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Price: EUR 4

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 14 February 2012

on the accession of the European Union to Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle

(Text with EEA relevance)

(2012/142/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement')⁽¹⁾, and in particular Article 3(3) and the second indent of Article 4(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the assent of the European Parliament⁽²⁾,

Whereas:

- (1) The standardised requirements of Regulation No 29 of the United Nations Economic Commission for Europe (UNECE) on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle⁽³⁾ ('UNECE Regulation No 29') are intended to remove technical barriers to the trade in motor vehicles between the Contracting Parties to the Revised 1958 Agreement and to ensure a high level of safety and protection for vehicle occupants.
- (2) At the date of its accession to the Revised 1958 Agreement, the Union acceded to a limited number of

UNECE Regulations listed in Annex II to Decision 97/836/EC; UNECE Regulation No 29 was not included in that list.

- (3) In light of subsequent amendments to UNECE Regulation No 29 and of Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor⁽⁴⁾, according to which the Union is to take account of UNECE Regulation No 29, that UNECE Regulation should become part of the EU type-approval system for motor vehicles,

HAS ADOPTED THIS DECISION:

Article 1

Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle is hereby approved.

Article 2

Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle shall become part of the EU type-approval system for motor vehicles.

Article 3

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

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ Consent of 19 January 2012 (not yet published in the Official Journal).

⁽³⁾ OJ L 304, 20.11.2010, p. 21.

⁽⁴⁾ OJ L 200, 31.7.2009, p. 1.

Article 4

This Decision shall be notified by the Commission to the Secretary-General of the United Nations.

Done at Brussels, 14 February 2012.

For the Council
The President
M. LIDEGAARD

COUNCIL DECISION

of 14 February 2012

on the position of the European Union in relation to the draft Regulation of the United Nations Economic Commission for Europe on pedestrian safety and to the draft Regulation of the United Nations Economic Commission for Europe on Light Emitting Diode (LED) light sources

(2012/143/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

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

Article 1

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') ⁽¹⁾, and in particular the second indent of Article 4(2) thereof,

The draft UNECE Regulation on uniform provisions concerning the approval of motor vehicles with regard to their pedestrian safety performance, as contained in document ECE TRANS/WP.29/2010/127, is hereby approved.

Article 2

Having regard to the proposal from the European Commission,

The draft UNECE Regulation on uniform provisions concerning the approval of Light Emitting Diode (LED) light sources for use in approved signalling lamp units on power-driven vehicles and their trailers, as contained in document ECE TRANS/WP.29/2010/44 together with its corrigenda, is hereby approved.

Having regard to the assent of the European Parliament ⁽²⁾,

Article 3

Whereas:

The Union, represented by the Commission, shall vote in favour of the draft UNECE Regulations referred to in Articles 1 and 2 at a forthcoming meeting of the Administrative Committee of the UNECE World Forum for Harmonisation of Vehicles Regulations.

Article 4

- (1) The standardised requirements of the draft Regulation of the United Nations Economic Commission for Europe (UNECE) on uniform provisions concerning the approval of motor vehicles with regard to their pedestrian safety performance ⁽³⁾ and the draft UNECE Regulation on uniform provisions concerning the approval of Light Emitting Diode (LED) light sources for use in approved signalling lamp units on power-driven vehicles and their trailers ⁽⁴⁾ are intended to remove technical barriers to the trade in motor vehicles between the Contracting Parties to the Revised 1958 Agreement and to ensure that such vehicles offer a high level of safety and protection.

In accordance with Articles 35 and 36 of Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles ⁽⁵⁾, the equivalence of the requirements of the draft UNECE Regulation on uniform provisions concerning the approval of motor vehicles with regard to their pedestrian safety performance and those set out in Annex I, paragraphs 3.1, 3.3, 3.4 and 3.5, to Regulation (EC) No 78/2009 of the European Parliament and of the Council of 14 January 2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users ⁽⁶⁾, shall be recognised.

- (2) It is appropriate to define the position of the European Union with regard to those draft Regulations and consequently to provide for the Union, represented by the Commission, to vote in favour of them.
- (3) The draft Regulations on pedestrian safety and on Light Emitting Diode (LED) light sources should be incorporated into the EU type-approval system for motor vehicles,

Article 5

The draft UNECE Regulations referred to in Articles 1 and 2 shall become part of the EU type-approval system for motor vehicles.

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ Consent of 19 January 2012 (not yet published in the Official Journal).

⁽³⁾ UNECE Document ECE TRANS/WP.29/2010/127.

⁽⁴⁾ UNECE Document ECE TRANS/WP.29/2010/44.

⁽⁵⁾ OJ L 263, 9.10.2007, p. 1.

⁽⁶⁾ OJ L 35, 4.2.2009, p. 1.

Article 6

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

Done at Brussels, 14 February 2012.

For the Council
The President
M. LIDEGAARD

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) No 193/2012

of 8 March 2012

implementing Regulation (EC) No 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire

THE COUNCIL OF THE EUROPEAN UNION

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EC) No 560/2005 of 12 April 2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire⁽¹⁾, and in particular Article 11a(2) and (5) thereof,

Article 1

In Annex I to Regulation (EC) No 560/2005, the entry for the following person:

Whereas:

Désiré Tagro

(1) On 12 April 2005, the Council adopted Regulation (EC) No 560/2005.

shall be replaced by the entry set out in Annex I to this Regulation.

(2) On the basis of a review of the list of persons and entities to which the restrictive measures provided for in Regulation (EC) No 560/2005 apply, the Council considers that there are no longer grounds for keeping certain persons on that list.

Article 2

Annex IA to Regulation (EC) No 560/2005 shall be replaced by the text set out in Annex II to this Regulation.

(3) Furthermore, the information relating to a person on the list in Annex I and to the persons on the list in Annex IA to that Regulation should be updated,

Article 3

This Regulation shall enter into force on the date 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, 8 March 2012.

For the Council

The President

M. BØDSKOV

⁽¹⁾ OJ L 95, 14.4.2005, p. 1.

ANNEX I

Entry referred to in Article 1

'Désiré **TAGRO**. Passport number: PD — AE 065FH08. Date of birth: 27 January 1959. Place of birth: Issia, Côte d'Ivoire. Deceased on 12 April 2011 in Abidjan.

Secretary-General in the so-called "presidency" of Mr GBAGBO: participation in the illegitimate government of Mr GBAGBO, obstruction of the peace and reconciliation process, rejection of the results of the presidential election, participation in violent repressions of popular movements. Date of UN designation: 30.3.2011 (European Union designation: 22.12.2010).'

ANNEX II

'ANNEX IA

List of natural and legal persons, entities or bodies not designated by the UN Security Council or the Sanctions Committee, referred to in Articles 2, 4 and 7

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Kadet Bertin	Born 1957 in Mama	Special Adviser to Laurent Gbagbo on matters of security, defence and military equipment, and formerly Gbagbo's Minister for Defence. Nephew of Laurent Gbagbo. Exiled in Ghana. Subject of an international arrest warrant Actively involved in incidents of abuse and forced disappearances, and in the funding and arming of the militia and of the "Young Patriots (COJEP)". Involved in the funding and trafficking of arms and in the circumvention of the embargo. He was close to western militia and liaised on Gbagbo's behalf with these groups. Involved in setting up the "LIMA force" death squads. During his exile in Ghana, he has continued to plot ways to regain power by force. He is calling for Gbagbo's immediate release. Because of his financial resources, his familiarity with illegal arms traffickers and his ongoing ties with active militia groups, especially in Liberia, Kadet Bertin poses a very real threat to the security and stability of Côte d'Ivoire.
2.	Oulaï Delafosse	Born 28 October 1968	Former sub-prefect of Toulepleu. Leader in the Great West Patriotic Resistance Union. As Head of the militia, he has engaged in violence and crime, particularly in the Toulepleu area. Taking his orders directly from Kadet Bertin, he was very active in the recruitment of Liberian mercenaries and in the trafficking of illegal arms from Liberia during the post-election crisis. His troops ran a reign of terror throughout the post-election crisis, killing hundreds of people from northern Côte d'Ivoire. Because of his political extremism, his closeness to Kadet Bertin and the strong links he has maintained with Liberian mercenaries, he continues to pose a threat to the stability of the country.
3.	Pastor Gammi		Head of the Ivorian Movement for the Liberation of Western Côte d'Ivoire (MILOCI), established in 2004. As Head of the pro-Gbagbo MILOCI militia, he was involved in many massacres and much brutality. Has fled to Ghana (is probably in Takoradi). Subject of an international arrest warrant.

