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Legislation

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1116/2011

of 31 October 2011

amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds ⁽¹⁾, and in particular Article 20 thereof,

Whereas:

- (1) At the Jerusalem Plenary meeting in November 2010, Kimberley Process Participants provisionally approved, by a decision of the Plenary, the addition of Swaziland to the list of KP Participants, such approval to be confirmed by a KP Chair notice once certain outstanding issues had been resolved.

- (2) The KP Chair confirmed by a notice on 30 May 2011 that Swaziland is now admitted as a KP Participant.

- (3) Annex II to Regulation (EC) No 2368/2002 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 2368/2002 is replaced by the text set out in the Annex to this Regulation

Article 2

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

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

Done at Brussels, 31 October 2011.

For the Commission
Catherine ASHTON
Vice-President

⁽¹⁾ OJ L 358, 31.12.2002, p. 28.

ANNEX

"ANNEX II

List of participants in the Kimberley Process certification scheme and their duly appointed competent authorities as referred to in Articles 2, 3, 8, 9, 12, 17, 18, 19 and 20

ANGOLA

Ministry of Geology and Mines
Rua Hochi Min
C.P # 1260
Luanda
Angola

General Enquiries:

Kimberley Process Office
Minerals and Metals Sector (MMS)
Natural Resources Canada (NRCan)
580 Booth Street, 9th floor
Ottawa, Ontario
Canada K1A 0E4

ARMENIA

Department of Gemstones and Jewellery
Ministry of Trade and Economic Development
M. Mkrtchyan 5
Yerevan
Armenia

CENTRAL AFRICAN REPUBLIC

Secrétariat Permanent du Processus de Kimberley
BP 26
Bangui
Central African Republic

AUSTRALIA

Department of Foreign Affairs and Trade
Trade Development Division
R.G. Casey Building
John McEwen Crescent
Barton ACT 0221
Australia

CHINA, People's Republic of

Department of Inspection and Quarantine Clearance
General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ)
9 Madiandonglu
Haidian District, Beijing 100088
People's Republic of China

BANGLADESH

Export Promotion Bureau
TCB Bhaban
1, Karwan Bazaar
Dhaka
Bangladesh

HONG KONG, Special Administrative Region of the People's Republic of China

Department of Trade and Industry
Hong Kong Special Administrative Region
Peoples Republic of China
Room 703, Trade and Industry Tower
700 Nathan Road
Kowloon
Hong Kong
China

BELARUS

Ministry of Finance
Department for Precious Metals and Precious Stones
Sovetskaja Str., 7
220010 Minsk
Republic of Belarus

CONGO, Democratic Republic of

Centre d'Evaluation, d'Expertise et de Certification (CEEC)
17th floor, BCDC Tower
30th June Avenue
Kinshasa
Democratic Republic of Congo

BOTSWANA

Ministry of Minerals, Energy & Water Resources
PI Bag 0018
Gaborone
Botswana

BRAZIL

Ministry of Mines and Energy
Esplanada dos Ministérios - Bloco "U" - 4º andar
70065 - 900 Brasilia - DF
Brazil

CONGO, Republic of

Bureau d'expertise, d'évaluation et de certification (BEEC)
Ministère des Mines, des Industries Minières et de la Géologie
BP 2474
Brazzaville
Republic of Congo

CANADA

International:

Department of Foreign Affairs and International Trade
Peace Building and Human Security Division
Lester B Pearson Tower B - Room: B4-120
125 Sussex Drive Ottawa, Ontario K1A 0G2
Canada

CROATIA

Ministry of Economy, Labour and Entrepreneurship of the Republic of Croatia
Ulica grada Vukovara 78
10000 Zagreb
Croatia

EUROPEAN COMMUNITY

European Commission
DG External Relations/A/2
170, rue de la Loi
B-1049 Brussels
Belgium

GHANA

Precious Minerals Marketing Company (Ltd.)
Diamond House,
Kinbu Road,
P.O. Box M. 108
Accra
Ghana

GUINEA

Ministry of Mines and Geology
BP 2696
Conakry
Guinea

GUYANA

Geology and Mines Commission
P O Box 1028
Upper Brickdam
Stabroek
Georgetown
Guyana

