

Official Journal

of the European Union

L 119



English edition

Legislation

Volume 55

4 May 2012

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Council Regulation (EU) No 377/2012 of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau** 1
- ★ **Commission Regulation (EU) No 378/2012 of 3 May 2012 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health ⁽¹⁾** 9
- ★ **Commission Regulation (EU) No 379/2012 of 3 May 2012 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health ⁽¹⁾** 12
- ★ **Commission Regulation (EU) No 380/2012 of 3 May 2012 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the conditions of use and the use levels for aluminium-containing food additives ⁽¹⁾** 14
- Commission Implementing Regulation (EU) No 381/2012 of 3 May 2012 establishing the standard import values for determining the entry price of certain fruit and vegetables 39
- Commission Implementing Regulation (EU) No 382/2012 of 3 May 2012 on the minimum customs duty for sugar to be fixed in response to the fifth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) No 1239/2011 41

Price: EUR 4

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

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

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

DECISIONS

- ★ **Council Decision 2012/237/CFSP of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau** 43

- 2012/238/EU:
- ★ **Council Decision of 26 April 2012 on guidelines for the employment policies of the Member States** 47

- 2012/239/EU:
- ★ **Council Decision of 2 May 2012 appointing three Spanish members and two Spanish alternate members of the Committee of the Regions** 49

- 2012/240/EU:
- ★ **Commission Implementing Decision of 27 April 2012 on the clearance of the accounts of the paying agencies of Member States concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2011 financial year** (*notified under document C(2012) 2891*) 50

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 377/2012

of 3 May 2012

concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2012/237/CFSP of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau ⁽¹⁾,

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

Whereas:

- (1) Decision 2012/237/CFSP provides for the adoption of restrictive measures against certain persons, entities and bodies who seek to prevent or block a peaceful political process, or who take action that undermines stability in the Republic of Guinea-Bissau. This concerns in particular those who played a leading role in the mutiny of 1 April 2010 and the coup d'état of 12 April 2012 and whose actions continue to be aimed at undermining the rule of law and the primacy of civilian power. These measures include the freezing of funds and economic resources of the natural or legal persons, entities and bodies listed in the Annex to that Decision.
- (2) These measures fall within the scope of the Treaty on the Functioning of the European Union and, therefore, in particular with a view to ensuring their uniform application by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (3) This Regulation respects fundamental rights and observes principles recognised in particular by the Charter of

Fundamental Rights of the European Union and notably the right to an effective remedy, the right to a fair trial and the right to the protection of personal data. This Regulation should be applied in accordance with those rights and principles.

- (4) The power to amend the list in Annex I to this Regulation should be exercised by the Council, in view of the specific threat to international peace and security posed by the situation in Guinea-Bissau and in order to ensure consistency with the procedure for amending and reviewing the Annex to Decision 2012/237/CFSP.
- (5) The procedure for amending the list in Annex I to this Regulation should include providing designated natural or legal persons, entities or bodies with the grounds for the listing so as to give them an opportunity to submit observations. Where observations are submitted, or substantial new evidence is presented, the Council should review its decision in the light of those observations and inform the person, entity or body concerned accordingly.
- (6) For the implementation of this Regulation, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources are to be frozen in accordance with this Regulation should be made public. Any processing of personal data should respect Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽²⁾ and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽³⁾.

⁽¹⁾ See page 43 of this Official Journal.

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

⁽³⁾ OJ L 281, 23.11.1995, p. 31.

- (7) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

- (e) 'territory of the Union' means the territories to which the Treaty is applicable, under the conditions laid down in the Treaty.

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by natural or legal persons, entities and bodies who, in accordance with Article 2(1) of Decision 2012/237/CFSP, have been identified by the Council as either (i) engaging in or providing support for acts that threaten the peace, security or stability of the Republic of Guinea-Bissau or (ii) being associated with such persons, entities or bodies, as listed in Annex I, shall be frozen.

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

3. Participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

Article 3

1. Annex I shall include the grounds for listing of listed persons, entities and bodies.

2. Annex I shall also include, where available, information necessary to identify the natural or legal persons, entities and bodies concerned. With regard to natural persons, such information may include names, including aliases, date and place of birth, nationality, passport and ID card numbers, gender, address, if known, and function or profession. With regard to legal persons, entities and bodies, such information may include names, place and date of registration, registration number and place of business.

Article 4

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

- (a) necessary to satisfy the basic needs of the persons listed in Annex I and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;

- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses, provided in this case that the Member State has notified the grounds on which it considers that a specific authorisation should be granted to all other Member States and to the Commission at least two weeks prior to authorisation.

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

Article 5

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

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

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

Article 6

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

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

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

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

Article 7

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

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

Article 8

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

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

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

Article 9

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

Article 10

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

Article 11

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

2. The Council shall communicate its decision, including the grounds for the listing, to the natural or legal person, entity or body referred to in paragraph 1, either directly, if the address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to submit observations.

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

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

Article 12

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

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

Article 13

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

Article 14

This Regulation shall apply:

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

Article 15

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, 3 May 2012.