	Name (and any aliases)	Identifying information	Grounds for designation
			Since his exile, he has joined the International Coalition for the Liberation of Côte d'Ivoire (CILCI) which advocates the use of armed resistance to have Gbagbo returned to power.
4.	Marcel Gossio	Born 18 February 1951 in Adjamé Passport number: 08AA14345 (due to expire on 6 October 2013)	Has fled Côte d'Ivoire. Subject of an international arrest warrant. Involved in the misappropriation of public funds and in the funding and arming of the militia. Instrumental to the funding of the Gbagbo clan and of the militia. Also a central figure in illegal arms trafficking. The sizeable sums of money he has misappropriated and his familiarity with the illegal arms networks make him a continued threat to the security and stability of Côte d'Ivoire.
5.	Justin Koné Katina		Has fled to Ghana. Subject of an international arrest warrant. Involved in the Central Bank of West African States (BCEAO) hold-up. From his place of exile, he still sees himself as Gbagbo's spokesperson. In a press release on 12 December 2011 he argued that Ouattara had never won the election and asserted that the new regime was illegitimate. He calls for resistance, and believes Gbagbo will return to power.
6.	Ahoua Don Mello	Born 23 June 1958 in Bongouanou Passport number: PD-AE/044GN02 (due to expire on 23 February 2013)	Spokesperson of Laurent Gbagbo. Former Minister for Infrastructure and Sanitation in the illegitimate government. Exiled in Ghana. Subject of an international arrest warrant. From exile, he has continuously stated that the election of President Ouattara was fraudulent and does not recognise his authority. He has refused to respond to the Ivorian Government's call for reconciliation and has made regular calls in the press for uprisings, carrying out "mobilisation" tours in the refugee camps in Ghana. In December 2011, he declared that Côte d'Ivoire was a "tribal state under siege" and that "the days of the Ouattara regime" were "numbered".
7.	Moussa Touré Zéguen	Born 9 September 1944 Old passport: AE/46CR05	Head of the Group of Patriots for Peace (GPP). Founder of the "International Coalition for the Liberation of Côte d'Ivoire" (CILCI). Became a militia leader in 2002 and has led GPP since 2003. Under his command the GPP has become Gbagbo's armed wing in Abidjan and the south of the country. Responsible, with the GPP, for numerous acts of violence mainly against populations from the north of the country and opponents of the former regime. Personally involved in post-election violence (particularly in the Abobo and Adjamé districts).

	Name (and any aliases)	Identifying information	Grounds for designation
			Whilst exiled in Accra, Touré Zéguen founded the "International Coalition for the Liberation of Côte d'Ivoire", whose aim is to return Gbagbo to power. From his place of exile he has made repeated inflammatory statements (for example at the press conference on 9 December 2011), maintaining a stance of conflict and armed revenge. He regards Côte d'Ivoire under Ouattara as illegitimate and "recolonised" and has issued a "call on Ivorians to drive out the impostors" (Jeune Afrique, July 2011). Keeps a blog calling for a violent uprising of the Ivorian people against Ouattara.'

COMMISSION IMPLEMENTING REGULATION (EU) No 194/2012**of 8 March 2012****fixing the amount of private storage aid for certain fishery products in the 2012 fishing year**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

- (3) In order not to hinder the operation of the intervention system in the year 2012, this Regulation should apply retroactively from 1 January 2012.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 2012 fishing year the amount of private storage aid, referred to in Article 25 of Regulation (EC) No 104/2000, for the products listed in Annex II to that Regulation shall be as follows:

— first month: EUR 219 per tonne,

— second month: EUR 0 per tonne.

Article 2

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

It shall apply from 1 January 2012.

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

Done at Brussels, 8 March 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 326, 22.12.2000, p. 30.

COMMISSION IMPLEMENTING REGULATION (EU) No 195/2012**of 8 March 2012****fixing the Union selling prices for the fishery products listed in Annex II to Council Regulation (EC)
No 104/2000 for the 2012 fishing year**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) A Union selling price is to be fixed for each of the products listed in Annex II to Regulation (EC) No 104/2000 before the beginning of the fishing year, at a level at least equal to 70 % and not exceeding 90 % of the guide price.
- (2) Council Regulation (EU) No 1388/2011 ⁽²⁾ fixes the guide prices for the 2012 fishing year for all the products concerned.
- (3) Market prices vary considerably depending on the species and how the products are presented, particularly in the case of squid and hake.
- (4) Conversion factors should therefore be fixed for the different species and presentations of frozen products

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

- (5) In order not to hinder the operation of the intervention system in the year 2012, this Regulation should apply retroactively from 1 January 2012.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Union selling prices, as referred to in Article 25(1) of Regulation (EC) No 104/2000, applicable during the 2012 fishing year for the products listed in Annex II to that Regulation and the presentations and conversion factors to which they relate are set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2012.

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

Done at Brussels, 8 March 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 346, 30.12.2011, p. 1.

ANNEX

SELLING PRICES AND CONVERSION FACTORS

Species	Presentation	Conversion factor	Intervention level	Selling price (EUR/tonne)
Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Whole or gutted, with or without head	1,0	0,85	1 661
Hake (<i>Merluccius</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 068
	Individual fillets			
	— with skin	1,0	0,85	1 299
	— skinless	1,1	0,85	1 429
Sea-bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 242
Swordfish (<i>Xiphias gladius</i>)	Whole or gutted, with or without head	1,0	0,85	3 518
Shrimps and prawns <i>Penaeidae</i>	Frozen			
(a) <i>Parapenaeus Longirostris</i>		1,0	0,85	3 530
(b) Other <i>Penaeidae</i>		1,0	0,85	6 641
Cuttlefishes (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> and <i>Sepiola rondeletti</i>)	Frozen	1,0	0,85	1 669
Squid (<i>Loligo</i> spp.)				
(a) <i>Loligo patagonica</i>	— whole, not cleaned	1,00	0,85	1 012
	— cleaned	1,20	0,85	1 215
(b) <i>Loligo vulgaris</i>	— whole, not cleaned	2,50	0,85	2 531
	— cleaned	2,90	0,85	2 936
Octopus (<i>Octopus</i> spp.)	Frozen	1,00	0,85	1 892
<i>Illex argentinus</i>	— whole, not cleaned	1,00	0,80	719
	— tube	1,70	0,80	1 223

Forms of commercial presentation:

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

cleaned: product which has at least been gutted

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

COMMISSION IMPLEMENTING REGULATION (EU) No 196/2012**of 8 March 2012****fixing the amount of the carry-over aid and the flat-rate aid for certain fishery products for the 2012 fishing year**

THE EUROPEAN COMMISSION,

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

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

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

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

Whereas:

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

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

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

(5) In order not to hinder the operation of the intervention system in the year 2012, this Regulation should apply retroactively from 1 January 2012.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 2012 fishing year, the amounts of the carry-over aid referred to in Article 23 of Regulation (EC) No 104/2000, and the amounts of the flat-rate aid referred to in Article 24(4) of that Regulation, are set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2012.

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

Done at Brussels, 8 March 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 326, 22.12.2000, p. 34.

⁽³⁾ OJ L 132, 15.5.2001, p. 10.

ANNEX

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

Processing methods listed in Article 23 of Regulation (EC) No 104/2000	Aid (EUR/tonne)
1	2
I. Freezing and storage of whole products, gutted and with head, or cut-up products	
— Sardines of the species <i>Sardina pilchardus</i>	359
— Other species	291
II. Filleting, freezing and storage	410
III. Salting and/or drying and storage of whole products, gutted and with head, or cut-up or filleted products	277
IV. Marinating and storage	260

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

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

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

Processing methods	Aid (EUR/tonne)
I. Freezing and storage of whole products, gutted and with head, or cut-up products	291
II. Filleting, freezing and storage	410

COMMISSION IMPLEMENTING REGULATION (EU) No 197/2012**of 8 March 2012****fixing the reference prices for certain fishery products for the 2012 fishing year**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Regulation (EC) No 104/2000 provides that reference prices valid for the Union may be fixed each year, by product category, for products that are the subject of a tariff suspension under Article 28(1). The same holds for products which, by virtue of being either the subject of a binding tariff reduction under the WTO or some other preferential arrangements, must comply with a reference price.
- (2) Pursuant to Article 29(3)(a) of Regulation (EC) No 104/2000, the reference price for the products listed in Annex I, Parts A and B to that Regulation, is to be the same as the withdrawal price fixed in accordance with Article 20(1) of that Regulation.
- (3) The Union withdrawal prices for the products concerned are fixed for the 2012 fishing year by Commission Regulation (EU) No 198/2012 ⁽²⁾.
- (4) Pursuant to Article 29(3)(d) of Regulation (EC) No 104/2000, the reference price for products other than

those listed in Annexes I and II to that Regulation is to be established in particular on the basis of the weighted average of customs values recorded on the import markets or in the ports of import in the three years immediately preceding the date on which the reference price is fixed.

- (5) There is no need to fix reference prices for those products falling under the criteria laid down in Article 29(1) of Regulation (EC) No 104/2000 which are imported from third countries in insignificant volumes.
- (6) In order to allow a swift application of the reference prices in the year 2012, this Regulation should enter into force on the day following its publication in the *Official Journal of the European Union*.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 2012 fishing year of fishery products, as referred to in Article 29 of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 8 March 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ See page 19 of this Official Journal.