INDIA

The Gem & Jewellery Export Promotion Council
Diamond Plaza, 5th Floor 391-A
Mumbai 400 004
India

INDONESIA

Directorate-General of Foreign Trade
Ministry of Trade
JI M.I. Ridwan Rais No. 5
Blok 1 lantai 4
Jakarta Pusat Kotak Pos. 10110
Jakarta
Indonesia

ISRAEL

Ministry of Industry, Trade and Labor
Office of the Diamond Controller
3 Jabotinsky Road
Ramat Gan 52520
Israel

JAPAN

United Nations Policy Division
Foreign Policy Bureau
Ministry of Foreign Affairs
2-2-1 Kasumigaseki, Chiyoda-ku
100-8919 Tokyo, Japan
Japan

KOREA, Republic of

Export Control Policy Division
Ministry of Knowledge Economy
Government Complex
Jungang-dong 1, Gwacheon-si
Gyeonggi-do 427-723
Seoul
Korea

LAOS, People's Democratic Republic

Department of Import and Export
Ministry of Industry and Commerce
Vientiane
Laos

LEBANON

Ministry of Economy and Trade
Lazariah Building
Down Town
Beirut
Lebanon

LESOTHO

Department of Mines and Geology
P.O. Box 750
Maseru 100
Lesotho

LIBERIA

Government Diamond Office
Ministry of Lands, Mines and Energy
Capitol Hill
P.O. Box 10-9024
1000 Monrovia 10
Liberia

MALAYSIA

Ministry of International Trade and Industry
Trade Cooperation and Industry Coordination Section
Blok 10
Komplek Kerajaan Jalan Duta
50622 Kuala Lumpur
Malaysia

MEXICO

Secretaría de Economía
Dirección General de Política Comercial
Alfonso Reyes No. 30, Colonia Hipodromo Condesa, Piso 16.
Delegación Cuactemoc, Código Postal: 06140 México, D.F.
Mexico

MAURITIUS

Import Division
Ministry of Industry, Small & Medium Enterprises, Commerce &
Cooperatives
4th Floor, Anglo Mauritius Building
Intendance Street
Port Louis
Mauritius

NAMIBIA

Diamond Commission
Ministry of Mines and Energy
Private Bag 13297
Windhoek
Namibia

NEW ZEALAND

Certificate Issuing authority:

Middle East and Africa Division
Ministry of Foreign Affairs and Trade
Private Bag 18 901
Wellington
New Zealand

Import and Export Authority:

New Zealand Customs Service
PO Box 2218
Wellington
New Zealand

NORWAY

Section for Public International Law
Department for Legal Affairs
Royal Ministry of Foreign Affairs
P.O. Box 8114
0032 Oslo
Norway

RUSSIAN FEDERATION

Gokhran of Russia
14, 1812 Goda St.
121170 Moscow
Russia

SIERRA LEONE

Ministry of Mineral Resources
Gold and Diamond Office (GDO)
Youyi Building
Brookfields
Freetown
Sierra Leone

SINGAPORE

Ministry of Trade and Industry
100 High Street
#0901, The Treasury,
Singapore 179434

SOUTH AFRICA

South African Diamond and Precious Metals Regulator
SA Diamond Centre
240 Commissioner Street
Johannesburg 2000
South Africa

SRI LANKA

National Gem and Jewellery Authority
25, Galleface Terrace
Colombo 03
Sri Lanka

SWAZILAND

Office for the Commissioner of Mines
Ministry of Natural Resources and Energy
Mining department
Lilunga House (3rd floor, Wing B)
Somhlolo Road
PO Box 9,
Mbabane H100
Swaziland

SWITZERLAND

State Secretariat for Economic Affairs (SECO)
Task Force Sanctions
Effingerstrasse 27
3003 Berne
Switzerland

TAIWAN, PENGHU, KINMEN AND MATSU, SEPARATE CUSTOMS TERRITORY

Export/Import Administration Division
Bureau of Foreign Trade
Ministry of Economic Affairs
1, Hu Kou Street
Taipei, 100
Taiwan

TANZANIA

Commission for Minerals
Ministry of Energy and Minerals
PO Box 2000
Dar es Salaam
Tanzania