For the Council
The President
N. WAMMEN

ANNEX I

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

Persons

	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing	Date of listing
1.	General António INJAI (a.k.a António INDJAI)	Nationality: Guinea-Bissau d.o.b.: 20 January 1955 p.o.b.: Encheia, Sector de Bissorá, Região de Oio, Guiné-Bissau Parentage: Wasna Injai and Quiritche Cofte Official function: Lieutenant General – Chefe de Estado-Maior Geral das Forças Armadas National ID: Unknown (Guinea-Bissau) Passport: Diplomatic passport AAID00435 Date of issue: 18.02.2010 Place of issue: Guinea-Bissau Date of expiry: 18.02.2013	António Injai has been personally involved in planning and leading the mutiny of 1 April 2010, culminating with the illegal apprehension of the Prime Minister, Carlo Gomes Junior, and the then Chief of Staff of the Armed Forces, José Zamora Induta. António Injai has operated in a way to pressure the Government for his appointment as Chief of Staff of the Armed Forces. Indjai has been consistently making public statements threatening the lives of the legitimate authorities namely against Prime Minister Carlos Gomes Junior and undermining rule of law, undercutting civilian powers, furthering a pervasive climate of impunity and instability in the country. During the 2012 electoral period, in his capacity as Chief of Staff of the Armed Forces, Injai again made statements threatening to overthrow the elected authorities and to put an end to the electoral process. António Injai has been once again involved in the operational planning of the coup d'état of 12 April 2012. In the aftermath of the coup, the first communiqué by the "Military Command" was issued by the Armed Forces General Staff, which is led by General Injai. He did not in any way counter or distance himself from that unconstitutional military action.	3.5.2012
2.	Major General Mamadu TURE (N'KRUMAH) (a.k.a. N'Krumah)	Nationality – Guinea-Bissau d.o.b. 26 April 1947 Diplomatic Passport no DA0002186 Date of issue: 30.03.2007 Date of expiry: 26.08.2013	Deputy Chief of Staff of the Armed Forces. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
3.	General Augusto MÁRIO CÓ		Army Chief of Staff. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
4.	General Estêvão NA MENA		Navy Chief of Staff. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012

	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing	Date of listing
5.	Brigadier General Ibraima CAMARÁ (a.k.a "Papa Camará")	Nationality – Guinea-Bissau d.o.b. 11 May 1964 Diplomatic Passport no AAID00437 Date of Issue: 18.02.2010 Date of expiry: 18.02.2013	Chief of Staff of the Air Force. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
6.	Lieutenant colonel Daba NAUALNA (a.k.a. Daba Na Walna)	Nationality – Guinea-Bissau d.o.b. 6 June 1966 Passport no SA 0000417 Date of issue: 29.10.2003 Date of expiry: 10.03.2013	Spokesperson of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012

ANNEX II

Websites for information on the competent authorities in the Member States referred to in Articles 4(1), 5(1) and 8(1), and address for notifications to the European Commission

A. Competent authorities in each Member State:

BELGIUM

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

BULGARIA

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

CZECH REPUBLIC

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

DENMARK

<http://um.dk/da/politik-og-diplomati/retsorden/sanktioner/>

GERMANY

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

ESTONIA

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

IRELAND

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

GREECE

<http://www1.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html>

SPAIN

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

FRANCE

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

ITALY

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

CYPRUS

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

LATVIA

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

LITHUANIA

<http://www.urm.lt/sanctions>

LUXEMBOURG

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

HUNGARY

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

MALTA

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

NETHERLANDS

<http://www.rijksoverheid.nl/onderwerpen/internationale-vrede-en-veiligheid/sancties>

AUSTRIA

http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=

POLAND

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

PORTUGAL

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

ROMANIA

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

SLOVENIA

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

SLOVAKIA

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

FINLAND

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

SWEDEN

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

UNITED KINGDOM

www.fco.gov.uk/competentauthorities

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

European Commission
Foreign Policy Instruments Service
Unit FPIS.2
CHAR 12/106
B-1049 Bruxelles/Brussel
Belgium

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

Tel. (32 2) 295 55 85

Fax (32 2) 299 08 73

COMMISSION REGULATION (EU) No 378/2012

of 3 May 2012

refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health

(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 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods⁽¹⁾, and in particular Article 17(3) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 1924/2006 health claims made on foods are prohibited unless they are authorised by the Commission in accordance with that Regulation and included in a list of permitted claims.
- (2) Regulation (EC) No 1924/2006 also provides that applications for authorisations of health claims may be submitted by food business operators to the national competent authority of a Member State. The national competent authority is to forward valid applications to the European Food Safety Authority (EFSA), hereinafter referred to as 'the Authority'.
- (3) Following receipt of an application the Authority is to inform without delay the other Member States and the Commission thereof, and to deliver an opinion on the health claim concerned.
- (4) The Commission is to decide on the authorisation of health claims taking into account the opinion delivered by the Authority.
- (5) Following an application from SVUS Pharma a.s, submitted pursuant to Article 14(1)(a) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of ProteQuine®, a mixture of free amino acids, oligopeptides and nucleotides on increase of suppressed concentrations of secretory immunoglobulin A (SIgA) and reduction of the risk of influenza and common cold (Question No EFSA-Q-2008-397)⁽²⁾. The claim proposed by the applicant was worded as follows: "ProteQuine® elevates/maintains the level of SIgA on mucous membranes. Decreased or insufficient level of SIgA is a risk factor in the development of common cold or influenza".

- (6) On the basis of the data presented, the Authority concluded in its opinion received by the Commission and the Member States on 13 April 2011 that a cause and effect relationship had not been established between the consumption of ProteQuine® and increasing suppressed concentrations of SIgA and reducing the risk of common cold and influenza. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (7) Following an application from SVUS Pharma a.s, submitted pursuant to Article 14(1)(a) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of ProteQuine®, a mixture of free amino acids, oligopeptides and nucleotides, and bovine lactoferrin on increase of suppressed concentrations of secretory immunoglobulin A (SIgA) and reduction of the risk of common cold with sore throat (Question No EFSA-Q-2008-398)⁽³⁾. The claim proposed by the applicant was worded as follows: "ProteQuine® in combination with bovine lactoferrin elevates/maintains the level of SIgA on mucous membranes. Decreased or insufficient level of SIgA is a risk factor in the development of common cold with sore throat and combination of ProteQuine® with bovine lactoferrin reduces the risk of the development of sore throat".
- (8) On the basis of the data presented, the Authority concluded in its opinion received by the Commission and the Member States on 13 April 2011 that a cause and effect relationship had not been established between the consumption of ProteQuine® and bovine lactoferrin and increasing suppressed concentrations of SIgA and reduction of the risk of common cold with sore throat. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (9) Following an application from CSL - Centro Sperimentale del Latte S.p.A., submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of a combination of *Lactobacillus delbrueckii* subsp. *bulgaricus* strain AY/CSL (LMG P-17224) and *Streptococcus thermophilus* strain 9Y/CSL (LMG P-17225) on beneficial modulation of intestinal microflora (Question No EFSA-Q-2008-273)⁽⁴⁾. The claim proposed by the applicant was worded as follows: "Maintaining the gut health by normalizing the intestinal flora".