ANNEX

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

Species	Size ⁽¹⁾	Reference price (EUR/tonne)			
		Gutted with head ⁽¹⁾		Whole fish ⁽¹⁾	
		Additional TARIC code	Extra, A ⁽¹⁾	Additional TARIC code	Extra, A ⁽¹⁾
<i>Herring of the species Clupea harengus</i> ex 0302 41 00	1		—	F011	133
	2		—	F012	203
	3		—	F013	192
	4a		—	F016	121
	4b		—	F017	121
	4c		—	F018	254
	5		—	F015	226
	6		—	F019	113
	7a		—	F025	113
	7b		—	F026	102
	8		—	F027	85
<i>Redfish (Sebastes spp.)</i> ex 0302 89 31 and ex 0302 89 39	1		—	F067	996
	2		—	F068	996
	3		—	F069	836
<i>Cod of the species Gadus morhua</i> ex 0302 51 10	1	F073	1 161	F083	839
	2	F074	1 161	F084	839
	3	F075	1 097	F085	645
	4	F076	871	F086	484
	5	F077	613	F087	355
<i>Deepwater prawns (Pandalus borealis)</i> ex 0306 26 90	1	Boiled in water		Fresh or refrigerated	
		Additional TARIC code	Extra, A ⁽¹⁾	Additional TARIC code	Extra, A ⁽¹⁾
		F317	5 288	F321	1 114
	2	F318	1 854	—	—

⁽¹⁾ The freshness, size and presentation categories are those laid down under Article 2 of Regulation (EC) No 104/2000.

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

Product	Additional TARIC code	Presentation	Reference price (EUR/tonne)
1. Redfish (<i>Sebastes</i> spp.)			
ex 0303 89 31 ex 0303 89 39	F411	Whole: — with or without head	998
ex 0304 89 21 ex 0304 89 29	F412 F413 F414	Fillets: — with bones ('standard') — without bones — blocks in immediate packing weighing not more than 4 kg	2 011 2 136 2 239
2. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i>			
ex 0303 63 10, ex 0303 63 30, ex 0303 63 90, ex 0303 69 10	F416	Whole, with or without head	1 095
ex 0304 71 90 ex 0304 79 10	F417 F418 F419 F420 F421	Fillets: — interleaved or in industrial blocks, with bones ('standard') — interleaved or in industrial blocks, without bones — individual or fully interleaved fillets, with skin — individual or fully interleaved fillets, without skin — blocks in immediate packing weighing not more than 4 kg	2 451 2 716 2 574 2 972 2 990
ex 0304 95 25	F422	Pieces and other meat, except minced blocks	1 448
3. Coalfish (<i>Pollachius virens</i>)			
ex 0304 73 00	F424 F425 F426 F427 F428	Fillets: — interleaved or in industrial blocks, with bones ('standard') — interleaved or in industrial blocks, without bones — individual or fully interleaved fillets, with skin — individual or fully interleaved fillets, without skin — blocks in immediate packing weighing not more than 4 kg	1 611 1 688 1 476 1 713 1 895
ex 0304 95 40	F429	Pieces and other meat, except minced blocks	976

Product	Additional TARIC code	Presentation	Reference price (EUR/tonne)
4. Haddock (<i>Melanogrammus aeglefinus</i>)		Fillets:	
ex 0304 72 00	F431	— interleaved or in industrial blocks, with bones ('standard')	2 241
	F432	— interleaved or in industrial blocks, without bones	2 606
	F433	— individual or fully interleaved fillets, with skin	2 537
	F434	— individual or fully interleaved fillets, without skin	2 682
	F435	— blocks in immediate packing weighing not more than 4 kg	2 988
5. Alaska pollack (<i>Theragra chalcogramma</i>)		Fillets:	
ex 0304 75 00	F441	— interleaved or in industrial blocks, with bones ('standard')	1 170
	F442	— interleaved or in industrial blocks, without bones	1 298
6. Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		Herring flaps:	
ex 0304 59 50	F450	— exceeding 80 g a piece	510
ex 0304 99 23	F450	— exceeding 80 g a piece	464

COMMISSION IMPLEMENTING REGULATION (EU) No 198/2012**of 8 March 2012****fixing the Union withdrawal and selling prices for the fishery products listed in Annex I to Council Regulation (EC) No 104/2000 for the 2012 fishing year**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Regulation (EC) No 104/2000 provides that the Union withdrawal and selling prices for each of the products listed in Annex I thereto are to be fixed on the basis of the freshness, size or weight and presentation of the product by applying the conversion factor for the product category concerned to an amount not more than 90 % of the relevant guide price.
- (2) The withdrawal prices may be multiplied by adjustment factors in landing areas which are very distant from the main centres of consumption in the Union. The guide prices for the 2012 fishing year were fixed for all the products concerned by Council Regulation (EU) No 1388/2011 ⁽²⁾.
- (3) In order not to hinder the operation of the intervention system in the year 2012, this Regulation should apply retroactively from 1 January 2012.

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

HAS ADOPTED THIS REGULATION:

Article 1

The conversion factors used for calculating the Union withdrawal and selling prices, as referred to in Articles 20 and 22 of Regulation (EC) No 104/2000, for the 2012 fishing year for the products listed in Annex I to that Regulation, are set out in Annex I to this Regulation.

Article 2

The Union withdrawal and selling prices applicable for the 2012 fishing year and the products to which they relate are set out in Annex II.

Article 3

The withdrawal prices applicable for the 2012 fishing year in landing areas which are very distant from the main centres of consumption in the Union, the adjustment factors used for calculating those prices and the products to which those prices relate are set out in Annex III.

Article 4

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

It shall apply from 1 January 2012.

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

Done at Brussels, 8 March 2012.

For the Commission
The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 346, 30.12.2011, p. 1.

ANNEX I

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

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

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Coalfish <i>Pollachius virens</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,71	0,55
	4	0,61	0,30
Haddock <i>Melanogrammus aeglefinus</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,62	0,43
	4	0,52	0,36
Whiting <i>Merlangius merlangus</i>	1	0,66	0,50
	2	0,64	0,48
	3	0,60	0,44
	4	0,41	0,30
Ling <i>Molva</i> spp.	1	0,68	0,56
	2	0,66	0,54
	3	0,60	0,48
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,72
	2	0,00	0,71
	3	0,00	0,69
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,77
	2	0,00	0,77
	3	0,00	0,63
	4	0,00	0,47
Anchovies <i>Engraulis</i> spp.	1	0,00	0,68
	2	0,00	0,72
	3	0,00	0,60
	4	0,00	0,25
Plaice <i>Pleuronectes platessa</i>	1	0,75	0,41
	2	0,75	0,41
	3	0,72	0,41
	4	0,52	0,34

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Hake of the species <i>Merluccius merluccius</i>	1	0,90	0,71
	2	0,68	0,53
	3	0,68	0,52
	4	0,56	0,43
	5	0,52	0,41
Megrims <i>Lepidorhombus</i> spp.	1	0,68	0,64
	2	0,60	0,56
	3	0,54	0,49
	4	0,34	0,29
Dab <i>Limanda limanda</i>	1	0,71	0,58
	2	0,54	0,42
Flounder <i>Platichthys flesus</i>	1	0,66	0,58
	2	0,50	0,42
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	0,90	0,81
	2	0,90	0,77
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0,00	0,64
	2	0,00	0,64
	3	0,00	0,40

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

Species	Size (*)	Conversion factor		
		Whole fish	Fish without head (*)	
		Gutted fish, with head (*)		
		Extra, A (*)	Extra, A (*)	
Monkfish <i>Lophius</i> spp.	1	0,61	0,77	
	2	0,78	0,72	
	3	0,78	0,68	
	4	0,65	0,60	
	5	0,36	0,43	
		All presentations		
		Extra, A (*)		
Shrimps of the species <i>Crangon crangon</i>	1	0,59		
	2	0,27		

Species	Size (*)	Conversion factor		
		Whole fish	Fish without head (*)	
		Gutted fish, with head (*)		
		Extra, A (*)	Extra, A (*)	
		Cooked in water	Fresh or chilled	
		Extra, A (*)	Extra, A (*)	
Deep-water prawns <i>Pandalus borealis</i>	1	0,77	0,68	
	2	0,27	—	
		Whole (*)		
Edible crabs <i>Cancer pagurus</i>	1	0,72		
	2	0,54		
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	0,86	0,86	0,81
	2	0,86	0,59	0,68
	3	0,77	0,59	0,50
	4	0,50	0,41	0,41
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea</i> spp.	1	0,75	0,58	
	2	0,75	0,58	
	3	0,71	0,54	
	4	0,58	0,42	
	5	0,50	0,33	

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

ANNEX II

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

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	1	0	133
	2	0	203
	3	0	192
	4a	0	121
	4b	0	121
	4c	0	254
	5	0	226
	6	0	113
	7a	0	113
	7b	0	102
	8	0	85
Sardines of the species <i>Sardina pilchardus</i>	1	0	293
	2	0	367
	3	0	413
	4	0	270
Dogfish <i>Squalus acanthias</i>	1	674	674
	2	573	573
	3	314	314
Dogfish <i>Scyliorhinus</i> spp.	1	455	427
	2	455	398
	3	313	256
Redfish <i>Sebastes</i> spp.	1	0	996
	2	0	996
	3	0	836
Cod of the species <i>Gadus morhua</i>	1	1 161	839
	2	1 161	839
	3	1 097	645
	4	871	484
	5	613	355