THAILAND

Department of Foreign Trade
Ministry of Commerce
44/100 Nonthaburi 1 Road
Muang District, Nonthaburi 11000
Thailand

TOGO

Ministry of Mine, Energy and Water
Head Office of Mines and Geology
B.P. 356
216, Avenue Sarakawa
Lomé
Togo

TURKEY

Foreign Exchange Department
Undersecretariat of Treasury
T.C. Başbakanlık Hazine
Müşteşarlığı İnönü Bulvarı No:36
06510 Emek - Ankara
Turkey

Import and Export Authority:

Istanbul Gold Exchange
Rıhtım Cad. No:81
34425 Karaköy – İstanbul
Turkey

UKRAINE

Ministry of Finance
State Gemological Center
Degtyarivska St. 38-44
Kiev 04119
Ukraine

UNITED ARAB EMIRATES

U.A.E Kimberley Process Office
Dubai Multi Commodities Center
Dubai Airport Free Zone
Emirates Security Building
Block B, 2nd Floor, Office # 20
Dubai
United Arab Emirates

UNITED STATES OF AMERICA

United States Kimberley Process Authority
11 West 47 Street 11th floor
New York, NY 10036
United States of America

U.S. Department of State
Room 4843 EB/ESC
2201 C Street, NW
Washington D.C. 20520
United States of America

VIETNAM

Ministry of Industry and Trade
Import Export Management Department
54 Hai Ba Trung
Hanoi
Vietnam

ZIMBABWE

Principal Minerals Development Office
Ministry of Mines and Mining Development
Private Bag 7709, Causeway
Harare
Zimbabwe

COMMISSION IMPLEMENTING REGULATION (EU) No 1117/2011**of 31 October 2011****entering a name in the register of protected designations of origin and protected geographical indications (Lough Neagh Eel (PGI))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, the United Kingdom's application to register the name 'Lough Neagh Eel' was published in the *Official Journal of the European Union* ⁽²⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 October 2011.

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

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 47, 15.2.2011, p. 12.

ANNEX

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

Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom

UNITED KINGDOM

Lough Neagh Eel (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1118/2011**of 31 October 2011****entering a name in the register of protected designations of origin and protected geographical indications (Coppa di Parma (PGI))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 October 2011.

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

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 37, 5.2.2011, p. 24.

ANNEX

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

Class 1.2. Meat products (cooked, salted, smoked, etc.)

ITALY

Coppa di Parma (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1119/2011**of 31 October 2011****entering a name in the register of protected designations of origin and protected geographical indications (Brovada (PDO))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 October 2011.

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

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 35, 4.2.2011, p. 19.

ANNEX

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

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

ITALY

Brovada (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 1120/2011**of 31 October 2011****entering a name in the register of protected designations of origin and protected geographical indications (Carciofo Brindisino (PGI))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 October 2011.

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

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 29, 29.1.2011, p. 27.

ANNEX

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

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

ITALY

Carciofo Brindisino (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1121/2011**of 31 October 2011****entering a name in the register of protected designations of origin and protected geographical indications (Native Shetland Wool (PDO))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, the United Kingdom's application to register the name 'Native Shetland Wool' was published in the *Official Journal of the European Union* ⁽²⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 October 2011.

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

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 45, 12.2.2011, p. 21.

ANNEX

Agricultural products listed in Annex II to the Regulation (EC) No 510/2006:

Class 3.6. Wool

UNITED KINGDOM

Native Shetland Wool (PDO)

COMMISSION REGULATION (EU) No 1122/2011**of 31 October 2011****establishing a prohibition of fishing for anglerfish in Norwegian waters of IV by vessels flying the flag of the Netherlands**

THE EUROPEAN COMMISSION,

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**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,

The fishing quota allocated to the Member State 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.

Whereas:

*Article 2***Prohibitions**(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.

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State 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.

(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 State referred to therein have exhausted the quota allocated for 2011.