⁽¹⁾ OJ L 404, 30.12.2006, p. 9.⁽²⁾ The EFSA Journal 2011; 9(4):2128.⁽³⁾ The EFSA Journal 2011; 9(4):2129.⁽⁴⁾ The EFSA Journal 2011; 9(7):2288.

- (10) On the basis of the data presented, the Authority concluded in its opinion received by the Commission and the Member States on 20 July 2011 that a cause and effect relationship had not been established between the consumption of the combination of *L. delbrueckii* subsp. *bulgaricus* strain AY/CSL (LMG P-17224) and *S. thermophilus* strain 9Y/CSL (LMG P-17225) and a beneficial physiological effect related to the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (11) Following an application from the European Dietetic Food Industry Association (IDACE), submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of beta-palmitate on increased calcium absorption (Question No EFSA-Q-2008-172) ⁽¹⁾. The claim proposed by the applicant was worded, *inter alia*, as follows: "Beta palmitate enrichment contributes to increase calcium absorption".
- (12) On the basis of the data presented, the Authority concluded in its opinion received by the Commission and the Member States on 28 July 2011 that the evidence provided was insufficient to establish a cause and effect relationship between the consumption of beta-palmitate and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (13) In accordance with Article 28(6) of Regulation (EC) No 1924/2006, health claims referred to in its Article 14(1)(b) and not authorised by a decision pursuant to Article 17(3) of Regulation (EC) No 1924/2006 may continue to be used for six months after the adoption of this Regulation, provided an application was made before 19 January 2008. Accordingly, the transition period laid down in that Article is applicable to the health claim relevant to beta-palmitate listed in the Annex of this Regulation.
- (14) As the health claim application relevant to *Lactobacillus delbrueckii* subsp. *bulgaricus* strain AY/CSL (LMG P-17224) and *Streptococcus thermophilus* strain 9Y/CSL (LMG P-17225) was not made before 19 January 2008, the requirement provided for in Article 28(6)(b) is not fulfilled, and the transition period laid down in that Article is not applicable.
- (15) However, in order to ensure that this Regulation is fully complied with, both food business operators and the national competent authorities should take the necessary actions to ensure that, at the latest six months following the entry into force of this Regulation, the health claims listed in its Annex that have been submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006 are no longer used.
- (16) The comments from the applicants and the members of the public received by the Commission pursuant to Article 16(6) of Regulation (EC) No 1924/2006 have been considered when setting the measures provided for in this Regulation.
- (17) 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 have opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

1. The health claims listed in the Annex to this Regulation shall not be included in the Union list of permitted claims as provided for in Article 14(1) of Regulation (EC) No 1924/2006.
2. However, health claims as referred to in Article 14(1)(b) of Regulation (EC) No 1924/2006 and referred to in paragraph 1 used prior to the entry into force of this Regulation, may continue to be used for a maximum period of six months after the entry into force of this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 May 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ The EFSA Journal 2011; 9(7):2289.

Rejected health claims

Application – Relevant provisions of Regulation (EC) No 1924/2006	Nutrient, substance, food or food category	Claim	EFSA opinion reference
Article 14(1)(a) health claim referring to a reduction of a disease risk	ProteQuine®	ProteQuine® elevates/maintains the level of ScIgA on mucous membranes. Decreased or insufficient level of ScIgA is a risk factor in the development of common cold or influenza	Q-2008-397
Article 14(1)(a) health claim referring to a reduction of a disease risk	ProteQuine® in combination with bovine lactoferrin	ProteQuine® in combination with bovine lactoferrin elevates/maintains the level of ScIgA on mucous membranes. Decreased or insufficient level of ScIgA is a risk factor in the development of common cold with sore throat and combination of ProteQuine® with bovine lactoferrin reduces the risk of the development of sore throat	Q-2008-398
Article 14(1)(b) health claim referring to children's development and health	<i>Lactobacillus delbrueckii</i> subsp. <i>bulgaricus</i> strain AY/CSL (LMG P-17224) and <i>Streptococcus thermophilus</i> strain 9Y/CSL (LMG P-17225)	Maintaining the gut health by normalizing the intestinal flora	Q-2008-273
Article 14(1)(b) health claim referring to children's development and health	Beta palmitate	Beta palmitate enrichment contributes to increase calcium absorption	Q-2008-172

COMMISSION REGULATION (EU) No 379/2012

of 3 May 2012

refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health

(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 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods ⁽¹⁾, and in particular Article 18(5) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 1924/2006 health claims made on foods are prohibited unless they are authorised by the Commission in accordance with that Regulation and included in a list of permitted claims.
- (2) Regulation (EC) No 1924/2006 also provides that applications for authorisations of health claims may be submitted by food business operators to the national competent authority of a Member State. The national competent authority is to forward valid applications to the European Food Safety Authority (EFSA), hereinafter referred to as 'the Authority'.
- (3) Following receipt of an application the Authority is to inform without delay the other Member States and the Commission thereof and to deliver an opinion on the health claim concerned.
- (4) The Commission is to decide on the authorisation of health claims taking into account the opinion delivered by the Authority.
- (5) Following an application from Valio Ltd, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of *Lactobacillus rhamnosus* GG (LGG) on maintenance of defence against pathogenic gastrointestinal micro-organisms (Question No EFSA-Q-2010-01028) ⁽²⁾. The claim proposed by the applicant was worded as follows: '*Lactobacillus* GG helps to maintain defence against intestinal pathogens'.
- (6) On 1 June 2010, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented,

a cause and effect relationship had not been established between the consumption of *Lactobacillus rhamnosus* GG and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.