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Coalfish <i>Pollachius virens</i>	1	593	461
	2	593	461
	3	584	453
	4	502	247
Haddock <i>Melanogrammus aeglefinus</i>	1	702	546
	2	702	546
	3	605	419
	4	507	351
Whiting <i>Merlangius merlangus</i>	1	595	451
	2	577	433
	3	541	397
	4	370	271
Ling <i>Molva</i> spp.	1	800	659
	2	776	635
	3	706	564
Mackerel of the species <i>Scomber scombrus</i>	1	0	236
	2	0	233
	3	0	226
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	226
	2	0	226
	3	0	185
	4	0	138
Anchovies <i>Engraulis</i> spp.	1	0	862
	2	0	913
	3	0	761
	4	0	317
Plaice <i>Pleuronectes platessa</i> — 1 January to 30 April 2012 — 1 May to 31 December 2012	1	758	415
	2	758	415
	3	728	415
	4	526	344
	1	1 048	573
	2	1 048	573
	3	1 006	573
	4	726	475

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Hake of the species <i>Merluccius merluccius</i>	1	2 912	2 297
	2	2 200	1 715
	3	2 200	1 682
	4	1 812	1 391
	5	1 682	1 326
Megrims <i>Lepidorhombus</i> spp.	1	1 608	1 514
	2	1 419	1 324
	3	1 277	1 159
	4	804	686
Dab <i>Limanda limanda</i>	1	562	459
	2	427	332
Flounder <i>Platichthys flesus</i>	1	325	286
	2	247	207
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	2 149	1 898
	2	2 149	1 804
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0	1 163
	2	0	1 163
	3	0	727
		Whole fish	Fish without head (*)
		Gutted fish, with head (*)	
		Extra, A (*)	Extra, A (*)
Monkfish <i>Lophius</i> spp.	1	1 756	4 585
	2	2 246	4 288
	3	2 246	4 049
	4	1 871	3 573
	5	1 036	2 561
		All presentations	
		Extra, A (*)	
Shrimps of the species <i>Crangon crangon</i>	1	1 401	
	2	641	

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
		Cooked in water	Fresh or chilled
		Extra, A (*)	Extra, A (*)
Deep-water prawns <i>Pandalus borealis</i>	1	5 288	1 114
	2	1 854	—

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

Species	Size (*)	Selling prices (EUR/t)		
		Whole (*)		
Edible crabs <i>Cancer pagurus</i>	1	1 219		
	2	914		
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	4 469	4 469	3 272
	2	4 469	3 066	2 747
	3	4 001	3 066	2 020
	4	2 598	2 130	1 656
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea spp.</i>	1	5 183	4 008	
	2	5 183	4 008	
	3	4 907	3 732	
	4	4 008	2 903	
	5	3 456	2 281	

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

ANNEX III

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

Species	Landing area	Adjustment Factor	Size (*)	Withdrawal price (in EUR/tonne)	
				Gutted fish, with head (*)	Whole fish (*)
				Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	Coastal regions and islands of Ireland	0,90	1	0	119
			2	0	183
			3	0	173
			4a	0	109
	Coastal regions of Eastern England from Berwick to Dover Coastal regions of Scotland from Portpatrick to Eyemouth and the islands located West and North of those regions Coastal regions of County Down (Northern Ireland)	0,90	1	0	119
			2	0	183
			3	0	173
			4a	0	109
Mackerel of the species <i>Scomber scombrus</i>	Coastal regions and islands of Ireland	0,96	1	0	227
			2	0	224
			3	0	217
	Coastal regions and islands of Cornwall and Devon in the United Kingdom	0,95	1	0	224
			2	0	221
			3	0	215
Hake of the species <i>Merluccius merluccius</i>	Coastal regions from Troon (in South-Western Scotland) to Wick (in North-Eastern Scotland) and the Islands located West and North of those regions	0,75	1	2 184	1 723
			2	1 650	1 286
			3	1 650	1 262
			4	1 359	1 043
			5	1 262	995
Albacore or longfinned tuna <i>Thunnus alalunga</i>	Islands of the Azores and Madeira	0,48	1	1 032	911
			2	1 032	866
Sardines of the species <i>Sardina pilchardus</i>	Canary Islands	0,48	1	0	141
			2	0	176
			3	0	198
			4	0	129
	Coastal regions and islands of Cornwall and Devon in the United Kingdom	0,74	1	0	217
			2	0	272
			3	0	306
			4	0	200
	Atlantic coastal regions of Portugal	0,93	2	0	342
			3	0	335

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

COMMISSION IMPLEMENTING REGULATION (EU) No 199/2012**of 8 March 2012****fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 2012 fishing year**

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

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

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

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

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

(5) In order not to hinder the operation of the intervention system in the year 2012, this Regulation should apply retroactively from 1 January 2012.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 2012 fishing year, the standard values to be used in calculating financial compensation and associated advances for fishery products withdrawn from the market by producer organisations and intended for purposes other than human consumption, as referred to in Article 21(5) of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

Article 2

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

Article 3

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

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 337, 20.12.2001, p. 20.

⁽³⁾ OJ L 289, 16.11.2000, p. 11.

It shall apply from 1 January 2012.

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

Done at Brussels, 8 March 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX

Standard values

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

COMMISSION REGULATION (EU) No 200/2012

of 8 March 2012

concerning a Union target for the reduction of *Salmonella enteritidis* and *Salmonella typhimurium* in flocks of broilers, as provided for in Regulation (EC) No 2160/2003 of the European Parliament and of the Council

(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 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of *salmonella* and other specified food-borne zoonotic agents⁽¹⁾ and, in particular the second subparagraph of Article 4(1), the second subparagraph of Article 8(1) and the second paragraph of Article 13 thereof;

Whereas:

- (1) Regulation (EC) No 2160/2003 aims to ensure that appropriate and effective measures are taken to detect and control, amongst others, *salmonella* at all relevant stages and in particular at the level of primary production, i.e. in flocks, in order to reduce the prevalence of food-borne zoonotic pathogens and thus the risk they pose to public health.
- (2) Article 4 (5) of Regulation (EC) No 2160/2003 provides for Union targets to be established for the reduction of the prevalence of all *Salmonella* serotypes with public health significance in broilers. That reduction is key to ensuring that the criteria for *salmonella* in fresh meat of broilers set out in Part E of Annex II to that Regulation and in Chapter 1 of Annex I to Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs⁽²⁾ can be met.
- (3) Regulation (EC) No 2160/2003 provides that the Union target is to include a numerical expression of the maximum percentage of epidemiological units remaining positive and/or the minimum percentage of reduction in the number of epidemiological units remaining positive, the maximum time limit within which the target must be achieved and the definition of the testing schemes necessary to verify achievement of the target. It is also to include a definition, where relevant, of serotypes with public health significance.

- (4) Regulation (EC) No 2160/2003 provides that experience gained under existing national measures and information forwarded to the Commission or to the European Food Safety Authority ('EFSA') under existing Union requirements, in particular in the framework of information provided for in Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC⁽³⁾, and in particular Article 5 thereof, is to be taken into account when setting the Union target.
- (5) Article 1 paragraph 1 of Commission Regulation (EC) No 646/2007 of 12 June 2007 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers and repealing Regulation (EC) No 1091/2005⁽⁴⁾ sets the target for the reduction of the maximum percentage of flocks of broilers remaining positive for those two *Salmonella* serotypes to 1 % or less by 31 December 2011.
- (6) The European Union Summary Report on Trends and Sources of Zoonoses, Zoonotic Agents and Food-borne Outbreaks in 2009⁽⁵⁾ showed that *Salmonella enteritidis* and *Salmonella typhimurium* are the serovars most frequently associated with human illness. Human cases caused by *Salmonella enteritidis* decreased markedly in 2009, while an increase in *Salmonella typhimurium* cases was observed.
- (7) In July 2011, the EFSA adopted a Scientific Opinion on a quantitative estimation of the public health impact of setting a new target for the reduction of *Salmonella* in broilers⁽⁶⁾. It concluded that *Salmonella enteritidis* is the most successfully transmitted zoonotic *Salmonella* serotype from parent to offspring in poultry. EFSA also observed that Union control measures in broilers have contributed to a considerable reduction in the number of broiler-associated human salmonellosis cases compared to the situation in 2006. The target should therefore be confirmed.

⁽¹⁾ OJ L 325, 12.12.2003, p. 1.⁽²⁾ OJ L 338, 22.12.2005, p. 1.⁽³⁾ OJ L 325, 12.12.2003, p. 31.⁽⁴⁾ OJ L 151, 13.6.2007, p. 21.⁽⁵⁾ EFSA Journal 2011; 9(3):2090.⁽⁶⁾ EFSA Journal 2011; 9(7):2106.

- (8) Monophasic strains of *Salmonella typhimurium* have developed to be among the most frequently detected *Salmonella* serotypes in several species of animals and in clinical isolates from humans in recent years. EFSA's 2010 Scientific Opinion on monitoring and assessment of the public health risk of "*Salmonella typhimurium*-like strains" adopted on 22 September 2010 ⁽¹⁾ also stated that monophasic *Salmonella typhimurium* strains with the antigenic formula 1,4,[5],12:i:-, which includes strains with and without the O5 antigen, have to be considered to be variants of *Salmonella typhimurium* and to pose a public health risk comparable to that of other *Salmonella typhimurium* strains. *Salmonella typhimurium* strains with the antigenic formula 1,4,[5],12:i:- should therefore be included in the target.
- (9) To verify whether the Union target has been met, it is necessary to sample flocks of broilers repeatedly. To evaluate and compare the results, it is necessary to describe a common testing scheme to verify whether the Union target has been met.
- (10) National control programmes for the achievement of the Union target for 2012 for flocks of broilers of *Gallus gallus* have been submitted for Union co-financing in accordance with Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field ⁽²⁾. The technical amendments introduced in the Annex to this Regulation are directly applicable. As a result the Commission does not need to re-approve national control programmes implementing this Regulation. A transitional period is therefore not needed.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Union target

1. The Union target, as referred to in Article 4(1) of Regulation (EC) No 2160/2003, for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers ('Union target') shall be a reduction of the maximum annual percentage of flocks of broilers remaining positive for *Salmonella enteritidis* and *Salmonella typhimurium* equal to 1% or less.