*Article 3***Entry into force**This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 31 October 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	61/T&Q
Member State	The Netherlands
Stock	ANF/04-N.
Species	Anglerfish (<i>Lophiidae</i>)
Zone	Norwegian waters of IV
Date	10.10.2011

COMMISSION REGULATION (EU) No 1123/2011**of 31 October 2011****establishing a prohibition of fishing for cod in I and IIb by vessels flying the flag of Spain**

THE EUROPEAN COMMISSION,

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

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

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**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,

The fishing quota allocated to the Member State 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**

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.

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State 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**

(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 State referred to therein have exhausted the quota allocated for 2011.

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

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

Done at Brussels, 31 October 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	64/T&Q
Member State	Spain
Stock	COD/1/2B.
Species	Cod (<i>Gadus morhua</i>)
Zone	I and IIb
Date	26.9.2011

COMMISSION REGULATION (EU) No 1124/2011**of 31 October 2011****establishing a prohibition of fishing for anglerfish in VIIIc, IX and X; EU waters of CECAF 34.1.1 by vessels flying the flag of Spain**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**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,

The fishing quota allocated to the Member State 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.

Whereas:

*Article 2***Prohibitions**(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.

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State 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.

(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 State referred to therein have exhausted the quota allocated for 2011.

*Article 3***Entry into force**

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

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

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

Done at Brussels, 31 October 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	63/T&Q
Member State	Spain
Stock	ANF/8C3411
Species	Anglerfish (<i>Lophiidae</i>)
Zone	VIIIc, IX and X; EU waters of CECAF 34.1.1
Date	28.9.2011

COMMISSION REGULATION (EU) No 1125/2011
of 31 October 2011
establishing a prohibition of fishing for common sole in VIIIa and VIIIb by vessels flying the flag of Spain

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 State 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 State 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 State 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 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, 31 October 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	62/T&Q
Member State	Spain
Stock	SOL/8AB.
Species	Common sole (<i>Solea solea</i>)
Zone	VIIIa and VIIIb
Date	28.9.2011

COMMISSION IMPLEMENTING REGULATION (EU) No 1126/2011

of 7 November 2011

amending Annex III to Regulation (EC) No 1120/2009 as regards the amounts for the funding of the specific support provided for in Council Regulation (EC) No 73/2009

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 ⁽¹⁾, and in particular the fourth subparagraph of Article 69(7) thereof,

Whereas:

(1) In accordance with Article 49(2) of Commission Regulation (EC) No 1120/2009 of 29 October 2009 laying down detailed rules for the implementation of the single payment scheme provided for in Title III of Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers ⁽²⁾, Member States may request by 1 August in any given calendar year from 2010 a revision of the amounts referred to in Article 69(6)(a) of Regulation (EC) No 73/2009 where the amount resulting from application of the calculation set out in the first subparagraph of Article 69(7) of that Regulation for the financial year in question differs by more than 20 % from the amount fixed in Annex III to Regulation (EC) No 1120/2009.

(2) Denmark, Finland and Slovenia have addressed to the Commission a request for a revision of the amounts referred to in Article 69(6)(a) of Regulation (EC) No 73/2009 with effect from 2012.

(3) Following the requests submitted by Denmark, Finland and Slovenia, the Commission has made the necessary calculation in order to verify that the threshold of 20 % referred to in Article 49(2) of Regulation (EC) No 1120/2009 was reached in the financial year 2010. For the purpose of applying Article 69(7)(a) of Regulation (EC) No 73/2009 the Commission used the average rate of modulation estimated for Denmark, Finland and Slovenia respectively when fixing the net ceilings set out in Annex IV to Regulation (EC) No 73/2009.

(4) According to this calculation, in the case of Denmark, Finland and Slovenia, the amount resulting from application of the calculation set out in the first subparagraph of Article 69(7) of Regulation (EC) No 73/2009 for the financial year 2010 differs by 47 %, 29 % and 47 % respectively from the amount fixed in Annex III to Regulation (EC) 1120/2009.

(5) The amount fixed for Denmark, Finland and Slovenia in Annex III to Regulation (EC) No 1120/2009 should therefore be revised. Such revised amounts should be applicable from the calendar year 2012, in accordance with the second subparagraph of Article 49(2) of Regulation (EC) No 1120/2009.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 1120/2009 is amended as follows:

(a) the entry concerning Denmark is replaced by the following:

Denmark	23,25'
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(b) the entry concerning Finland is replaced by the following:

Finland	6,19'
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(c) the entry concerning Slovenia is replaced by the following:

Slovenia	3,52'
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Article 2

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

It shall apply from 1 January 2012.