- (7) Following an application from Gelita AG, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of collagen hydrolysate on maintenance of joints (Question No EFSA-Q-2011-00201) ⁽³⁾. The claim proposed by the applicant was worded as follows: 'Characteristic collagen peptide mixture (collagen hydrolysate) having a beneficial physiological effect on the maintenance of joint health in physically active people'.
- (8) On 20 July 2011, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of collagen hydrolysate and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (9) The health claims subject to this Regulation are health claims as referred to in point (a) of Article 13(1) of Regulation (EC) No 1924/2006 and may benefit from the transitional period laid down in Article 28(5) of that Regulation. As the Authority concluded that cause and effect relationships have not been established between the foods and the claimed effects, the claims do not comply with Regulation (EC) No 1924/2006, and therefore they may not benefit from the transitional period provided for in that Article.
- (10) In order to ensure that this Regulation is fully complied with, both food business operators and the national competent authorities should take the necessary actions to ensure that, at the latest six months following the entry into force of this Regulation, the health claims listed in its Annex are no longer used.
- (11) The comments from the applicants and the members of the public received by the Commission pursuant to Article 16(6) of Regulation (EC) No 1924/2006 have been considered when setting the measures provided for in this Regulation.

⁽¹⁾ OJ L 404, 30.12.2006, p. 9.

⁽²⁾ The EFSA Journal 2011; 9(6):2167.

⁽³⁾ The EFSA Journal 2011; 9(7):2291.

(12) 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 have opposed them,

2. However, the health claims referred to in paragraph 1 used prior to the entry into force of this Regulation may continue to be used for a maximum period of six months after the entry into force of this Regulation.

HAS ADOPTED THIS REGULATION:

Article 1

1. The health claims listed in the Annex to this Regulation shall not be included in the Union list of permitted claims as provided for in Article 13(3) of Regulation (EC) No 1924/2006.

Article 2

This Regulation shall enter into force on the twentieth 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, 3 May 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

Rejected health claims

Application — Relevant provisions of Regulation (EC) No 1924/2006	Nutrient, substance, food or food category	Claim	EFSA opinion reference
Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data	<i>Lactobacillus rhamnosus</i> GG (LGG)	<i>Lactobacillus</i> GG helps to maintain defence against intestinal pathogens	Q-2010-01028
Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data	Collagen hydrolysate	Characteristic collagen peptide mixture (collagen hydrolysate) having a beneficial physiological effect on the maintenance of joint health in physically active people	Q-2011-00201

COMMISSION REGULATION (EU) No 380/2012

of 3 May 2012

amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the conditions of use and the use levels for aluminium-containing food additives

(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 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) The European Food Safety Authority (EFSA), in its opinion of 22 May 2008 ⁽²⁾ recommended to lower the tolerable weekly intake (TWI) for aluminium to 1 mg/kg body weight/week. In addition, EFSA considers that the revised TWI is generally exceeded for high consumers, especially children, in a significant part of the Union.
- (3) EFSA considers that the major route of exposure to aluminium compounds for the general population is through food, both as a consequence of the natural occurrence of aluminium in food and the use of aluminium compounds in food processing, including food additives. However, EFSA is not able to quantify the respective role of each source due to the design of the human dietary studies and the analytical methods used, which only determine the total aluminium content in food.
- (4) Annex II to Regulation (EC) No 1333/2008 authorises the use of aluminium-containing food additives in a wide number of foodstuffs, often at very high maximum permitted levels or without any indication of the maximum concentration levels (*Quantum satis*).
- (5) Annex II to Regulation (EC) No 1333/2008 and Commission Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council ⁽³⁾ authorise the use of some colours that may contain aluminium

in the form of lakes in a wide number of foodstuffs, in general without any indication of the maximum concentration levels of aluminium in the lakes.

- (6) It is therefore appropriate to amend the current conditions of use and reduce the use levels for aluminium-containing food additives, including aluminium lakes, to ensure that the revised TWI is not exceeded.
- (7) Since manufacturing practices using higher amounts of food additives have been applied since decades, a transitional period should be provided to allow the food business operators to adapt to the new requirements laid down in this Regulation for the uses of aluminium-containing food additives others than lakes.
- (8) Labelling of aluminium content in aluminium lakes not intended for sale to the final consumer is currently optional. It should become mandatory within 12 months from the entry into force of this Regulation in order to allow food manufacturers using aluminium lakes to adapt to the proposed maximum limits for such lakes. Therefore a longer transitional period than 12 months should be provided to allow the food business operators to adapt to the new requirements laid down in this Regulation.
- (9) Annex II as amended by Commission Regulation (EU) No 1129/2011 ⁽⁴⁾ is in principle applicable from 1 June 2013. In order to facilitate the effective implementation of Annex II, it is appropriate to insert in the Annex the periods of application that do not start on 1 June 2013 and are posterior to the entry into force of this Regulation.
- (10) The aluminium containing carrier bentonite, E 558 is not used any more according to information submitted by food manufacturers. Therefore, it is not included in Part 1 of Annex III to Regulation (EC) No 1333/2008 and should also be deleted from the list of all additives in Part B of Annex II to Regulation (EC) No 1333/2008.
- (11) The aluminium containing food additives calcium aluminium silicate E 556 and aluminium silicate (kaolin) E 559 should be deleted from the list of all additives in Part B of Annex II to Regulation (EC) No 1333/2008, since these substances can be replaced by other food additives.

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.⁽²⁾ Scientific Opinion of the Panel on Food Additives, Flavourings, Processing Aids and Food Contact Materials (AFC) on Safety of aluminium from dietary intake, *The EFSA Journal* (2008) 754, p. 1.⁽³⁾ OJ L 83, 22.3.2012, p. 1.⁽⁴⁾ OJ L 295, 12.11.2011, p. 1.

(12) 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

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

Article 2

1. Foods not complying with the provisions laid down in this Regulation applicable from 1 February 2014 that have

been lawfully placed on the market before 1 February 2014, may continue to be marketed until their date of minimum durability or use-by date.

2. By derogation from paragraph 1, foods containing aluminium lakes and not complying with the provisions laid down in this Regulation applicable from 1 August 2014, that have been lawfully placed on the market before 1 August 2014, may continue to be marketed until their date of minimum durability or use-by date.

Article 3

This Regulation shall enter into force on the twentieth 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 the Member States.

Done at Brussels, 3 May 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

Annex II to Regulation (EC) No 1333/2008 is amended as follows:

(a) Part A is amended as follows:

(i) In Section 2, point 4 is replaced by the following:

"4. Aluminium lakes prepared from all colours listed in Table 1 of Part B are authorised until 31 July 2014.