As regards monophasic *Salmonella typhimurium*, serotypes with the antigenic formula 1,4,[5],12:i:- shall be included in the Union target.

2. The testing scheme necessary to verify progress in the achievement of the Union target is set out in the Annex ('testing scheme').

Article 2

Review of the Union target

The Union target shall be reviewed by the Commission taking into account the information collected in accordance with the testing scheme and the criteria laid down in Article 4(6)(c) of Regulation (EC) No 2160/2003.

Article 3

Repeal of Regulation (EC) No 646/2007

Regulation (EC) No 646/2007 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation.

Article 4

Entry into force

This Regulation shall enter into force on the third 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, 8 March 2012.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ EFSA Journal 2010; 8(10):1826.

⁽²⁾ OJ L 155, 18.6.2009, p. 30.

ANNEX

Testing scheme necessary to verify the achievement of the Union target as referred to in Article 1(2)**1. SAMPLING FRAME**

The sampling frame shall comprise all flocks of broilers of *Gallus gallus* ('broilers') within the framework of the national control programmes provided for in Article 5 of Regulation (EC) No 2160/2003.

2. MONITORING IN BROILERS**2.1. Frequency of sampling**

(a) Food business operators shall sample all flocks of broilers within three weeks before slaughter.

By way of derogation from the sampling obligation set out in the first subparagraph, the competent authority may provide that food business operators shall sample at least one flock of broilers per round on holdings with more than one flock where:

- (i) an all in / all out system is used in all flocks of the holding;
- (ii) the same management applies to all flocks;
- (iii) feed and water supply is common to all flocks;
- (iv) during at least the last six rounds, tests for *Salmonella* spp. according to the sampling scheme set out in the first subparagraph in all flocks on the holding and samples of all flocks of at least one round were carried out by the competent authority;
- (v) all results from the testing according to the first subparagraph and point (b) for *Salmonella enteritidis* or *Salmonella typhimurium* were negative.

By way of derogation from the sampling obligations set out in this point the competent authority may authorise sampling in the last six weeks prior to the date of slaughter in case the broilers are either kept more than 81 days or fall under organic broiler production according to Commission Regulation (EC) No 889/2008 ⁽¹⁾.

(b) The competent authority shall each year sample at least one flock of broilers on 10 % of the holdings with more than 5 000 birds. That sampling may be done on a risk basis and each time the competent authority considers it necessary.

A sampling carried out by the competent authority may replace the sampling by the food business operator as required by point (a).

2.2. Sampling protocol**2.2.1. General instructions for sampling**

The competent authority or the food business operator shall ensure that samples are taken by persons trained for that purpose.

At least two pairs of boot swabs shall be taken for sampling. Boot swabs are put on the boots and the sample is taken by walking around in the poultry house. Swabs from one flock of broilers may be pooled into one sample.

Before putting on the boot swabs, their surface shall be moistened by:

- (a) the application of maximum recovery diluents (MRD: 0,8 % sodium chloride, 0,1 % peptone in sterile deionised water);
- (b) the application of sterile water;
- (c) the application of any other diluents approved by the national reference laboratory referred to in Article 11 (3) of Regulation (EC) No 2160/2003; or
- (d) being autoclaved in a container together with diluents.

The way to moisten boot swabs shall be to pour the liquid inside before putting them on or to shake them in a container of diluent.

⁽¹⁾ OJ L 250, 18.9.2008, p. 1.

It shall be ensured that all sections in a house are represented in the sampling in a proportionate way. Each pair of boot swabs must cover about 50 % of the area of the house.

On completion of sampling, the swabs shall be carefully removed from the boots so as not to dislodge adherent material. Boot swabs may be inverted to retain material. They shall be placed in a bag or pot and labelled.

The competent authority may decide to increase the minimum number of samples in order to ensure representative sampling on a case-by-case evaluation of epidemiological parameters, such as biosecurity conditions, the distribution or size of the flock.

If the competent authority approves one pair of boot swabs may be replaced by a dust sample of 100g collected from multiple places throughout the house from surfaces with visible presence of dust. As an alternative, one or several moistened fabric swab(s) of a combined surface of at least 900 cm² may be used to gather dust from multiple surfaces throughout the house. Each swab shall be well coated with dust on both sides.

2.2.2. *Specific instructions for certain types of holdings*

- (a) For free range flocks of broilers, samples shall only be collected inside the house.
- (b) Where access to the houses is not possible due to limited space in flocks with less than 100 broilers, and it is therefore not possible to use boot swabs when walking around, they may be replaced by the same kind of hand fabric swabs that are used for dust, where the swabs are rubbed over surfaces contaminated with fresh faeces, or if this is not feasible, by other sampling techniques for faeces fit for the intended purpose.

2.2.3. *Sampling by the competent authority*

The competent authority shall satisfy itself by conducting further tests and/or documentary checks as appropriate to verify that results are not altered through the presence of antimicrobials or other substances inhibiting the growth of bacteria.

Where the presence of *Salmonella enteritidis* and *Salmonella typhimurium* is not detected but antimicrobials or bacterial growth inhibitory effect are detected, the flock shall be considered to be an infected flock of broilers for the purpose of the Union target referred to in Article 1(2).

2.2.4. *Transport*

Samples shall be sent without undue delay either by via express mail or courier, to the laboratories referred to in Articles 11 and 12 of Regulation (EC) No 2160/2003. During transport they shall be protected from heat over 25°C and exposure to sunlight.

Where it is not possible to send the samples within 24 hours from the time of sampling they shall be stored refrigerated.

3. LABORATORY ANALYSIS

3.1. **Preparation of the samples**

At the laboratory samples shall be kept refrigerated until examination. Examination shall start within 48 hours following the time of receipt of the samples and within four days from the date of sampling.

Dust samples shall be analysed separately. However, the competent authority may decide to pool them with the pair of boot swabs for analysis.

The sample shall be swirled to fully saturate it and culturing shall be continued by using the detection method set out in point 3.2.

The two pairs of boot swabs shall be carefully unpacked to avoid dislodging adherent faecal material, pooled and placed in 225 ml of buffered peptone water (BPW) pre-warmed to room temperature, or 225 ml of diluent is added directly to the two pairs of boot swabs in their container as received in the laboratory.

The boot swabs shall be fully submersed in BPW to provide sufficient free liquid around the sample for migration of *Salmonella* away from the sample and therefore more BPW may be added if necessary.

If EN/ISO standards on the preparation of faeces for the detection of *Salmonella* are agreed on, they shall replace the provisions on the preparation of samples set out in this point as appropriate.

3.2. Detection method

The detection of *Salmonella* spp. shall be carried out according to Amendment 1 of EN/ISO 6579 "Microbiology of food and animal feeding stuffs – Horizontal method for the detection of *Salmonella* spp. – Amendment 1: Annex D: Detection of *Salmonella* spp. in animal faeces and in environmental samples from the primary production stage" of the International Organization for Standardization.

3.3. Serotyping

At least one isolate from each positive sample taken by the competent authority shall be serotyped, following the current White-Kauffmann-Le Minor scheme.

Food business operators shall ensure that for all isolates, it is at least excluded that they do not belong to the serotypes *Salmonella enteritidis* and *Salmonella typhimurium*.

3.4. Alternative methods

With regard to samples taken on the initiative of the food business operator, the methods of analysis provided for in Article 11 of Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽¹⁾, may be used instead of the methods for the preparation of samples, detection methods and serotyping provided for in points 3.1, 3.2 and 3.3 of this Annex, if validated in accordance with EN/ISO 16140.

3.5. Storage of strains

The competent authority shall ensure that at least one isolated strain of *Salmonella* serotypes from sampling as part of official controls per house and per year is stored for future phage typing or antimicrobial susceptibility testing, using established methods for culture collection, which must ensure integrity of the strains for a minimum period of two years from the date of the analysis.

The competent authority may decide that isolates from sampling by food business operators shall also be stored for future phage typing or antimicrobial susceptibility testing to provide for isolates to be tested in accordance with Article 2 of Commission Decision 2007/407/EC ⁽²⁾.

4. RESULTS AND REPORTING

4.1. Calculation of prevalence for the verification of the Union target

A flock of broilers shall be considered positive for the purpose of verifying the achievement of the Union target, where the presence of *Salmonella enteritidis* and/or *Salmonella typhimurium* (other than vaccine strains) was detected in the flock.

Positive flocks of broilers shall be counted only once per round, irrespective of the number of sampling and testing operations and only be reported in the year of the first positive sampling.