⁽¹⁾ OJ L 130, 31.1.2009, p. 16.

⁽²⁾ OJ L 316, 2.12.2009, p. 1.

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

Done at Brussels, 7 November 2011.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 1127/2011

of 7 November 2011

concerning the non-approval of the active substance 2-naphthoxyacetic acid, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(c) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply, with respect to the procedure and the conditions for approval, to active substances for which completeness has been established in accordance with Article 16 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 ⁽³⁾. 2-naphthoxyacetic acid is an active substance for which completeness has been established in accordance with that Regulation.
- (2) Commission Regulations (EC) No 1112/2002 ⁽⁴⁾ and (EC) No 2229/2004 ⁽⁵⁾ lay down 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 2-naphthoxyacetic acid.
- (3) In accordance with Article 24f of Regulation (EC) No 2229/2004 and Article 25(1)(a) and (2)(b) of that Regulation, Commission Decision 2009/65/EC of 26 January 2009 concerning the non-inclusion of 2-Naphthoxyacetic acid in Annex I to Council Directive

91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance ⁽⁶⁾ was adopted.

- (4) 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 Regulation (EC) No 33/2008.
- (5) The application was submitted to Italy, replacing France which had originally 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 2009/65/EC. That application also complies with the remaining substantive and procedural requirements of Article 15 of Regulation (EC) No 33/2008.
- (6) Italy 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 21 May 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 the risk assessment of 2-naphthoxyacetic acid to the Commission on 28 April 2011 ⁽⁷⁾. 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 27 September 2011 in the format of the Commission review report for 2-naphthoxyacetic acid.
- (7) Based on the new data submitted by the applicant and included in the additional report an acceptable daily intake could be set. However, during the evaluation of this active substance, a number of other concerns have been identified. In particular, it was not possible to

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ OJ L 15, 18.1.2008, p. 5.

⁽⁴⁾ OJ L 168, 27.6.2002, p. 14.

⁽⁵⁾ OJ L 379, 24.12.2004, p. 13.

⁽⁶⁾ OJ L 23, 27.1.2009, p. 33.

⁽⁷⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance 2-naphthoxyacetic acid. EFSA Journal 2011; 9(5):2152 [52 pp.]. doi:10.2903/j.efsa.2011.2152. Available online: www.efsa.europa.eu/efsajournal.htm

- perform a consumer exposure assessment, as necessary information was missing as regards livestock exposure, plant metabolism, residue trials, processing studies and plant residue definition. Furthermore, data were also missing to conclude on the risk to bees, earthworms and soil macro-organisms.
- (8) The Commission invited the applicant to submit its comments on the conclusion of the Authority. Furthermore, in accordance with Article 21(1) of Regulation (EC) No 33/2008, the Commission invited the applicant to submit comments on the draft review report. The applicant submitted its comments, which have been carefully examined.
- (9) However, despite the arguments put forward by the applicant, the concerns referred to in recital 7 could not be eliminated. Consequently, it has not been demonstrated that it may be expected that, under the proposed conditions of use, plant protection products containing 2-naphthyloxyacetic acid satisfy in general the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC.
- (10) 2-naphthyloxyacetic acid should therefore not be approved pursuant to Article 13(2) of Regulation (EC) No 1107/2009.
- (11) In the interest of clarity, Decision 2009/65/EC should be repealed.

- (12) This Regulation does not prejudice the submission of a further application for 2-naphthyloxyacetic acid pursuant to Article 7 of Regulation (EC) No 1107/2009.
- (13) 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

Non-approval of active substance

The active substance 2-naphthyloxyacetic acid is not approved.

Article 2

Repeal

Decision 2009/65/EC is repealed.

Article 3

Entry into force

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, 7 November 2011.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 1128/2011**of 7 November 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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

Implementing Regulation (EU) No 543/2011 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 XVI, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 November 2011.

