| 4 | Peftiev Vladimir Peftiev Vladimir Pavlovich | Пэфціеў Уладзімір Паўлавіч | Пeftиев Владимир Павлович | Born on 1 July 1957 in the town of Berdyansk, Zapo- rozhska Oblast, Ukraine Present passport No.: MP2405942 | Person associated with President Lukashenko and his family. Chief economic advisor of President Lukashenko and key financial sponsor of the Lukashenko regime. Chairman of the Council of Shareholders of Beltelexport, the largest export/import company of defence products in Belarus |

B. Entities

| | Names Transcription of Belarusian spelling Transcription of Russian spelling | Names (Belarusian spelling) | Names (Russian spelling) | Identifying information | Reasons |
|---|--|-----------------------------------|--|--|---|
| 1 | Beltechexport | | ЗАО „Белтехэкспорт“ | Republic of Belarus, 220012, Minsk, Nezavisimost ave., 86-B Tel: (+375 17) 263-63-83, Fax: (+375 17) 263-90-12 | Entity controlled by Mr. Pefatiev Vladimir |
| 2 | Sport-Pari (Operator of the Republican Lottery company) | | ЗАО „Спорт- пари“ (оператор республиканск- ой лотереи) | | Entity controlled by Mr. Pefatiev Vladimir |
| 3 | Private Unitary Enterprise (PUE) BT Telecommunications | | частное унитарное предприятие ЧУП „БТ Телекоммуни- кации“ | | Entity controlled by Mr. Pefatiev Vladimir |

ANNEX II

'ANNEX III

List of equipment which might be used for internal repression as referred to in Article 1a and Article 1b

1. Fire-arms, ammunition and related accessories therefor, as follows:
 - 1.1. Firearms not controlled by ML 1 and ML 2 of the Common Military List of the European Union ⁽¹⁾ ('Common Military List');
 - 1.2. Ammunition specially designed for the firearms listed in item 1.1 and specially designed components therefor;
 - 1.3. Weapon-sights not controlled by the Common Military List.
2. Bombs and grenades not controlled by the Common Military List.
3. Vehicles as follows:
 - 3.1. Vehicles equipped with a water cannon, specially designed or modified for the purpose of riot control;
 - 3.2. Vehicles specially designed or modified to be electrified to repel borders;
 - 3.3. Vehicles specially designed or modified to remove barricades, including construction equipment with ballistic protection;
 - 3.4. Vehicles specially designed for the transport or transfer of prisoners and/or detainees;
 - 3.5. Vehicles specially designed to deploy mobile barriers;
 - 3.6. Components for the vehicles specified in items 3.1 to 3.5 specially designed for the purposes of riot control.

Note 1 This item does not control vehicles specially designed for the purposes of fire-fighting.

Note 2 For the purposes of item 3.5 the term 'vehicles' includes trailers.
4. Explosive substances and related equipment as follows:
 - 4.1. Equipment and devices specially designed to initiate explosions by electrical or non-electrical means, including firing sets, detonators, igniters, boosters and detonating cord, and specially designed components therefor; except those specially designed for a specific commercial use consisting of the actuation or operation by explosive means of other equipment or devices the function of which is not the creation of explosions (e.g., car air-bag inflators, electric-surge arresters of fire sprinkler actuators);
 - 4.2. Linear cutting explosive charges not controlled by the Common Military List;
 - 4.3. Other explosives not controlled by the Common Military List and related substances as follows:
 - a. amatol;
 - b. nitrocellulose (containing more than 12,5 % nitrogen);
 - c. nitroglycol;
 - d. pentaerythritol tetranitrate (PETN);
 - e. picryl chloride;
 - f. 2,4,6-trinitrotoluene (TNT).
5. Protective equipment not controlled by ML 13 of the Common Military List as follows:
 - 5.1. Body armour providing ballistic and/or stabbing protection;
 - 5.2. Helmets providing ballistic and/or fragmentation protection, anti-riot helmets, antiriot shields and ballistic shields.

Note: This item does not control:

 - equipment specially designed for sports activities,
 - equipment specially designed for safety of work requirements,

⁽¹⁾ OJ C 86, 18.3.2011, p. 1.

6. Simulators, other than those controlled by ML 14 of the Common Military List, for training in the use of firearms, and specially designed software therefor.
 7. Night vision, thermal imaging equipment and image intensifier tubes, other than those controlled by the Common Military List.
 8. Razor barbed wire.
 9. Military knives, combat knives and bayonets with blade lengths in excess of 10 cm.
 10. Production equipment specially designed for the items specified in this list.
 11. Specific technology for the development, production or use of the items specified in this list.:
-

COMMISSION IMPLEMENTING REGULATION (EU) No 589/2011

of 20 June 2011

amending Implementing Regulation (EU) No 302/2011 opening an exceptional import tariff quota for certain quantities of sugar in the 2010/11 marketing year

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 187, in conjunction with Article 4, thereof,

Whereas:

(1) The world market prices for sugar have been at a constant high level during the first months of the 2010/11 marketing year, which has slowed down the pace of imports in particular from third countries benefiting from certain preferential agreements.