4.2. Reporting

Reporting shall include:

- (a) the total number of flocks of broilers which were tested at least once during the year of reporting;
- (b) the total number flocks positive with any *Salmonella* serotype in the Member State;
- (c) the number of broiler flocks positive at least once for *Salmonella enteritidis* and *Salmonella typhimurium* including monophasic strains with the antigenic formula 1,4,[5],12:i:-;
- (d) the number of positive broiler flocks for each *Salmonella* serotype or for *Salmonella* unspecified (isolates that are untypable or not serotyped).

The information shall be provided separately for the sampling within the overall national *Salmonella* control programme as provided for in point 2.1. (a) and (b), the food business operators sampling as provided for in point 2.1. (a) and the competent authorities sampling as provided for in point 2.1. (b).

The results of the tests shall be considered relevant food chain information as provided for in Section III of Annex II to Regulation 853/2004 of the European Parliament and of the Council ⁽³⁾.

⁽¹⁾ OJ L 165, 30.4.2004, p. 1.

⁽²⁾ OJ L 153, 14.6.2007, p. 26.

⁽³⁾ OJ L 226, 25.6.2004, p. 22.

At least the following information shall be made available to the competent authority from each flock of broilers tested:

- (a) holding reference, remaining unique in time;
- (b) house reference, remaining unique in time;
- (c) month of sampling.

The results and any additional relevant information shall be reported as part of the report on trends and sources provided for in Article 9(1) of Directive 2003/99/EC ⁽¹⁾.

The food business operator shall notify the competent authority of the confirmed detection of *Salmonella enteritidis* and *Salmonella typhimurium* without undue delay. The food business operator shall instruct the analysing laboratory to act accordingly.

⁽¹⁾ OJ L 325, 12.12.2003, p. 31.

COMMISSION IMPLEMENTING REGULATION (EU) No 201/2012

of 8 March 2012

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

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

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

(3) Nitroxinil is currently included in Table 1 of the Annex to Regulation (EU) No 37/2010 as an allowed substance, for bovine and ovine species, applicable to muscle, fat, liver and kidney, excluding animals producing milk for human consumption.

(4) Ireland has submitted to the European Medicines Agency a request for an opinion for the extrapolation of the existing entry for nitroxinil applicable to bovine and ovine milk.

(5) The Committee for Medicinal Products for Veterinary Use has recommended the establishment of an MRL for nitroxinil for bovine and ovine milk and the removal of the provision 'Not for use in animals from which milk is produced for human consumption'.

(6) The entry for nitroxinil in Table 1 of the Annex to Regulation (EU) No 37/2010 should therefore be amended to include the recommended MRL for bovine and ovine milk and to remove the existing provision 'Not for use in animals from which milk is produced for human consumption'.

(7) It is appropriate to provide for a reasonable period of time for the stakeholders concerned to take measures that may be required to comply with the newly set MRL.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

It shall apply from 8 May 2012.

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ OJ L 15, 20.1.2010, p. 1.

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

Done at Brussels, 8 March 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

The entry corresponding to nitroxinil in Table 1 of the Annex to Regulation (EU) No 37/2010 is replaced by the following:

Pharmacologically active substance	Marker residue	Animal species	MRL	Target tissues	Other provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic classification
Nitroxinil	Nitroxinil	Bovine, ovine	400 µg/kg 200 µg/kg 20 µg/kg 400 µg/kg 20 µg/kg	Muscle Fat Liver Kidney Milk		Antiparasitic agents/agents against endoparasites'

COMMISSION IMPLEMENTING REGULATION (EU) No 202/2012

of 8 March 2012

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

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin⁽²⁾.

- (3) An application for the establishment of maximum residue limits for pegylated bovine granulocyte colony stimulating factor in bovine species has been submitted to the European Medicines Agency.
- (4) The Committee for Medicinal Products for Veterinary Use has recommended that there is no need to establish an MRL for pegylated bovine granulocyte colony stimulating factor in bovine species.
- (5) Table 1 of the Annex to Regulation (EU) No 37/2010 should therefore be amended to include the substance pegylated bovine granulocyte colony stimulating factor in bovine species.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on the third day following 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, 8 March 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ OJ L 15, 20.1.2010, p. 1.

ANNEX

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

Pharmacologically active Substance	Marker residue	Animal Species	MRL	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
“Pegylated bovine granulocyte colony stimulating factor	Not applicable	Bovine	No MRL required	Not applicable	NO ENTRY	Biological/Immunomodulator”

COMMISSION IMPLEMENTING REGULATION (EU) No 203/2012**of 8 March 2012****amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards detailed rules on organic wine**

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 the second subparagraph of Article 19(3), Articles 21(2), 22(1), 38(a), and Article 40 thereof,

Whereas:

- (1) Regulation (EC) No 834/2007 and in particular Chapter 4 of Title III thereof lays down basic requirements with regard to organic production of processed food. The detailed rules for the implementation of those basic requirements have been established by Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control ⁽²⁾.
- (2) Specific provisions for the production of organic wine should be laid down in Regulation (EC) No 889/2008. Those provisions should apply to the products of the wine sector as referred to in 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) ⁽³⁾.
- (3) The processing of organic wine requires the use of certain products and substances as additives or processing aids under well-defined conditions. For that purpose and on the basis of recommendations of the Union-wide study on 'Organic viticulture and wine-making: development of environment and consumer friendly technologies for organic wine quality improvement and scientifically based legislative framework' (also known as 'Orwine') ⁽⁴⁾ the use of such products and substances should be allowed in accordance with Article 21 of Regulation (EC) No 834/2007.
- (4) Certain products and substances, which are used as additives and processing aids for oenological practices

under Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions ⁽⁵⁾, are derived from raw materials of agricultural origin. In such case the raw materials may be available on the market in organic form. In order to encourage the development of their demand on the market, preference should be given to the use of additives and processing aids derived from organically farmed raw materials.

- (5) Practices and techniques for the production of wine are established on the level of the Union in Regulation (EC) No 1234/2007 and its implementing rules as laid down in Regulation (EC) No 606/2009 and in Commission Regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products ⁽⁶⁾. Using those practices and techniques in organic wine-making may not be in line with the objectives and principles fixed in Regulation (EC) No 834/2007, and in particular with the specific principles applicable to the processing of organic food, mentioned in Article 6 of Regulation (EC) No 834/2007. Therefore specific restrictions and limitations should be set up for certain oenological practices and processes.
- (6) Certain other practices which are widely used in food processing are also available for wine-making and may also have some effect on certain essential characteristics of the organic products and hence on their true nature, but at present no alternative techniques are available to replace them. This applies to heat treatments, filtration, reverse osmosis and the use of ion exchange resins. As a consequence those practices should be available to organic wine-makers, but their use should be restricted. A possibility for re-examination of heat treatment, ion exchange resins and reverse osmosis should be foreseen in due time.
- (7) Oenological practices and processes which might be misleading regarding the true nature of the organic products should be excluded in the making of organic wine. This applies to the concentration by cooling, the dealcoholisation, the elimination of sulphur dioxide by physical process, electrodialyses and the use of cation exchangers as those oenological practices do significantly modify the composition of the product to the point that they may be misleading as to the true nature of organic wine. For the same purposes, use or addition of certain substances might be also misleading regarding the true

⁽¹⁾ OJ L 189, 20.7.2007, p. 1.

⁽²⁾ OJ L 250, 18.9.2008, p. 1.

⁽³⁾ OJ L 299, 16.11.2007, p. 1.

⁽⁴⁾ <http://www.orwine.org/default.asp?scheda=263>

⁽⁵⁾ OJ L 193, 24.7.2009, p. 1.

⁽⁶⁾ OJ L 193, 24.7.2009, p. 60.

nature of the organic wine. It is therefore appropriate to lay down that such substances should not be used or added under the organic oenological practices and treatment processing.

- (8) Regarding more specifically sulphites, the results of the Orwine study have shown that a reduction in the level of sulphur dioxides in wines made from organic grapes is already achieved by organic producers of wine in the Union, as compared to the maximum sulphur dioxide content which is authorised for non-organic wines. Therefore it is appropriate to fix a maximum sulphur content specific to organic wines, which should be lower than the level authorised in non-organic wines. The necessary quantities of sulphur dioxide depend on the various categories of wines and also on certain intrinsic characteristics of the wine, notably its content in sugar, which should be considered when laying down the maximum levels of sulphur dioxides content specific to organic wines. However, extreme weather conditions may provoke difficulties in certain wine-growing areas which make it necessary to use supplementary amounts of sulphites in the preparation of wine to achieve stability of the final product of that year. It should therefore be allowed to increase the maximum sulphur dioxide content when such conditions are met.
- (9) Wine is a product with a long shelf-life and some wines are stored traditionally for several years in barrels or tanks before being placed on the market. Under the conditions of Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs⁽¹⁾ and for a limited period in accordance with Regulation (EC) No 889/2008, the marketing of such wines by maintaining the labelling requirements under that Regulation should be allowed until stocks are exhausted.
- (10) Some of the stored wines were already produced by a wine-making process which already complies with the rules on the production of organic wine provided for by this Regulation. Where this can be proven, the use of the Community organic production logo as referred to in Article 25(1) of Regulation (EC) No 834/2007, called from 1 July 2010 the 'Organic logo of the EU', should be authorised, to allow for fair comparison and competition between organic wines produced before and after the entry into force of this Regulation. If this is not the case, the wine should be labelled exclusively as 'wine made from organic grapes', without bearing the organic logo of the EU, provided that the wine is produced in accordance with Regulation (EEC) No 2092/91 and Regulation (EC) No 889/2008 before its amendment by this Regulation.
- (11) Regulation (EC) No 889/2008 should therefore be amended accordingly.