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

Done at Brussels, 7 November 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 157, 15.6.2011, 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	AL	61,3
	MA	47,5
	MK	61,4
	TR	85,9
	ZZ	64,0
0707 00 05	AL	62,0
	EG	161,4
	TR	138,1
	ZZ	120,5
0709 90 70	MA	69,6
	TR	108,8
	ZZ	89,2
0805 20 10	MA	70,7
	ZA	130,9
	ZZ	100,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	54,5
	HR	32,0
	IL	76,2
	MA	79,7
	TR	77,1
	UY	69,9
	ZZ	64,9
0805 50 10	AR	58,5
	BO	59,5
	TR	53,6
	ZA	36,5
	ZZ	52,0
0806 10 10	BR	249,3
	CL	73,3
	EC	65,7
	LB	291,0
	TR	140,7
	US	249,8
	ZA	80,8
	ZZ	164,4
0808 10 80	CA	145,0
	CL	90,0
	CN	86,4
	MK	41,0
	NZ	127,6
	ZA	82,8
0808 20 50	ZZ	95,5
	CN	44,1
	TR	133,1
	ZZ	88,6

⁽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'.

DECISIONS

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 25 October 2011

on mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (application EGF/2011/003 DE/Arnsberg and Düsseldorf automotive from Germany)

(2011/724/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾, and in particular point 28 thereof,

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 establishing the European Globalisation Adjustment Fund ⁽²⁾, and in particular Article 12(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation and to assist them with their reintegration into the labour market.
- (2) The scope of the EGF was broadened for applications submitted from 1 May 2009 to include support for workers made redundant as a direct result of the global financial and economic crisis.
- (3) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million.

(4) Germany submitted an application on 9 February 2011 to mobilise the EGF in respect of redundancies in five enterprises operating in the NACE Revision 2 Division 29 ('Manufacture of motor vehicles, trailers and semi-trailers') in the NUTS II regions of Arnsberg (DEA5) and Düsseldorf (DEA1) and supplemented it by additional information up to 28 April 2011. This application complies with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006. The Commission, therefore, proposes to mobilise an amount of EUR 4 347 868.

(5) The EGF should, therefore, be mobilised in order to provide a financial contribution for the application submitted by Germany,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2011, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 4 347 868 in commitment and payment appropriations.

Article 2

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

Done at Strasbourg, 25 October 2011.

For the European Parliament
The President
J. BUZEK

For the Council
The President
M. DOWGIELEWICZ

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

⁽²⁾ OJ L 406, 30.12.2006, p. 1.

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 25 October 2011

on mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (application EGF/2010/017 DK/Midtjylland Machinery from Denmark)

(2011/725/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾, and in particular point 28 thereof,

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 establishing the European Globalisation Adjustment Fund ⁽²⁾, and in particular Article 12(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation and to assist them with their reintegration into the labour market.
- (2) The scope of the EGF was broadened for applications submitted from 1 May 2009 to include support for workers made redundant as a direct result of the global financial and economic crisis.
- (3) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million.
- (4) Denmark submitted an application on 11 May 2010 to mobilise the EGF in respect of redundancies in six enterprises operating in the NACE Revision 2 Division 28

(‘Manufacture of machinery and equipment’) in the NUTS II region of Midtjylland (DK04) and supplemented it by additional information up to 21 March 2011. This application complies with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006. The Commission, therefore, proposes to mobilise an amount of EUR 3 944 606.

- (5) The EGF should, therefore, be mobilised in order to provide a financial contribution for the application submitted by Denmark,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2011, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 3 944 606 in commitment and payment appropriations.

Article 2

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

Done at Strasbourg, 25 October 2011.

For the European Parliament
The President
J. BUZEK

For the Council
The President
M. DOWGIELEWICZ

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

⁽²⁾ OJ L 406, 30.12.2006, p. 1.

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 25 October 2011

on mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (application EGF/2010/026 PT/Rohde from Portugal)

(2011/726/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾, and in particular point 28 thereof,

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 establishing the European Globalisation Adjustment Fund ⁽²⁾, and in particular Article 12(3) thereof,

Having regard to the proposal from the European Commission,
Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation and to assist them with their reintegration into the labour market.
- (2) The scope of the EGF was broadened for applications submitted from 1 May 2009 to include support for workers made redundant as a direct result of the global financial and economic crisis.
- (3) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million.
- (4) Portugal submitted an application on 26 November 2010 to mobilise the EGF in respect of redundancies

in the enterprise Rohde and supplemented it by additional information up to 19 May 2011. This application complies with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006. The Commission, therefore, proposes to mobilise an amount of EUR 1 449 500.