(2) Confronted with this situation, the Commission recently adopted a series of measures with the purpose to bring additional supply to the Union market. Those measures included Commission Regulation (EU) No 222/2011 of 3 March 2011 laying down exceptional measures as regards the release of out-of-quota sugar and isoglucose on the Union market at reduced surplus levy during marketing year 2010/2011 ⁽²⁾, which increased the combined availability of sugar and isoglucose on the Union market by 526 000 tonnes, and Commission Implementing Regulation (EU) No 302/2011 of 28 March 2011 opening an exceptional import tariff quota for certain quantities of sugar in the 2010/11 marketing year ⁽³⁾, which suspended the import duties for sugar falling within CN 1701 for a quantity of 300 000 tonnes.

(3) Imports of sugar under Inward Processing in accordance with Chapter 3 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁴⁾ have been reduced and the processing industry has increased the use of quota sugar in exported products.

Those developments have maintained the tight supply situation on the Union market, which threaten to cause undersupply during the last months of the marketing year, until the arrival of the new harvest.

(4) The high prices on the world market for sugar therefore threaten the availability of supply on the Union market. For that reason it is necessary to increase, by a quantity of 200 000 tonnes, the quantity of 300 000 tonnes set out in Implementing Regulation (EU) No 302/2011, for which the import duty of sugar is to be suspended.

(5) In accordance with Article 11 of Commission Regulation (EC) No 891/2009 of 25 September 2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector ⁽⁵⁾ the opening of the tariff quotas for imports of sugar products pursuant to Article 187 of Regulation (EC) No 1234/2007 with order number 09.4380 (exceptional import sugar), the quantities of those products for which import duties are to be suspended and the tariff quota period have to be determined by a separate legal act. Implementing Regulation (EU) No 302/2011 suspends the import duties for sugar falling within CN 1701 for a quantity of 300 000 tonnes.

(6) Implementing Regulation (EU) No 302/2011 should be amended accordingly.

(7) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

In the first paragraph of Article 1 of Implementing Regulation (EU) No 302/2011, the following sentence is added:

‘The import duties shall be suspended for an additional quantity of 200 000 tonnes from 1 July to 30 September 2011.’

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 60, 5.3.2011, p. 6.

⁽³⁾ OJ L 81, 29.3.2011, p. 8.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 254, 26.9.2009, p. 82.

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 expire on 30 September 2011.

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

Done at Brussels, 20 June 2011.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 590/2011

of 20 June 2011

amending Regulation (EC) No 1235/2008, laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 ⁽¹⁾, and in particular Article 33(2) and Article 38(d) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1235/2008 ⁽²⁾ has set out a relatively short period for the control bodies and control authorities to send their application for recognition for the purpose of compliance in accordance with Article 32 of Regulation (EC) No 834/2007. As there is no experience with the direct application of Union rules on organic production and labeling of organic products outside the territory of the Union, more time should be given to control bodies and control authorities wishing to request their inclusion in the list for the purpose of compliance.
- (2) In accordance with Article 33(2) of Regulation (EC) No 834/2007, Annex III to Regulation (EC) No 1235/2008 has established a list of third countries whose system of production and control measures for organic production of agricultural products are recognised as equivalent to those laid down in Regulation (EC) No 834/2007. In the light of a new application and information received by the Commission from third countries since the last publication of the list, certain modifications should be taken into consideration and the list should be adapted accordingly.
- (3) Certain agricultural products imported from Canada are currently marketed in the Union pursuant to the transitional rules provided for in Article 19 of Regulation (EC) No 1235/2008. Canada submitted a request to the Commission to be included in the list provided for in Annex III to that Regulation. It submitted the information required pursuant to Articles 7 and 8 of that Regulation. The examination of this information and consequent discussion with the Canadian authorities have led to the conclusion that in that country the rules governing production and controls of agricultural products are equivalent to those laid down in Regulation

(EC) No 834/2007. The Commission has carried out an on-the-spot check of the rules of production and the control measures actually applied in Canada, as provided for in Article 33(2) of Regulation (EC) No 834/2007.

- (4) The Costa Rican, Indian, Israeli, Japanese and Tunisian authorities have asked the Commission to include new control and certification bodies and have provided the Commission with the necessary guarantees that they meet the preconditions laid down in Article 8(2) of Regulation (EC) No 1235/2008.
- (5) The duration of inclusion of Costa Rica and New Zealand in the list provided for in Annex III to Regulation (EC) No 1235/2008 expires on 30 June 2011. In order to avoid trade disruption, there is a need to prolong the inclusion of Costa Rica and New Zealand. In the light of the experience, the inclusion should be prolonged for an unlimited period.
- (6) New Zealand transmitted editorial amendments to the relevant specifications provided in Annex III to Regulation (EC) No 1235/2008 following the recent amalgamation of the Ministry of Agriculture and Forestry and the New Zealand Food Safety Authority.
- (7) Regulation (EC) No 1235/2008 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the regulatory Committee on organic production,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1235/2008 is amended as follows:

- (1) in Article 4, '31 October 2011' is replaced by '31 October 2014';
- (2) Annex III is amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 189, 20.7.2007, p. 1.

⁽²⁾ OJ L 334, 12.12.2008, p. 25.

Article 2

This Regulation shall enter into force on the seventh 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, 20 June 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX

Annex III to Regulation (EC) No 1235/2008 is amended as follows:

(1) after the text relating to Australia, the following text is inserted:

'CANADA

1. Product categories:

- (a) live or unprocessed agricultural products and vegetative propagating material and seeds for cultivation;
- (b) processed agricultural products for use as food;
- (c) feed.

2. Origin: products of category 1(a) and organically grown ingredients in products of category 1(b) that have been grown in Canada.