- (12) 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 889/2008 is amended as follows:

- (1) Title II is amended as follows:

- (a) in Article 27(1), the introductory phrase is replaced by the following:

'For the purposes of Article 19(2)(b) of Regulation (EC) No 834/2007, only the following substances can be used in the processing of organic food, with the exception of products of the wine sector, for which the provisions of Chapter 3a shall apply:';

- (b) a new Chapter 3a is inserted:

'CHAPTER 3a

Specific rules for the making of wine

Article 29b

Scope

1. This Chapter lays down specific rules for the organic production of the products of the wine sector as referred to in Article 1(1)(l) of Council Regulation (EC) No 1234/2007 (*).

2. Commission Regulations (EC) No 606/2009 (**) and (EC) No 607/2009 (***) shall apply, save as explicitly provided otherwise in this Chapter.

Article 29c

Use of certain products and substances

1. For the purposes of Article 19(2)(a) of Regulation (EC) No 834/2007, products of the wine sector shall be produced from organic raw material.

2. For the purposes of Article 19(2)(b) of Regulation (EC) No 834/2007, only products and substances listed in Annex VIIIa to this Regulation can be used for the making of products of the wine sector, including during the processes and oenological practices, subject to the conditions and restrictions laid down in Regulation (EC) No 1234/2007 and Regulation (EC) No 606/2009 and in particular in Annex I A to that Regulation.

3. Products and substances listed in Annex VIIIa to this Regulation and marked with an asterisk, derived from organic raw material, shall be used if available.

⁽¹⁾ OJ L 198, 22.7.1991, p. 1. Regulation (EEC) No 2092/91 has been repealed and replaced by Regulation (EC) No 834/2007 as from 1 January 2009.

*Article 29d***Oenological practices and restrictions**

1. Without prejudice to Article 29c and to specific prohibitions and restrictions provided for in paragraphs 2 to 5 of this Article, only oenological practices, processes and treatments, including the restrictions provided for in Article 120c and 120d of Regulation (EC) No 1234/2007 and in Articles 3, 5 to 9 and 11 to 14 of Regulation (EC) No 606/2009 and in their Annexes, used before 1 August 2010 are permitted.

2. The use of the following oenological practices, processes and treatments is prohibited:

- (a) partial concentration through cooling according to point (c) of Section B.1 of Annex XVa to Regulation (EC) No 1234/2007;
- (b) elimination of sulphur dioxide by physical processes according to point 8 of Annex I A to Regulation (EC) No 606/2009;
- (c) electrodialysis treatment to ensure the tartaric stabilisation of the wine according to point 36 of Annex I A to Regulation (EC) No 606/2009;
- (d) partial dealcoholisation of wine according to point 40 of Annex I A to Regulation (EC) No 606/2009;
- (e) treatment with cation exchangers to ensure the tartaric stabilisation of the wine according to point 43 of Annex I A to Regulation (EC) No 606/2009.

3. The use of the following oenological practices, processes and treatments is permitted under the following conditions:

- (a) for heat treatments according to point 2 of Annex I A to Regulation (EC) No 606/2009, the temperature shall not exceed 70 °C;
- (b) for centrifuging and filtration with or without an inert filtering agent according to point 3 of Annex I A to Regulation (EC) No 606/2009, the size of the pores shall be not smaller than 0,2 micrometer.

4. The use of the following oenological practices, processes and treatments shall be re-examined by the Commission before 1 August 2015 with a view to phase out or to further restrict those practices:

- (a) heat treatments as referred to in point 2 of Annex I A to Regulation (EC) No 606/2009;
- (b) use of ion exchange resins as referred to in point 20 of Annex I A to Regulation (EC) No 606/2009;

(c) reverse osmosis according to point (b) of Section B.1 of Annex XVa to Regulation (EC) No 1234/2007.

5. Any amendment introduced after 1 August 2010, as regards the oenological practice, processes and treatments provided for in Regulation (EC) No 1234/2007 or Regulation (EC) No 606/2009, may be applicable in the organic production of wine only after the adoption of the measures necessary for the implementation of the production rules provided for in Article 19(3) of Regulation (EC) No 834/2007 and, if required, an evaluation process according to Article 21 of that Regulation.

(*) OJ L 299, 16.11.2007, p. 1.

(**) OJ L 193, 24.7.2009, p. 1.

(***) OJ L 193, 24.7.2009, p. 60.;

(c) Article 47 is amended as follows:

(i) in the first paragraph, the following point (e) is added:

‘(e) the use of sulphur dioxide up to the maximum content to be fixed in accordance with the Annex I B to Regulation (EC) No 606/2009 if the exceptional climatic conditions of a given harvest year deteriorate the sanitary status of organic grapes in a specific geographical area because of severe bacterial attacks or fungal attacks, which oblige the winemaker to use more sulphur dioxide than in previous years to obtain a comparable final product.’;

(ii) the second paragraph is replaced by the following:

‘Upon approval by the competent authority, the individual operators shall keep documentary evidence of the use of the above exceptions. Member States shall inform each other and the Commission on the exceptions they have granted under points (c) and (e) of the first paragraph.’;

(2) Title V is amended as follows:

(a) in Article 94(1), the following point (d) is added:

‘(d) within one month from their approval, the exceptions granted by the Member States under points (c) and (e) of the first paragraph of Article 47.’;

(b) in Article 95, paragraph 10a is replaced by the following:

‘10a. As regards products of the wine sector, the transitional period referred to in paragraph 8 shall expire on 31 July 2012.

Stocks of wines produced until 31 July 2012 in accordance with either Regulation (EEC) No 2092/91 or Regulation (EC) No 834/2007 may continue to be brought on the market until stocks are exhausted, and subject to the following labelling requirements:

- (a) the Community organic production logo as referred to in Article 25(1) of Regulation (EC) No 834/2007, called from 1 July 2010 the “Organic logo of the EU” may be used provided that the wine-making process complies with Chapter 3a of Title II of this Regulation;
- (b) operators using “Organic logo of the EU” shall keep recorded evidence, for a period of at least five years after they placed on the market that wine obtained from organic grapes, including of the corresponding quantities of wine in litres, per wine category and per year;

- (c) where the evidence referred to in point (b) of this paragraph is not available, such wine may be labelled as “wine made from organic grapes”, provided that it complies with the requirements of this Regulation except those provided for in Chapter 3a of Title II thereof;

- (d) wine labelled as “wine made from organic grapes” cannot bear the “Organic logo of the EU”;

- (3) a new Annex VIIIa is inserted, the text of which is set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 August 2012.

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

Done at Brussels, 8 March 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

‘ANNEX VIIIa

Products and substances authorised for use or addition in organic products of the wine sector referred to in Article 29c

Type of treatment in accordance with Annex I A to Regulation (EC) No 606/2009	Name of products or substances	Specific conditions, restrictions within the limits and conditions set out in Regulation (EC) No 1234/2007 and Regulation (EC) No 606/2009
Point 1: Use for aeration or oxygenation	— Air — Gaseous oxygen	
Point 3: Centrifuging and filtration	— Perlite — Cellulose — Diatomeaceous earth	Use only as an inert filtering agent
Point 4: Use in order to create an inert atmosphere and to handle the product shielded from the air	— Nitrogen — Carbon dioxide — Argon	
Points 5, 15 and 21: Use	— Yeasts ⁽¹⁾	
Point 6: Use	— Di-ammonium phosphate — Thiamine hydrochloride	
Point 7: Use	— Sulphur dioxide — Potassium bisulphite or potassium metabisulphite	(a) The maximum sulphur dioxide content shall not exceed 100 milligrams per litre for red wines as referred to in point 1(a) of Part A of Annex I B to Regulation (EC) No 606/2009 and with a residual sugar level lower than 2 grams per litre; (b) The maximum sulphur dioxide content shall not exceed 150 milligrams per litre for white and rosé wines as referred to in point 1(b) of Part A of Annex I B to Regulation (EC) No 606/2009 and with a residual sugar level lower than 2 grams per litre; (c) For all other wines, the maximum sulphur dioxide content applied in accordance with Annex I B to Regulation (EC) No 606/2009 on 1 August 2010, shall be reduced by 30 milligrams per litre.
Point 9: Use	— Charcoal for oenological use	
Point 10: Clarification	— Edible gelatine ⁽²⁾ — Plant proteins from wheat or peas ⁽²⁾ — Isinglass ⁽²⁾ — Egg white albumin ⁽²⁾ — Tannins ⁽²⁾	
	— Casein — Potassium caseinate — Silicon dioxide — Bentonite — Pectolytic enzymes	

Type of treatment in accordance with Annex I A to Regulation (EC) No 606/2009	Name of products or substances	Specific conditions, restrictions within the limits and conditions set out in Regulation (EC) No 1234/2007 and Regulation (EC) No 606/2009
Point 12: Use for acidification purposes	— Lactic acid — L(+)/Tartaric acid	
Point 13: Use for deacidification purposes	— L(+)/Tartaric acid — Calcium carbonate — Neutral potassium tartrate — Potassium bicarbonate	
Point 14: Addition	— Aleppo pine resin	
Point 17: Use	— Lactic bacteria	
Point 19: Addition	— L-Ascorbic acid	
Point 22: Use for bubbling	— Nitrogen	
Point 23: Addition	— Carbon dioxide	
Point 24: Addition for wine stabilisation purposes	— Citric acid	
Point 25: Addition	— Tannins ⁽²⁾	
Point 27: Addition	— Meta-tartaric acid	
Point 28: Use	— Acacia gum ⁽²⁾ (= gum arabic)	
Point 30: Use	— Potassium bitartrate	
Point 31: Use	— Cupric citrate	
Point 31: Use	— Copper sulphate	Authorised until 31 July 2015
Point 38: Use	— Oak chips	
Point 39: Use	— Potassium alginate	
Type of treatment in accordance with Annex III, point A(2)(b) to Regulation (EC) No 606/2009	— Calcium sulphate	Only for “vino generoso” or “vino generoso de licor”

⁽¹⁾ For the individual yeast strains: if available, derived from organic raw material.