From 1 August 2014 only aluminium lakes prepared from the colours listed in Table 3 of this Part A are authorised and only in those food categories where provisions on maximum limits on aluminium coming from lakes are explicitly stated in Part E ."

(ii) the following Table 3 is added:

Table 3

Colours which may be used in the form of lakes

E-number	Name
E 100	Curcumin
E 102	Tartrazine
E 104	Quinoline Yellow
E 110	Sunset Yellow FCF/Orange Yellow S
E 120	Cochineal, Carminic acid, Carmines
E 122	Azorubine, Carmoisine
E 123	Amaranth
E 124	Ponceau 4R, Cochineal Red A
E 127	Erythrosine
E 129	Allura Red AC
E 131	Patent Blue V
E 132	Indigotine, Indigo carmine
E 133	Brilliant Blue FCF
E 141	Copper complexes of chlorophylls and chlorophyllins
E 142	Green S
E 151	Brilliant Black BN, Black PN
E 155	Brown HT
E 163	Anthocyanins
E 180	Litholrubine BK'

(b) In Part B, Table 3, (Additives other than colours and sweeteners) is amended as follows:

(i) the entries concerning E 556 Calcium aluminium silicate, E 558 Bentonite and E 559 Aluminium silicate (Kaolin) are replaced by the following:

E 556	Calcium aluminium silicate (*)
E 558	Bentonite (**)
E 559	Aluminium silicate (Kaolin) (*)

(ii) the following footnotes are added:

'(*) = authorised until 31 January 2014

(**) = authorised until 31 May 2013'

(c) In Part C, Table (5), point (s) "E 551 – 559: Silicon dioxide – silicates" is replaced by the following:

'(s.1.) E 551 – 559: Silicon dioxide – silicates (*)

E-number	Name
E 551	Silicon dioxide
E 552	Calcium silicate
E 553a	Magnesium silicate
E 553b	Talc
E 554	Sodium aluminium silicate
E 555	Potassium aluminium silicate
E 556	Calcium aluminium silicate
E 559	Aluminium silicate (Kaolin)

(s.2.) E 551 – 553: Silicon dioxide – silicates (**)

E-number	Name
E 551	Silicon dioxide
E 552	Calcium silicate
E 553a	Magnesium silicate
E 553b	Talc

(*) applicable until 31 January 2014.

(**) applicable from 1 February 2014.'

(d) Part E is amended as follows:

(1) In category 0 (Food additives permitted in all categories of foods),

(i) the entry concerning additives E 551-559 (only foods in dried powdered form (i.e. foods dried during the production process, and mixtures thereof), excluding foods listed in table 1 of Part A of this Annex) is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000	(1) (57)	only foods in dried powdered form (i.e. foods dried during the production process, and mixtures thereof), excluding foods listed in table 1 of Part A of this Annex	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000	(1) (57)	only foods in dried powdered form (i.e. foods dried during the production process, and mixtures thereof), excluding foods listed in table 1 of Part A of this Annex	Period of application: from 1 February 2014.'

- (ii) the entry concerning additives E 551-559 (only foods in tablet and coated tablet form, excluding the foods listed in table 1 of Part A of this Annex) is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	<i>quantum satis</i>	(1)	only foods in tablet and coated tablet form, excluding the foods listed in table 1 of Part A of this Annex	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	<i>quantum satis</i>	(1)	only foods in tablet and coated tablet form, excluding the foods listed in table 1 of Part A of this Annex	Period of application: from 1 February 2014'

- (2) In category 01.4 (Flavoured fermented milk products including heat treated products):

- (i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(74)		Period of application: from 1 August 2014'

- (ii) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	150			Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	150	(74)		Period of application: from 1 August 2014'

- (iii) the entry concerning the additive E 104 is replaced by the following:

'E 104	Quinoline Yellow	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	10	(61), (74)		Period of application: from 1 August 2014'

- (iv) the entry concerning the additive E 110 is replaced by the following:

'E 110	Sunset Yellow FCF/Orange Yellow S	5	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	5	(61) (74)		Period of application: from 1 August 2014'

- (v) the entry concerning the additive E 124 is replaced by the following:

'E 124	Ponceau 4R, Cochineal Red A	5	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	5	(61) (74)		Period of application: from 1 August 2014'

(vi) the following footnote is added:

		'(74): Maximum limit for aluminium coming from all aluminium lakes 15 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'
--	--	---

(3) In category 01.7.2 (Ripened cheese) the entry concerning additives, E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000	(1)	only sliced or grated cheese hard and semi-hard cheese	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000	(1)	only sliced or grated cheese hard and semi-hard cheese	Period of application: from 1 February 2014'

(4) In category 01.7.3 (Edible cheese rind):

(i) the entry concerning Group III is replaced by the following:

'Group III	Colours with combined maximum limit	<i>quantum satis</i>			Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	<i>quantum satis</i>	(67)		Period of application: from 1 August 2014'

(ii) the entry concerning the additive E 180 is replaced by the following:

E 180	Litholrubine BK	<i>quantum satis</i>			Period of application: until 31 July 2014
E 180	Litholrubine BK	<i>quantum satis</i>	(67)		Period of application: from 1 August 2014'

(iii) the following footnote is added:

		'(67): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines and E 180 litholrubine BK 10 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'
--	--	---

(5) In category 01.7.5 (Processed cheese):

(i) the entry concerning the additive E 120 is replaced by the following:

E 120	Cochineal, Carminic acid, Carmines	100	(33)	only flavoured processed cheese	Period of application: until 31 July 2014
E 120	Cochineal, Carminic acid, Carmines	100	(33) (66)	only flavoured processed cheese	Period of application: from 1 August 2014'

(ii) the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000	(1)		Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000	(1)		Period of application: from 1 February 2014'

(iii) the following footnote is added:

		'(66): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines 1,5 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

(6) In category 01.7.6 (Cheese products (excluding products falling in category 16)) the entry concerning additives E 551 – 559 is replaced by the following:

'E 551 – 559	Silicon dioxide, calcium silicate, magnesium silicate, talc	10 000	(1)	only sliced or grated hard and semi-hard products	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000	(1)	only sliced or grated hard and semi-hard products	Period of application: from 1 February 2014'