3. Production standards: Organic Products Regulation.

4. Competent authorities: Canadian Food Inspection Agency (CFIA), www.inspection.gc.ca

5. Control bodies:

- Atlantic Certified Organic Cooperative Limited (ACO), www.atlanticcertifiedorganic.ca
- British Columbia Association for Regenerative Agriculture (BCARA), www.certifiedorganic.bc.ca
- Certification Services Limited Liability Company (CCOF), www.ccof.org
- Centre for Systems Integration (CSI), www.csi-ics.com
- Consorzio per il Controllo dei Prodotti Biologici Società a responsabilità limitata (CCPB SRL), www.ccpb.it
- Control Union Certifications (CUC), www.controlunion.com
- Ecocert Canada, www.ecocertcanada.com
- Fraser Valley Organic Producers Association (FVOPA), www.fvopa.ca
- Global Organic Alliance, www.goa-online.org
- International Certification Services Incorporated (ICS), www.ics-intl.com
- LETIS SA, www.letis.com.ar
- Oregon Tilth Incorporated (OTCO), <http://tilth.org>
- Organic Certifiers, www.organiccertifiers.com
- Organic Crop Improvement Association (OCIA), www.ocia.org/
- Organic Producers Association of Manitoba Cooperative Incorporated (OPAM), www.opam-mb.com
- Pacific Agricultural Certification Society (PACS), www.pacscertifiedorganic.ca
- Pro-Cert Organic Systems Ltd (Pro-Cert), www.ocpro.ca/
- Quality Assurance International Incorporated (QAI), www.qai-inc.com
- Quality Certification Services (QCS), www.qcsinfo.org
- Organisme de Certification Québec Vrai (OCQV), www.quebecvrai.org
- SAI Global Certification Services Limited, www.saiglobal.com

6. Certificate issuing bodies: as at point 5

7. Duration of the inclusion: 30 June 2014.;

(2) in point 5 of the text relating to Costa Rica, the following indent is added:

— Mayacert, www.mayacert.com;

(3) point 7 of the text relating to Costa Rica is replaced by the following:

'7. **Duration of the inclusion:** unspecified.;

- (4) in point 5 of the text relating to India, the following indents are added:
- Chhattisgarh Certification Society (CGCERT), www.cgcert.com
 - Tamil Nadu Organic Certification Department (TNOCD), www.tnocd.net
 - TUV India Pvt. Ltd, www.tuvinia.co.in/0_mngmt_sys_cert/orgcert.htm
 - Intertek India Pvt. Ltd, www.intertek.com;
- (5) in point 5 of the text relating to Israel, the following indent is added:
- LAB-PATH Ltd, www.lab-path.co.il;
- (6) in point 5 of the text relating to Japan, the following indents are added:
- AINO, www.ainou.or.jp/ainohtm/disclosure/nintei-kouhyou.htm
 - SGS Japan Incorporation, www.jp.sgs.com/ja/home_jp_v2.htm
 - Ehime Organic Agricultural Association, www12.ocn.ne.jp/~aiyuken/ninntei20110201.html
 - Center for Eco-design Certification Co. Ltd, <http://www.eco-de.co.jp/list.html>
 - Organic Certification Association, www.yuukinin.jimdo.com
 - Japan Eco-system Farming Association, www.npo-jefa.com
 - Hiroshima Environment and Health Association, www.kanhokyo.or.jp/jigyo/jigyo_05A.html
 - Assistant Center of Certification and Inspection for Sustainability, www.accis.jp
 - Organic Certification Organization Co. Ltd, www.oco45.net;
- (7) in point 5 of the text relating to Tunisia, the following indent is added:
- Istituto per la certificazione etica e ambientale (ICEA), www.icea.info;
- (8) in point 2 of the text relating to New Zealand, 'MAF Food Official Organic Assurance Programme' is replaced by 'MAF Official Organic Assurance Programme Technical Rules for Organic Production';
- (9) points 3 to 7 of the text relating to New Zealand are replaced by the following:
3. **Production standards:** MAF Official Organic Assurance Programme Technical Rules for Organic Production.
 4. **Competent authority:** Ministry of Agriculture and Forestry (MAF), <http://www.foodsafety.govt.nz/industry/sectors/organics/>
 5. **Control bodies:**
 - ASUREQuality Limited, www.organiccertification.co.nz
 - BioGro New Zealand, www.biogro.co.nz
 6. **Certificate issuing authority:** Ministry of Agriculture and Forestry (MAF)
 7. **Duration of the inclusion:** unspecified.
-

COMMISSION REGULATION (EU) No 591/2011**of 16 June 2011****establishing a prohibition of fishing for northern prawn in the NAFO 3L zone by vessels flying the flag of any Member State, except Estonia, Latvia, Lithuania and Poland**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) No 57/2011 of 18 January 2011 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters ⁽²⁾, lays down quotas for 2011.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member States referred to therein have exhausted the quota allocated for 2011.

- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member States referred to in the Annex to this Regulation for the stock referred to therein for 2011 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member States referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

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

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

Done at Brussels, 16 June 2011.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 24, 27.1.2011, p. 1.

ANNEX

| | |
|--------------|---|
| No | 14/T&Q |
| Member State | Other Member States (all except Estonia, Latvia, Lithuania and Poland) ⁽¹⁾ |
| Stock | PRA/N3L. |
| Species | Northern Prawn (<i>Pandalus borealis</i>) |
| Zone | NAFO 3L |
| Date | 14.1.2011 |

⁽¹⁾ With the exception of Member States which have obtained an individual quota by means of a transfer or an exchange.