- (5) The EGF should, therefore, be mobilised in order to provide a financial contribution for the application submitted by Portugal,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2011, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 1 449 500 in commitment and payment appropriations.

Article 2

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

Done at Strasbourg, 25 October 2011.

For the European Parliament
The President
J. BUZEK

For the Council
The President
M. DOWGIELEWICZ

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

⁽²⁾ OJ L 406, 30.12.2006, p. 1.

COMMISSION IMPLEMENTING DECISION

of 7 November 2011

establishing the financial contribution by the Union to the expenditure incurred in the context of the emergency measures taken to combat avian influenza in Denmark in 2010

(notified under document C(2011) 7850)

(Only the Danish text is authentic)

(2011/727/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

(1) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.

(2) Decision 2009/470/EC lays down the procedures governing the financial contribution from the Union towards specific veterinary measures, including emergency measures. With a view to helping to eradicate avian influenza as rapidly as possible the Union should contribute financially to eligible expenditure borne by the Member States. Article 4(3) first and second indents of that Decision lays down rules on the percentage that must be applied to the costs incurred by the Member States.

(3) Article 3 of Commission Regulation (EC) No 349/2005 of 28 February 2005 laying down rules on the Community financing of emergency measures and of the campaign to combat certain animal diseases under Council Decision 90/424/EEC ⁽²⁾ sets rules on the expenditure eligible for Union financial support.

(4) Commission Implementing Decision 2011/204/EU of 31 March 2011 on a financial contribution from the

Union towards emergency measures to combat avian influenza in Denmark and the Netherlands in 2010 ⁽³⁾ granted a financial contribution by the Union towards emergency measures to combat avian influenza in Denmark in 2010.

(5) Denmark submitted an official request for reimbursement on 26 May 2011, as set out in Article 7(1) and (2) of Regulation (EC) No 349/2005.

(6) The payment of the financial contribution from the Union must be subject to the condition that the planned activities were actually implemented and that the authorities provided all the necessary information within the set deadlines. The Commission's observations, method of calculating the eligible expenditure and final conclusions were communicated to Denmark by e-mail dated 14 June 2011. Denmark agreed by e-mail dated 14 June 2011.

(7) The Danish authorities have fully complied with their technical and administrative obligations as set out in Article 3(4) of Decision 2009/470/EC and Article 7 of Regulation (EC) No 349/2005.

(8) In view of the above considerations, the total amount of the financial support from the Union to the eligible expenditure incurred associated with the eradication of avian influenza in Denmark in 2010 should now be fixed.

(9) 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

The financial contribution from the Union towards the expenditure associated with eradicating avian influenza in Denmark in 2010 is fixed at EUR 183 858,72.

⁽¹⁾ OJ L 155, 18.6.2009, p. 30.

⁽²⁾ OJ L 55, 1.3.2005, p. 12.

⁽³⁾ OJ L 86, 1.4.2011, p. 73.

Article 2

This Decision constituting a financing decision in the meaning of Article 75 of the Financial Regulation is addressed to the Kingdom of Denmark.

Done at Brussels, 7 November 2011.

For the Commission
John DALLI
Member of the Commission

DECISION OF THE EUROPEAN CENTRAL BANK

of 31 October 2011

amending Decision ECB/2010/15 concerning the administration of EFSF loans to Member States whose currency is the euro, and amending Decision ECB/2010/31 concerning the opening of accounts for the processing of payments in connection with EFSF loans to Member States whose currency is the euro

(ECB/2011/16)

(2011/728/EU)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

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

Whereas:

(1) Decision ECB/2010/15 of 21 September 2010 concerning the administration of EFSF loans to Member States whose currency is the euro ⁽¹⁾ lays down provisions concerning the opening of a cash account with the European Central Bank (ECB) in the name of the European Financial Stability Facility (EFSF) for the operation of the loan facility agreements (hereinafter the 'Loan Facility Agreements') under the EFSF Framework Agreement, which entered into force on 4 August 2010 (hereinafter the 'EFSF Framework Agreement').