(7) In category 01.8 (Dairy analogues, including beverage whiteners), the entry concerning additives E 551 – 559 is replaced by the following:

'E 551 – 559	Silicon dioxide – silicates	10 000	(1)	only sliced or grated cheese analogues and processed cheese analogue; beverage whiteners	Period of application: Until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000	(1)	only sliced or grated cheese analogues and processed cheese analogue; beverage whiteners	Period of application: from 1 February 2014'

(8) In category 02.2.2 (Other fat and oil emulsions including spreads as defined by Council Regulation (EC) No 1234/2007 and liquid emulsions), the entry concerning additives E 551 – 559 is replaced by the following:

'E 551 – 559	Silicon dioxide – silicates	30 000	(1)	only tin greasing products	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	30 000	(1)	only tin greasing products	Period of application: from 1 February 2014'

(9) In category 02.3 (Vegetable oil pan spray) the entry concerning additives E 551 – 559 is replaced by the following:

'E 551 – 559	Silicon dioxide – silicates	30 000	(1)	only tin greasing products	Period of application: Until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	30 000	(1)	only tin greasing products	Period of application: from 1 February 2014'

(10) In category 03.(Edible ices):

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(75)		Period of application: from 1 August 2014'

(ii) the following footnote is added:

		'(75): Maximum limit for aluminium coming from all aluminium lakes 30 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(11) In category 04.2.5.2 (Jams, jellies and marmalades and sweetened chestnut purée as defined by Directive 2001/113/EC):

(i) the entry concerning the additive E 120 is replaced by the following:

E 120	Cochineal, Carminic acid, Carmines	100	(31)	except chestnut puree	Period of application: until 31 July 2014
E 120	Cochineal, Carminic acid, Carmines	100	(31) (66)	except chestnut puree	Period of application: from 1 August 2014'

(ii) the following footnote is added:

		'(66): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines 1,5 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

(12) In category 05.2 (Other confectionery including breath refreshing microsweets):

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(72)		Period of application: from 1 August 2014'

(ii) the entry concerning group III (except candied fruit and vegetables) is replaced by the following:

'Group III	Colours with combined maximum limit	300	(25)	except candied fruit and vegetables	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	300	(25) (72)	except candied fruit and vegetables	Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 used in foodstuffs falling under category 05.2 except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc. is replaced by the following:

E 104	Quinoline Yellow	30	(61)	except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 January 2014 to 31 July 2014
-------	------------------	----	------	--	--

E 104	Quinoline Yellow	30	(61) (72)	except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 August 2014'
-------	------------------	----	-----------	--	--

- (iv) the entry concerning the additive E 110 used in fodstuffs falling under category 05.2 except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc. is replaced by the following:

'E 110	Sunset Yellow FCF/Orange Yellow S	35	(61)	except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	35	(61) (72)	except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 August 2014'

- (v) the entry concerning the additive E 124 used in fodstuffs falling under category 05.2 except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc. is replaced by the following:

'E 124	Ponceau 4R, Cochineal Red A	20	(61)	except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	20	(61) (72)	except candied fruit and vegetables; traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 August 2014'

- (vi) the entry concerning group III (only candied fruit and vegetables) is replaced by the following:

'Group III	Colours with combined maximum limit	200		only candied fruit and vegetables	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	200	(72)	only candied fruit and vegetables	Period of application: from 1 August 2014'

(vii) the entry concerning the additive E 104 used only in candied fruit and vegetables is replaced by the following:

E 104	Quinoline Yellow	30	(61)	only candied fruit and vegetables	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	30	(61) (72)	only candied fruit and vegetables	Period of application: from 1 August 2014'

(viii) the entry concerning the additive E 110 used only in candied fruit and vegetables is replaced by the following:

E 110	Sunset Yellow FCF/Orange Yellow S	10	(61)	only candied fruit and vegetables	Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	10	(61) (72)	only candied fruit and vegetables	Period of application: from 1 August 2014'

(ix) the entry concerning the additive E 124 used only in candied fruit and vegetables is replaced by the following:

E 124	Ponceau 4R, Cochineal Red A	10	(61)	only candied fruit and vegetables	Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	10	(61) (72)	only candied fruit and vegetables	Period of application: from 1 August 2014'

(x) the entry concerning the additive E 104 used only in traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc. is replaced by the following:

E 104	Quinoline Yellow	300	(61)	only traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	300	(61) (72)	only traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 August 2014'

(xi) the entry concerning the additive E 110 used only in traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc. is replaced by the following:

E 110	Sunset Yellow FCF/Orange Yellow S	50	(61)	only traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	50	(61) (72)	only traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 August 2014'

(xii) the entry concerning the additive E 124 used only in traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc. is replaced by the following:

E 124	Ponceau 4R, Cochineal Red A	50	(61)	only traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	50	(61) (72)	only traditional sugar coated nut- or cocoa-based confectionery of almond shape or host shape, typically longer than 2 cm and typically consumed at celebratory occasions ie: weddings, communion etc.	Period of application: from 1 August 2014'

(xiii) the entry concerning the additive E 173 Aluminium is replaced by the following:

E 173	Aluminium	<i>quantum satis</i>		only external coating of sugar confectionery for the decoration of cakes and pastries	Period of application: until 1 February 2014'
-------	-----------	----------------------	--	---	---

(xiv) the entry concerning additives E 520 – 523 aluminium sulphates is replaced by the following:

E 520 – 523	Aluminium sulphates	200	(1), (38)	only candied, crystallized or glacé fruit and vegetables	Period of application: until 31 January 2014
E 520 – 523	Aluminium sulphates	200	(1) (38)	only candied cherries	Period of application: from 1 February 2014'

(xv) the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	<i>quantum satis</i>	(1)	surface treatment only	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	<i>quantum satis</i>	(1)	surface treatment only	Period of application: from 1 February 2014'

(xvi) the following footnote is added:

		'(72): Maximum limit for aluminium coming from all aluminium lakes 70 mg/kg. As a derogation to this rule, the maximum limit only for microsweets shall be 40 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(13) In category 05.3 (Chewing gum):