COMMISSION IMPLEMENTING REGULATION (EU) No 592/2011**of 20 June 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 21 June 2011.

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

Done at Brussels, 20 June 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 | MA | 57,8 |
| | MK | 31,8 |
| | TR | 55,0 |
| | ZZ | 48,2 |
| 0707 00 05 | TR | 95,0 |
| | ZZ | 95,0 |
| 0709 90 70 | TR | 112,7 |
| | ZZ | 112,7 |
| 0805 50 10 | AR | 62,8 |
| | BR | 40,6 |
| | TR | 69,2 |
| | ZA | 93,7 |
| | ZZ | 66,6 |
| 0808 10 80 | AR | 119,6 |
| | BR | 80,2 |
| | CL | 84,5 |
| | CN | 80,9 |
| | NZ | 99,1 |
| | UY | 98,4 |
| | ZA | 89,8 |
| | ZZ | 93,2 |
| 0809 10 00 | TR | 158,2 |
| | ZZ | 158,2 |
| 0809 20 95 | TR | 358,7 |
| | XS | 382,4 |
| | ZZ | 370,6 |

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

COMMISSION IMPLEMENTING REGULATION (EU) No 593/2011**of 20 June 2011****on the issue of import licences for applications lodged during the first seven days of June 2011
under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat**

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 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 533/2007 of 14 May 2007 opening and providing for the administration of tariff quotas in the poultrymeat sector ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 533/2007 opened tariff quotas for imports of poultrymeat products.
- (2) The applications for import licences lodged during the first seven days of June 2011 for the subperiod from 1 July to 30 September 2011 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 533/2007 for the subperiod from 1 July to 30 September 2011 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 21 June 2011.

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

Done at Brussels, 20 June 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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 125, 15.5.2007, p. 9.

ANNEX

| Group No | Order No | Allocation coefficient for import licence applications lodged for the subperiod from 1.7.2011-30.9.2011 (%) |
|----------|----------|---|
| P1 | 09.4067 | 3,187595 |
| P3 | 09.4069 | 0,592805 |

COMMISSION IMPLEMENTING REGULATION (EU) No 594/2011**of 20 June 2011****on the issue of import licences for applications lodged during the first seven days of June 2011 under the tariff quotas opened by Regulation (EC) No 539/2007 for certain products in the egg sector and for egg albumin**

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 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 539/2007 of 15 May 2007 opening and providing for the administration of tariff quotas in the egg sector and for egg albumin ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 539/2007 opened tariff quotas for imports of egg products and egg albumin.
- (2) The applications for import licences lodged during the first seven days of June 2011 for the subperiod from 1 July to 30 September 2011 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 539/2007 for the subperiod from 1 July to 30 September 2011 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 2011.

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

Done at Brussels, 20 June 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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 128, 16.5.2007, p. 19.

ANNEX

| Group No | Order No | Allocation coefficient for import licence applications lodged for the subperiod from 1.7.2011-30.9.2011 (%) |
|----------|----------|---|
| E2 | 09.4401 | 66,666666 |

COMMISSION IMPLEMENTING REGULATION (EU) No 595/2011**of 20 June 2011****on the issue of import licences for applications lodged during the first seven days of June 2011
under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat**

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 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 1385/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

The applications for import licences lodged during the first seven days of June 2011 for the subperiod from 1 July to 30 September 2011 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged for the subperiod from 1 July to 30 September 2011 under Regulation (EC) No 1385/2007 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 2011.

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

Done at Brussels, 20 June 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 238, 1.9.2006, p. 13.⁽³⁾ OJ L 309, 27.11.2007, p. 47.

ANNEX

| Group No | Order No | Allocation coefficient for import licence applications lodged for the subperiod from 1.7.2011-30.9.2011 (%) |
|----------|----------|---|
| 1 | 09.4410 | 0,413737 |
| 3 | 09.4412 | 0,438216 |
| 4 | 09.4420 | 0,491886 |
| 5 | 09.4421 | 12,658227 |
| 6 | 09.4422 | 0,510209 |

DECISIONS

COUNCIL DECISION

of 9 June 2011

on the launch of automated data exchange with regard to dactyloscopic data in France

(2011/355/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, in particular Article 25 thereof,

Having regard to Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽²⁾, in particular Article 20 and Chapter 4 of the Annex thereto,

Whereas:

- (1) According to the Protocol on Transitional Provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, the legal effects of the acts of the institutions, bodies, offices and agencies of the Union adopted prior to the entry into force of the Treaty of Lisbon are preserved until those acts are repealed, annulled or amended in implementation of the Treaties.
- (2) Accordingly, Article 25 of Decision 2008/615/JHA is applicable and the Council must unanimously decide whether the Member States have implemented the provisions of Chapter 6 of that Decision.
- (3) Article 20 of Decision 2008/616/JHA provides that decisions referred to in Article 25(2) of Decision 2008/615/JHA are to be taken on the basis of an evaluation report based on a questionnaire. With respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA, the evaluation report is to be based on an evaluation visit and a pilot run.
- (4) According to Chapter 4, point 1.1 of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of

the automated data exchanges and has to be answered by a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.