⁽²⁾ Derived from organic raw material if available.

COMMISSION IMPLEMENTING REGULATION (EU) No 204/2012**of 8 March 2012****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:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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 to this Regulation.

Article 2

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

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

Done at Brussels, 8 March 2012.

*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	IL	85,1
	JO	78,3
	MA	64,7
	SN	207,5
	TN	99,6
	TR	90,3
	ZZ	104,3
0707 00 05	JO	121,8
	TR	170,7
	ZZ	146,3
0709 91 00	EG	82,2
	ZZ	82,2
0709 93 10	MA	53,5
	TR	99,8
	ZZ	76,7
0805 10 20	EG	49,2
	IL	69,1
	MA	47,5
	TN	55,6
	TR	72,6
	ZZ	58,8
0805 50 10	BR	43,7
	EG	41,7
	MA	69,3
	TR	57,0
	ZZ	52,9
0808 10 80	CA	117,2
	CL	104,7
	CN	107,7
	MK	31,8
	US	164,3
	ZZ	105,1
0808 30 90	AR	76,6
	CL	119,7
	CN	55,6
	ZA	88,3
	ZZ	85,1

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

DECISIONS

COUNCIL IMPLEMENTING DECISION 2012/144/CFSP

of 8 March 2012

implementing Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2010/656/CFSP of 29 October 2010 renewing the restrictive measures against Côte d'Ivoire ⁽¹⁾, and in particular Article 6(1) and (2) thereof,

Whereas:

(1) On 29 October 2010, the Council adopted Decision 2010/656/CFSP.

(2) On the basis of a review of the list of persons and entities to which the restrictive measures provided for in Decision 2010/656/CFSP apply, the Council considers that there are no longer grounds for keeping certain persons on that list.

(3) Furthermore, the information relating to a person on the list in Annex I and to the persons on the list in Annex II to Decision 2010/656/CFSP should be updated,

Article 1

In Annex I to Decision 2010/656/CFSP, the entry for the following person:

Désiré Tagro

shall be replaced by the entry set out in Annex I to this Decision.

Article 2

Annex II to Decision 2010/656/CFSP shall be replaced by the text set out in Annex II to this Decision.

Article 3

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

Done at Brussels, 8 March 2012.

For the Council
The President
M. BØDSKOV

⁽¹⁾ OJ L 285, 30.10.2010, p. 28.

ANNEX I

Entry referred to in Article 1

Name (and any aliases)	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)	Grounds for designation	Date of UN Designation
Désiré Tagro	Passport number: PD-AE 065FH08 Date of birth: 27 January 1959 Place of birth: Issia, Côte d'Ivoire Deceased on 12 April 2011 in Abidjan	Secretary-General in the so-called 'presidency' of Mr GBAGBO: participation in the illegitimate government of Mr GBAGBO, obstruction of the peace and reconciliation process, rejection of the results of the presidential election, participation in violent repressions of popular movements.	Date of UN designation: 30.3.2011 (European Union designation: 22.12.2010)

ANNEX II

‘ANNEX II

List of persons referred to in Article 4(1)(b) and Article 5(1)(b)

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Kadet Bertin	Born 1957 in Mama	Special Adviser to Laurent Gbagbo on matters of security, defence and military equipment, and formerly Laurent Gbagbo's Minister for Defence. Nephew of Laurent Gbagbo. Exiled in Ghana. Subject of an international arrest warrant. Actively involved in incidents of abuse and forced disappearances, and in the funding and arming of the militia and of the "Young Patriots" (COJEP). Involved in the funding and trafficking of arms and in the circumvention of the embargo. He was close to western militia and liaised on Gbagbo's behalf with these groups. Involved in setting up the "LIMA force" death squads. During his exile in Ghana, he has continued to plot ways to regain power by force. He is calling for Gbagbo's immediate release. Because of his financial resources, his familiarity with illegal arms traffickers and his ongoing ties with active militia groups, especially in Liberia, Kadet Bertin poses a very real threat to the security and stability of Côte d'Ivoire.
2.	Oulaï Delafosse	Born 28 October 1968	Former sub-prefect of Toulepleu. Leader in the Great West Patriotic Resistance Union. As Head of the militia, he has engaged in violence and crime, particularly in the Toulepleu area. Taking his orders directly from Kadet Bertin, he was very active in the recruitment of Liberian mercenaries and in the trafficking of illegal arms from Liberia during the post-election crisis. His troops ran a reign of terror throughout the post-election crisis, killing hundreds of people from northern Côte d'Ivoire. Because of his political extremism, his closeness to Kadet Bertin and the strong links he has maintained with Liberian mercenaries, he continues to pose a threat to the stability of the country.
3.	Pastor Gammi		Head of the Ivorian Movement for the Liberation of Western Côte d'Ivoire (MILOCI), established in 2004. As Head of the pro-Gbagbo MILOCI militia, he was involved in many massacres and much brutality.

	Name (and any aliases)	Identifying information	Grounds for designation
			Has fled to Ghana (is probably in Takoradi). Subject of an international arrest warrant. Since his exile, he has joined the International Coalition for the Liberation of Côte d'Ivoire (CILCI) which advocates the use of armed resistance to have Gbagbo returned to power.
4.	Marcel Gossio	Born 18 February 1951 in Adjamé Passport number: 08AA14345 (due to expire on 6 October 2013)	Has fled Côte d'Ivoire. Subject of an international arrest warrant. Involved in the misappropriation of public funds and in the funding and arming of the militia. Instrumental to the funding of the Gbagbo clan and of the militia. Also a central figure in illegal arms trafficking. The sizeable sums of money he has misappropriated and his familiarity with the illegal arms networks make him a continued threat to the security and stability of Côte d'Ivoire.
5.	Justin Koné Katina		Has fled to Ghana. Subject of an international arrest warrant. Involved in the Central Bank of West African States (BCEAO) hold-up. From his place of exile, he still sees himself as Gbagbo's spokesperson. In a press release on 12 December 2011, he argued that Ouattara had never won the election and asserted that the new regime was illegitimate. He calls for resistance, and believes Gbagbo will return to power.
6.	Ahoua Don Mello	Born 23 June 1958 in Bongouanou Passport number: PD-AE/044GN02 (due to expire on 23 February 2013)	Spokesperson of Laurent Gbagbo. Former Minister for Infrastructure and Sanitation in the illegitimate government. Exiled in Ghana. Subject of an international arrest warrant. From exile, he has continuously stated that the election of President Ouattara was fraudulent and does not recognise his authority. He has refused to respond to the Ivorian Government's call for reconciliation and has made regular calls in the press for uprisings, carrying out "mobilisation" tours in the refugee camps in Ghana. In December 2011, he declared that Côte d'Ivoire was a "tribal state under siege" and that "the days of the Ouattara regime" were "numbered".
7.	Moussa Touré Zéguen	Born 9 September 1944 Old passport: AE/46CR05	Head of the Group of Patriots for Peace (GPP). Founder of the "International Coalition for the Liberation of Côte d'Ivoire" (CILCI). Became a militia leader in 2002 and has led the GPP since 2003. Under his command the GPP has become Gbagbo's armed wing in Abidjan and the south of the country. Responsible, with the GPP, for numerous acts of violence mainly against populations from the north of the country and opponents of the former regime.

	Name (and any aliases)	Identifying information	Grounds for designation
			Personally involved in post-election violence (particularly in the Abobo and Adjamé districts). Whilst exiled in Accra, Touré Zéguen founded the “International Coalition for the Liberation of Côte d'Ivoire”, whose aim is to return Gbagbo to power. From his place of exile he has made repeated inflammatory statements (for example at the press conference on 9 December 2011), maintaining a stance of conflict and armed revenge. He regards Côte d'Ivoire under Ouattara as illegitimate and “re-colonised” and has issued a “call on Ivoirians to drive out the impostors” (Jeune Afrique, July 2011). Keeps a blog calling for a violent uprising of the Ivorian people against Ouattara.’

DECISIONS

★ Council Implementing Decision 2012/144/CFSP of 8 March 2012 implementing Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire 50

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