(2) Decision ECB/2010/31 of 20 December 2010 concerning the opening of accounts for the processing of payments in connection with EFSF loans to Member States whose currency is the euro ⁽²⁾ lays down provisions concerning the opening of cash accounts with the ECB in the name of the national central bank of the relevant borrower Member State for the operation of the Loan Facility Agreements under the EFSF Framework Agreement.

(3) The EFSF Framework Agreement has been amended by the Supplemental Amendment Agreement, which entered into force on 18 October 2011. The amended EFSF Framework Agreement has created additional instruments that the EFSF may use to provide financial support. In accordance with paragraph 2 of the Preamble and Article 2(1) of the amended EFSF Framework Agreement, the EFSF may grant loan disbursements, precautionary facilities, facilities to finance the recapitalisation of financial institutions in a euro area Member State (through loans to the governments of such Member States including non-programme countries), facilities for

the purchase of bonds in the secondary markets or facilities for the purchase of bonds in the primary market (all such instruments representing 'Financial Assistance'), to be provided through financial assistance facility agreements (hereinafter the 'Financial Assistance Facility Agreements'). The Loan Facility Agreements may continue to remain in place following the entry into force of the amended EFSF Framework Agreement.

(4) Therefore, Decisions ECB/2010/15 and ECB/2010/31 should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision ECB/2010/15 is amended as follows:

(1) Article 2 is replaced by the following:

'Article 2

Acceptance of payments on the cash account

The ECB shall only accept payments to be made to or from the cash account opened in the name of EFSF, if those payments arise in connection with the Loan Facility Agreements or the Financial Assistance Facility Agreements.;

(2) Article 4 is replaced by the following:

'Article 4

Balance of the cash account

No amount shall be standing to the credit of the cash account opened in the name of EFSF after payments have been made in relation to any Loan Facility Agreement or Financial Assistance Facility Agreement, nor shall amounts be transferred to such cash account before the day on which payments need to be made in relation to any Loan Facility Agreement or Financial Assistance Facility Agreement. No amount shall be standing to the debit of the cash account opened in the name of EFSF at any time. Therefore, no

⁽¹⁾ OJ L 253, 28.9.2010, p. 58.

⁽²⁾ OJ L 10, 14.1.2011, p. 7.

payments shall be effected from the cash account opened in the name of EFSF beyond the amounts standing to the credit of that account.’.

Article 2

Decision ECB/2010/31 is amended as follows:

(1) Article 1 is replaced by the following:

‘Article 1

Opening of cash accounts

The ECB may, upon request of the NCB of a borrower Member State, open cash accounts in the name of such NCB for the processing of payments in connection with a Loan Facility Agreement or Financial Assistance Facility Agreement (hereinafter an ‘NCB cash account’).’;

(2) Article 2 is replaced by the following:

‘Article 2

Acceptance of payments on the cash accounts

An NCB cash account shall only be used to process payments in connection with a Loan Facility Agreement or Financial Assistance Facility Agreement.’.

Article 3

Entry into force

This Decision shall enter into force on 2 November 2011.

Done at Frankfurt am Main, 31 October 2011.

The President of the ECB

Jean-Claude TRICHET

2011/726/EU:

- ★ **Decision of the European Parliament and of the Council of 25 October 2011 on mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (application EGF/2010/026 PT/Rohde from Portugal)** 32

2011/727/EU:

- ★ **Commission Implementing Decision of 7 November 2011 establishing the financial contribution by the Union to the expenditure incurred in the context of the emergency measures taken to combat avian influenza in Denmark in 2010 (notified under document C(2011) 7850)** 33

2011/728/EU:

- ★ **Decision of the European Central Bank of 31 October 2011 amending Decision ECB/2010/15 concerning the administration of EFSF loans to Member States whose currency is the euro, and amending Decision ECB/2010/31 concerning the opening of accounts for the processing of payments in connection with EFSF loans to Member States whose currency is the euro (ECB/2011/16)** 35

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