- (5) France has completed the questionnaire on data protection and the questionnaire on dactyloscopic data exchange.
- (6) A successful pilot run has been carried out by France with Spain, Germany and Luxembourg.
- (7) An evaluation visit has taken place in France and a report on the evaluation visit has been produced by the Spanish/German/Luxembourgish evaluation team and forwarded to the relevant Council Working Group.
- (8) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning dactyloscopic data exchange has been presented to the Council,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of dactyloscopic data, France has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA and is entitled to receive and supply personal data pursuant to Article 9 of that Decision as from the date of the entry into force of this Decision.

Article 2

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

Done at Luxembourg, 9 June 2011.

For the Council
The President
PINTÉR S.

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.
⁽²⁾ OJ L 210, 6.8.2008, p. 12.

COUNCIL DECISION**of 10 June 2011****appointing five Slovenian members and three Slovenian alternate members of the Committee of the Regions**

(2011/356/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Slovenian Government,

Whereas:

- (1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.
- (2) Five members' seats on the Committee of the Regions have become vacant following the end of the terms of office of Mr Aleš ČERIN, Ms Irena MAJCEN, Ms Jasmina VIDMAR, Mr Franci VOVK and Mr Anton Tone SMOLNIKAR. Three alternate members' seats on the Committee of the Regions have become vacant following the end of the terms of office of Mr Jure MEGLIČ, Mr Siniša GERMOVŠEK and Ms Darja DELAČ FELDA,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

(a) as members:

- Mr Peter BOSSMAN, župan občin Piran
- Mr Mitja MERŠOL, član občinskega sveta MO Ljubljana
- Ms Andreja POTOČNIK, podžupanja občine Trzič
- Dr Ivan ŽAGAR, župan občine Slovenska Bistrica
- Ms Barbara ŽGAJNER TAVŠ, podžupanja občine Trbovlje

and

(b) as alternate members:

- Ms Ladislava FURLAN, podžupanja občine Logatec
- Mr Anton KOKALJ, član občinskega sveta občine Vodice
- Ms Tanja VINDIŠ FURMAN, članica občinskega sveta MO Maribor.

Article 2

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

Done at Luxembourg, 10 June 2011.

For the Council
The President
FELLEGI T.

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION 2011/357/CFSP

of 20 June 2011

amending Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 25 October 2010, the Council adopted Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus⁽¹⁾.
- (2) In view of the gravity of the situation in Belarus, additional restrictive measures should be imposed.
- (3) Moreover, additional persons and entities should be included in the list of persons subject to restrictive measures as set out in Annex IIIA to Decision 2010/639/CFSP.
- (4) Decision 2010/639/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/639/CFSP is hereby amended as follows:

1. The title of Decision 2010/639/CFSP is replaced by the following:

‘Council Decision 2010/639/CFSP of 25 October 2010 concerning restrictive measures against Belarus’.

2. The following Articles are inserted:

‘Article 3a

1. The sale, supply, transfer or export of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression, to Belarus by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

2. It shall be prohibited to:

- (a) provide, directly or indirectly, technical assistance, brokering services or other services related to the items referred to in paragraph 1 or related to the provision, manufacture, maintenance and use of such items, to any natural or legal person, entity or body in, or for use in, Belarus;

- (b) provide, directly or indirectly, financing or financial assistance related to the items referred to in paragraph 1, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of such items, or for the provision of related technical assistance, brokering services or other services to any natural or legal person, entity or body in, or for use in, Belarus;

- (c) participate, knowingly and intentionally, in activities, the object or effect of which is to circumvent the prohibitions referred to in points (a) or (b).

Article 3b

1. Article 3a shall not apply to the:

- (a) 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 United Nations (UN) and the Union, or for EU and UN crisis management operations;

- (b) sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the Union and its Member States in Belarus;

- (c) provision of technical assistance, brokering services and other services related to such equipment or to such programmes and operations;

- (d) provision of financing and financial assistance related to such equipment or to such programmes and operations,

on condition that such exports and assistance have been approved in advance by the relevant competent authority.

2. Article 3a shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Belarus by UN personnel, personnel of the Union or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.’.

Article 2

The persons and entities listed in the Annex to this Decision shall be added to the list set out in Annex IIIA to Decision 2010/639/CFSP.

⁽¹⁾ OJ L 280, 26.10.2010, p. 18.

Article 3

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

Done at Luxembourg, 20 June 2011.

For the Council
The President
C. ASHTON

ANNEX

Persons and entities referred to in Article 2

A. Persons

| | Names Transcription of Belarusian spelling Transcription of Russian spelling | Names (Belarusian spelling) | Names (Russian spelling) | Place and date of birth, other identifying information (passport number, ...) | Reasons |
|---|---|-----------------------------------|---------------------------------|--|---|
| 1 | Andrey Kazheunikau Andrey Kozhevnikov | Андрэй Кажэўнікаў | Андрей Кожевников | | Public prosecutor of the case against ex-presidential candidates Vladimir Neklyaeв, Vitaly Rimashevsky, members of Neklyaeв's campaign team Andrei Dmitriev, Aleksandr Feduta and Sergei Vozniak, as well as Young Front deputy chairperson Anastasia Polozhanka. The accusation presented by him had a clear political motivation and it was a clear violation of the Code of Penal Procedure. It was based on wrong classification of the events of 19 December 2010, not sustained by evidence, proofs and testimonies of witnesses. |
| 2 | Grachova, Liudmila (Grachova, Ludmila; Grachova Lyudmila) Gracheva Liudmila (Gracheva Lyudmila; Grachiova Ludmila) | Грачова Людміла | Грачева Людмила | | Judge of the Leninski District Court of Minsk. She dealt with the case of ex-presidential candidates Nikolai Statkevich and Dmitri Uss, as well as political and civil society activists Andrei Pozniak, Aleksandr Klaskovski, Aleksandr Kvetkevich, Artiom Gribkov and Dmitri Bulanov. Her way of conducting the trial was a clear violation of the Code of Penal Procedure. She sustained the use of evidence and testimonies irrelevant to the accused persons. |
| 3 | Chubkavets Kiril Chubkovets Kirill | Чубкавец Кірыл | Чубковец Кирилл | | Public prosecutor of the case against ex-presidential candidates Nikolai Statkevich and Dmitri Uss, as well as political and civil society activists Andrei Pozniak, Aleksandr Klaskovski, Aleksandr Kvetkevich, Artiom Gribkov and Dmitri Bulanov. The accusation presented by him had a clear political motivation and it was a clear violation of the Code of Penal Procedure. It was based on wrong classification of the events of 19 December 2010, not sustained by evidence, proofs and testimonies of witnesses. |
| 4 | Peftiev Vladimir Peftiev Vladimir Pavlovich | Пэфціеў Уладзімір Паўлавіч | Пeftиев Владимир Павлович | Born on 1 July 1957 in the town of Berdyansk, Zaporozhskaya Oblast, Ukraine Present passport No.: MP2405942 | Person associated with President Lukashenko and his family. Chief economic advisor of President Lukashenko and key financial sponsor of the Lukashenko regime. Chairman of the Council of Shareholders of Beltelexport, the largest export/import company of defence products in Belarus |

B. Entities

| | Names Transcription of Belarusian spelling Transcription of Russian spelling | Names (Belarusian spelling) | Names (Russian spelling) | Identifying information | Reasons |
|---|--|-----------------------------------|--|--|---|
| 1 | Beltechexport | | „ЗАО Белтехэкспорт“ | Republic of Belarus, 220012, Minsk, Nezavisimost ave., 86-B Tel: (+375 17) 263-63-83, Fax: (+375 17) 263-90-12 | Entity controlled by Mr. Pefiev Vladimir |
| 2 | Sport-Pari (Operator of the Republican Lottery company) | | „ЗАО Спорт- пари“ (оператор республиканск- ой лотереи) | | Entity controlled by Mr. Pefiev Vladimir |
| 3 | Private Unitary Enterprise (PUE) BT Telecommunications | | частное унитарное предприятие ЧУП „БТ Телекоммуни- кации“ | | Entity controlled by Mr. Pefiev Vladimir |

COMMISSION IMPLEMENTING DECISION

of 17 June 2011

amending Decision 2009/719/EC authorising certain Member States to revise their annual BSE monitoring programmes

(notified under document C(2011) 4194)

(Text with EEA relevance)

(2011/358/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, and in particular the second subparagraph of Article 6(1b) thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in animals. It requires each Member State to carry out an annual monitoring programme for TSEs in accordance with Annex III to that Regulation.
- (2) Regulation (EC) No 999/2001 provides that the annual monitoring programmes are to cover as a minimum certain subpopulations of bovine animals referred to in Article 6 thereof. Those subpopulations are to include all bovine animals above 24 or 30 months of age, the age limit depending on the categories listed in points 2.1, 2.2 and 3.1 of Part I of Chapter A of Annex III to that Regulation.
- (3) The Annex to Commission Decision 2009/719/EC of 28 September 2009 authorising certain Member States to revise their annual BSE monitoring programmes ⁽²⁾ lists 17 Member States authorised to revise their annual monitoring programme in accordance with Regulation (EC) No 999/2001. That list includes all the Member States that were Members of the Union before 1 May 2004, as well as Slovenia and Cyprus.
- (4) On 9 December 2010, the Panel on Biological Hazards (Biohaz) of the European Food Safety Authority (EFSA) adopted a scientific opinion on a second update on the risk for human and animal health related to the revision

of the BSE monitoring regime in some Member States ⁽³⁾ (the EFSA opinion of 9 December 2010). For the EFSA opinion of 9 December 2010, the Biohaz was asked to analyse the data available for the 17 Member States listed in Decision 2009/719/EC and eight other Member States. The Biohaz assumed that all 25 Member States had implemented for at least six years a BSE surveillance system and control measures, as provided for in Regulation (EC) No 999/2001. The EFSA opinion of 9 December 2010 confirms that the BSE epidemic has been declining in the 17 Member States listed in Decision 2009/719/EC.

- (5) The EFSA opinion of 9 December 2010 also concludes that if the age limit for BSE testing would be raised to 72 months in healthy slaughtered cattle, less than one classical BSE case could be expected to be missed in 2011. In addition, it concludes that if BSE testing for healthy slaughtered cattle would stop as from 1 January 2013, less than one classical BSE case would be missed each calendar year from 2013 onwards. It can be inferred from that findings that the risk for human and animal health would be negligible if the current BSE testing is adapted accordingly.
- (6) Taking into account the conclusions of the EFSA opinion of 9 December 2010, the ages of the categories of bovine animals should be increased for animals covered by the revised annual monitoring programmes of the Member States listed in the Annex to Decision 2009/719/EC. Therefore, Member States that have been authorised to revise their annual monitoring programmes should be given the option to apply alternative but equally effective sampling plans while adapting to the epidemiological situation from 1 January 2013 onwards.
- (7) Regarding the eight Member States not listed in Decision 2009/719/EC, the EFSA opinion of 9 December 2010 concludes that the classical BSE epidemiological situation is different for a group of five Member States comprised of Estonia, Latvia, Lithuania, Hungary and Malta and another group comprised of three Member States, namely the Czech Republic, Poland and Slovakia.
- (8) In the group of five Member States, no BSE cases have been detected since full implementation of the Union surveillance system on 1 May 2004, and the classical BSE epidemiological situation should be considered to be 'at least equivalent' to that of the 17 Member States

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

⁽²⁾ OJ L 256, 29.9.2009, p. 35.

⁽³⁾ EFSA Journal 2010;8(12):1946.

- listed in Decision 2009/719/EC. Therefore, a similar testing regime should be applied to that group of 22 Member States as the epidemiological situation is comparable in all of them.
- (9) In addition, the EFSA opinion of 9 December 2010 concludes that the trend of the classical BSE epidemic in the Czech Republic, Poland and Slovakia shows two waves in the classical BSE incidence per birth cohort and in the average age of the classical BSE cases detected. This second wave pattern compromises the establishment of clear similarities between the trend of the classical BSE epidemic in the 17 Member States already listed in Decision 2009/719/EC and this group of three Member States. For these three Member States, it concludes that at present, it would not be informative to estimate the number of undetected classical BSE cases, should the testing age be changed in this group.
- (10) On 26 March 2010, Latvia submitted to the Commission an application to revise its annual BSE monitoring programme.
- (11) On 16 June 2010, Estonia submitted to the Commission an application to revise its annual BSE monitoring programme.
- (12) On 7 October 2010, Lithuania submitted to the Commission an application to revise its annual BSE monitoring programme.
- (13) On 21 October 2010, Luxembourg submitted to the Commission an application to revise its annual BSE monitoring programme.
- (14) On 27 October 2010, Germany submitted to the Commission an application to revise its annual BSE monitoring programme.
- (15) On 24 November 2010, Greece submitted to the Commission an application to revise its annual BSE monitoring programme.
- (16) On 26 November 2010, Slovenia submitted to the Commission an application to revise its annual BSE monitoring programme.
- (17) On 30 November 2010, Sweden submitted to the Commission an application to revise its annual BSE monitoring programme.
- (18) On 13 December 2010, Spain submitted to the Commission an application to revise its annual BSE monitoring programme.
- (19) On 13 December 2010, Belgium submitted to the Commission an application to revise its annual BSE monitoring programme.
- (20) On 13 December 2010, Finland submitted to the Commission an application to revise its annual BSE monitoring programme.
- (21) On 14 December 2010, Denmark submitted to the Commission an application to revise its annual BSE monitoring programme.
- (22) On 15 December 2010, United Kingdom submitted to the Commission an application to revise its annual BSE monitoring programme.
- (23) On 15 December 2010, Austria submitted to the Commission an application to revise its annual BSE monitoring programme.
- (24) On 20 December 2010, Ireland submitted to the Commission an application to revise its annual BSE monitoring programme.
- (25) On 23 December 2010, Portugal submitted to the Commission an application to revise its annual BSE monitoring programme.
- (26) On 5 January 2011, Cyprus submitted to the Commission an application to revise its annual BSE monitoring programme.
- (27) On 13 January 2011, Italy submitted to the Commission an application to revise its annual BSE monitoring programme.
- (28) On 18 January 2011, the Netherlands submitted to the Commission an application to revise its annual BSE monitoring programme.
- (29) On 19 January 2011, France submitted to the Commission an application to revise its annual BSE monitoring programme.
- (30) On 11 February 2011, Hungary submitted to the Commission an application to revise its annual BSE monitoring programme.
- (31) On 14 February 2011, Malta submitted to the Commission an application to revise its annual BSE monitoring programme.
- (32) The applications submitted by those 22 Member States were found to meet all the requirements for the revision of the annual monitoring programmes laid down in Article 6(1b) of Regulation (EC) No 999/2001 and set out in point 7 of Part I of Chapter A of Annex III thereto. Therefore, they should be authorised to revise their BSE annual monitoring programmes.

- (33) Article 3 of Regulation (EEC) No 706/73 of the Council of 12 March 1973 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products ⁽¹⁾ provides that Union veterinary and food legislation are to apply, under the same conditions in the Channel Islands and the Isle of Man as in the United Kingdom, to the agricultural products imported into those islands or exported from them to the Union. However, Decision 2009/719/EC does not currently apply to the islands as the United Kingdom did not provide the relevant data at the time of its adoption.
- (34) The United Kingdom has now provided the relevant data concerning the epidemiological situation and the implementation of the Union legislation regarding BSE in the Channel Islands and the Isle of Man. That data shows that the BSE epidemiological situation in those islands is comparable to that of the United Kingdom and that all the relevant requirements laid down in the Article 6(1b) and set out in point 7 of Part I of Chapter A of Annex III to Regulation (EC) No 999/2001 are met. Decision 2009/719/EC should therefore apply to those islands.
- (35) Subsequently, on 15 February 2011, the Standing Committee on the Food Chain and Animal Health delivered a positive opinion on a draft Decision amending Decision 2009/719/EC authorising certain Member States to revise their annual BSE monitoring programmes. That draft Decision which, however, has not yet been adopted by the Commission, authorises the 22 Member States to apply a revised and harmonised BSE testing regime as from 1 July 2011.
- (36) On 13 April 2011, EFSA adopted a scientific opinion on the review on the risk for human and animal health related to the revision of the BSE monitoring regime in three EU Member States ⁽²⁾. That opinion concludes that with the additional data of a further year of monitoring results, namely the data for 2010, the model employed shows that the confidence in the predictions of the number of cases in the cohorts since 2000 for the Czech Republic, Poland and Slovakia has increased substantially. Due to this and based on the results of the analysis performed, EFSA concludes that the decline of the BSE epidemic is now significant in these three Member States.
- (37) The EFSA opinion of 13 April 2011 also concludes that if the age limit for BSE testing would be raised to 72 months in healthy slaughtered cattle, less than one classical BSE case could be expected to be missed in 2012. It can be inferred from that findings that the risk for human and animal health would be negligible if the current BSE testing is adapted accordingly.
- (38) On 10 February 2011, the Czech Republic submitted to the Commission an application to revise its annual BSE monitoring programme.
- (39) On 15 February 2011, Slovakia submitted to the Commission an application to revise its annual BSE monitoring programme.
- (40) On 26 April 2011, Poland submitted to the Commission an application to revise its annual BSE monitoring programme.
- (41) The applications submitted by those three Member States were found to meet all the requirements for the revision of the annual monitoring programmes laid down in Article 6(1b) of Regulation (EC) No 999/2001 and set out in point 7 of Part I of Chapter A of Annex III thereto. Therefore, they should be authorised to revise their BSE annual monitoring programmes and the BSE testing regime in these three Member States should be aligned to that which received a positive opinion from the Standing Committee on the Food Chain and Animal Health on 15 February 2011.
- (42) Taking into consideration the new circumstances that have arisen after the vote, the draft Decision which received on 15 February 2011 a positive opinion of the Standing Committee on the Food Chain and Animal Health should not be adopted and a new draft Decision extending the provisions already voted to the Czech Republic, Poland and Slovakia should be presented for a opinion of the Standing Committee on the Food Chain and Animal Health.
- (43) Decision 2009/719/EC should therefore be amended accordingly.
- (44) This Decision should apply from 1 July 2011 in order to give sufficient time to Member States to align their BSE monitoring procedures with the amendments made to Decision 2009/719/EC by this Decision.
- (45) 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

Decision 2009/719/EC is amended as follows:

(1) Article 2 is replaced by the following:

'Article 2

1. The revised annual monitoring programmes shall apply only to bovine animals born in the Member States listed in the Annex and shall cover at least the following categories:

⁽¹⁾ OJ L 68, 15.3.1973, p. 1.

⁽²⁾ EFSA Journal 2011; 9(4):2142.

- (a) all bovine animals above 72 months of age subject to normal slaughter for human consumption, or slaughtered in the context of a disease eradication campaign but showing no clinical signs of disease, as referred to in point 2.2 of Part I of Chapter A of Annex III to Regulation (EC) No 999/2001;
- (b) all bovine animals above 48 months of age subject to emergency slaughter or with observations at ante mortem inspection as referred to in point 2.1 of Part I of Chapter A of Annex III to Regulation (EC) No 999/2001;
- (c) all bovine animals above 48 months of age, as referred to in point 3.1 of Part I of Chapter A of Annex III to that Regulation, which have died or been killed but which were not:
- (i) killed for destruction pursuant to Commission Regulation (EC) No 716/96 (*);
 - (ii) killed in the framework of an epidemic, such as foot-and-mouth disease;
 - (iii) slaughtered for human consumption.
2. When bovine animals belonging to the animal categories referred to in paragraph 1 and born in one of the Member States listed in the Annex are tested for BSE in

another Member State, the age limits for testing in force in the Member State where the tests are performed shall apply.

3. By way of derogation from point (a) of paragraph 1, from 1 January 2013 Member States listed in the Annex may decide to test only a minimum annual sample of the subpopulations referred to in that point.

(*) OJ L 99, 20.4.1996, p. 14.;

(2) the Annex is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 1 July 2011.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 June 2011.

For the Commission

John DALLI

Member of the Commission

ANNEX

'ANNEX

List of Member States and territories authorised to revise their BSE annual monitoring programmes

- Belgium
 - Czech Republic
 - Denmark
 - Germany
 - Estonia
 - Ireland
 - Greece
 - Spain
 - France
 - Italy
 - Cyprus
 - Latvia
 - Lithuania
 - Luxembourg
 - Hungary
 - Malta
 - Netherlands
 - Austria
 - Poland
 - Portugal
 - Slovakia
 - Slovenia
 - Finland
 - Sweden
 - United Kingdom and the Channel Islands and the Isle of Man'
-

CORRIGENDA**Corrigendum to Commission Decision 2011/332/EU of 7 June 2011 on establishing the ecological criteria for the award of the EU Ecolabel for copying and graphic paper**

(Official Journal of the European Union L 149 of 8 June 2011)

On page 12, the title should read as follows:

for: 'Commission Decision of 7 June 2011 on establishing the ecological criteria for the award of the EU Ecolabel for copying and graphic paper
(notified under document C(2011) 3751)
(Text with EEA relevance)
(2011/332/EU)',

read: 'Commission Decision of 7 June 2011 on establishing the ecological criteria for the award of the EU Ecolabel for copying and graphic paper
(notified under document C(2011) 3751)
(Text with EEA relevance)
(2011/333/EU)'.

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