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(73)		Period of application: from 1 August 2014'

(ii) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	300	(25)		Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	300	(25) (73)		Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 is replaced by the following:

E 104	Quinoline Yellow	30	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	30	(61) (73)		Period of application: from 1 August 2014'

(iv) the entry concerning the additive E 110 is replaced by the following:

E 110	Sunset Yellow FCF/Orange Yellow S	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	10	(61) (73)		Period of application: from 1 August 2014'

(v) the entry concerning the additive E 124 is replaced by the following:

E 124	Ponceau 4R, Cochineal Red A	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	10	(61) (73)		Period of application: from 1 August 2014'

(vi) the following footnote is added:

		(73): Maximum limit for aluminium coming from all aluminium lakes 300 mg/kg For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'
--	--	--

(14) In category 05.4 (Decorations, coatings and fillings, except fruit based fillings covered by category 4.2.4)

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(73)		Period of application: from 1 August 2014'

(ii) the entry concerning group III (only decorations, coatings and sauces, except fillings) is replaced by the following:

'Group III	Colours with combined maximum limit	500		only decorations, coatings and sauces, except fillings	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	500	(73)	only decorations, coatings and sauces, except fillings	Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 (only decorations, coatings and sauces, except fillings) is replaced by the following:

'E 104	Quinoline Yellow	50	(61)	only decorations, coatings and sauces, except fillings	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	50	(61) (73)	only decorations, coatings and sauces, except fillings	Period of application: from 1 August 2014'

(iv) the entry concerning the additive E 110 (only decorations, coatings and sauces, except fillings) is replaced by the following:

'E 110	Sunset Yellow FCF/Orange Yellow S	35	(61)	only decorations, coatings and sauces, except fillings	Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	35	(61) (73)	only decorations, coatings and sauces, except fillings	Period of application: from 1 August 2014'

(v) the entry concerning the additive E 124 (only decorations, coatings and sauces, except fillings) is replaced by the following:

'E 124	Ponceau 4R, Cochineal Red A	55	(61)	only decorations, coatings and sauces, except fillings	Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	55	(61) (73)	only decorations, coatings and sauces, except fillings	Period of application: from 1 August 2014'

(vi) the entry concerning group III (only fillings) is replaced by the following:

'Group III	Colours with combined maximum limit	300	(25)	only fillings	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	300	(25) (73)	only fillings	Period of application: from 1 August 2014'

(vii) the entry concerning the additive E 104 (only fillings) is replaced by the following:

E 104	Quinoline Yellow	50	(61)	only fillings	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	50	(61) (73)	only fillings	Period of application: from 1 August 2014'

(viii) the entry concerning the additive E 110 (only fillings) is replaced by the following:

E 110	Sunset Yellow FCF/Orange Yellow S	35	(61)	only fillings	Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	35	(61) (73)	only fillings	Period of application: from 1 August 2014'

(ix) the entry concerning the additive E 124 (only fillings) is replaced by the following:

E 124	Ponceau 4R, Cochineal Red A	55	(61)	only fillings	Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	55	(61) (73)	only fillings	Period of application: from 1 August 2014'

(x) the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	<i>quantum satis</i>		surface treatment only	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	<i>quantum satis</i>		surface treatment only	Period of application: from 1 February 2014'

(xi) the following footnote is added:

		'(73): Maximum limit for aluminium coming from all aluminium lakes 300 mg/kg .For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

(15) In category 07.2 (Fine bakery wares):

(i) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	200	(25)		Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	200	(25) (76)		Period of application: from 1 August 2014'

(ii) the entry concerning the additive E 541 is replaced by the following:

E 541	Sodium aluminium phosphate acidic	1 000	(38)	only scones and sponge wares	Period of application: until 31 January 2014
E 541	Sodium aluminium phosphate acidic	400	(38)	only sponge cakes produced from contrasting coloured segments held together by jam or spreading jelly and encased by a flavoured sugar paste (the maximum limit applies only to the sponge part of the cake)	Period of application: from 1 February 2014'

(iii) the following footnote is added:

		'(76): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines 5 mg/kg. No other aluminium lakes may be used. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

(16) In category 08.2.1 (Non heat treated processed meat)

(i) the entry concerning the additive E 120 (only sausages) is replaced by the following:

E 120		Cochineal, Carminic acid, Carmines	100		only sausages	Period of application: until 31 July 2014
E 120		Cochineal, Carminic acid, Carmines	100	(66)	only sausages	Period of application: from 1 August 2014'

(ii) the entry concerning the additive E 120 (only *pasturmas*) is replaced by the following:

E 120		Cochineal, Carminic acid, Carmines	<i>quantum satis</i>		only <i>pasturmas</i>	Period of application: until 31 July 2014
E 120		Cochineal, Carminic acid, Carmines	<i>quantum satis</i>	(66)	only <i>pasturmas</i>	Period of application: from 1 August 2014'

(iii) the following footnote is added:

		'(66): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines 1,5 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

(17) In category 08.2.2 (Heat treated processed meat):

(i) the entry concerning the additive E 120 is replaced by the following:

E 120	Cochineal, Carminic acid, Carmines	100		only sausages, patés and terrines	Period of application: until 31 July 2014
E 120	Cochineal, Carminic acid, Carmines	100	(66)	only sausages, patés and terrines	Period of application: from 1 August 2014'

(ii) the following footnote is added:

		'(66): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines 1,5 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'
--	--	--

(18) In category 08.2.3 (Casings and coatings and decorations for meat)

(i) the entry concerning group III (only decorations and coatings except edible external coating of *pasturmas*) is replaced by the following:

'Group III	Colours with combined maximum limit	500		only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	500	(78)	only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: from 1 August 2014'

(ii) the entry concerning the additive E 104 (only decorations and coatings except edible external coating of *pasturmas*) is replaced by the following:

'E 104	Quinoline Yellow	50	(61)	only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	50	(61) (78)	only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 110 (only decorations and coatings except edible external coating of *pasturmas*) is replaced by the following:

'E 110	Sunset Yellow FCF/Orange Yellow S	35	(61)	only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	35	(61) (78)	only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: from 1 August 2014'

(iv) the entry concerning the additive E 124 (only decorations and coatings except edible external coating of *pasturmas*) is replaced by the following:

'E 124	Ponceau 4R, Cochineal Red A	55	(61)	only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	55	(61) (78)	only decorations and coatings except edible external coating of <i>pasturmas</i>	Period of application: from 1 August 2014'

(v) the entry concerning group III (only edible casings) is replaced by the following:

'Group III	Colours with combined maximum limit	<i>quantum satis</i>		only edible casings	Period of application: Until 31 July 2014
Group III	Colours with combined maximum limit	<i>quantum satis</i>	(78)	only edible casings	Period of application: From 1 August 2014'

(vi) the entry concerning the additive E 104 (only edible casings) is replaced by the following:

'E 104	Quinoline Yellow	10	(62)	only edible casings	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	10	(62) (78)	only edible casings	Period of application: from 1 August 2014'

(vii) the entry concerning the additive E 120 is replaced by the following:

'E 120	Cochineal, Carminic acid, Carmines	<i>quantum satis</i>		only edible external coating of <i>pasturmas</i>	Period of application: until 31 July 2014
E 120	Cochineal, Carminic acid, Carmines	<i>quantum satis</i>	(78)	only edible external coating of <i>pasturmas</i>	Period of application: from 1 August 2014'

(viii) the following footnote is added:

		'(78): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines 10 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(19) In category 09.3 (Fish roe):

(i) the entry concerning the additive E123 is replaced by the following:

'E 123	Amaranth	30		except Sturgeons' eggs (Caviar)	Period of application: until 31 July 2014
E 123	Amaranth	30	(68)	except Sturgeons' eggs (Caviar)	Period of application: from 1 August 2014'

(ii) the following footnote is added:

		'(68): Maximum limit for aluminium coming from aluminium lakes of E 123 amaranth 10 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(20) In category 10.1 (Unprocessed eggs):

(i) the entry is replaced by the following:

'The Food colours listed in Annex II, part B 1 may be used for the decorative colouring of egg shells or for the stamping of egg shells as provided in Regulation (EC) No 589/2008.					Period of application: until 31 July 2014
The Food colours listed in Annex II, part B 1 may be used for the decorative colouring of egg shells or for the stamping of egg shells as provided in Regulation (EC) No 589/2008. (77)					Period of application: from 1 August 2014'

(ii) the following footnote is added:

		‘(77): Maximum limit for aluminium coming from all aluminium lakes “ <i>quantum satis</i> ”. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.’
--	--	---

(21) In category 10.2 (Processed eggs and egg products):

(i) the first line is replaced by the following:

The Food colours listed in part B 1 of this Annex may be used for the decorative colouring of egg shells	Period of application: until 31 July 2014
The Food colours listed in part B 1 of this Annex may be used for the decorative colouring of egg shells (77)	Period of application: from 1 August 2014’

(ii) the entry concerning additives E 520 – 523 is replaced by the following:

E 520 – 523	Aluminium sulphates	30	(1) (38)	only egg white	Period of application: until 31 January 2014
E 520	Aluminium sulphate	25	(38)	Liquid egg white for egg foams only	Period of application: from 1 February 2014’

(iii) the following footnote is added:

		‘(77): Maximum limit for aluminium coming from all aluminium lakes “ <i>quantum satis</i> ”. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.’
--	--	---

(22) In category 11.1 (Sugars and syrups as defined by Directive 2001/111/EC):

(i) the entry concerning additives E 551 – 559 (only foods in tablet and coated tablet form) is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	<i>quantum satis</i>	(1)	only foods in tablet and coated tablet form	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	<i>quantum satis</i>	(1)	only foods in tablet and coated tablet form	Period of application: from 1 February 2014’

(ii) the entry concerning additives E 551 – 559 (only dried powdered foods) is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000	(1)	only dried powdered foods	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000	(1)	only dried powdered foods	Period of application: from 1 February 2014’

(23) In category 11.4.2 (Table Top Sweeteners in powder form), the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000	(1)		Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000	(1)		Period of application: from 1 February 2014’

(24) In category 11.4.3 (Table Top Sweeteners in tablets), the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	<i>quantum satis</i>			Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	<i>quantum satis</i>			Period of application: from 1 February 2014'

(25) In category 12.1.1 (Salt):

(i) the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000			Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000			Period of application: from 1 February 2014
E 554	Sodium aluminium silicate	20 mg/kg carry over in cheese	(38)	Only for salt intended for surface treatment of ripened cheese, food category 01.7.2	Period of application: from 1 February 2014'

(ii) the following footnote is inserted:

		'(38): Expressed as aluminium'
--	--	--------------------------------

(26) In category 12.1.2 (Salt substitutes) the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	20 000			Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	20 000			Period of application: from 1 February 2014'

(27) In category 12.2.2 (Seasonings and condiments):

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>		only seasonings, for example curry powder, tandoori	Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(70)	only seasonings, for example curry powder, tandoori	Period of application: from 1 August 2014'

(ii) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	500		only seasonings, for example curry powder, tandoori	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	500	(70)	only seasonings, for example curry powder, tandoori	Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 is replaced by the following:

E 104	Quinoline Yellow	10	(62)	only seasonings, for example curry powder, tandoori	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	10	(62) (70)	only seasonings, for example curry powder, tandoori	Period of application: from 1 August 2014'

(iv) the entry concerning additives E 551 – 559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	30 000	(1)	only seasoning	Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	30 000	(1)	only seasoning	Period of application: from 1 February 2014'

(v) the following footnote is added:

		'(70): Maximum limit for aluminium coming from all aluminium lakes 120 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

(28) In category 12.6 (Sauces):

(i) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	500		including pickles, relishes, chutney and picalilli; excluding tomato-based sauces	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	500	(65)	including pickles, relishes, chutney and picalilli; excluding tomato-based sauces	Period of application: from 1 August 2014'

(ii) the following footnote is added:

		'(65): Maximum limit for aluminium coming from aluminium lakes of E 120 cochineal, carminic acid, carmines 10 mg/kg. No other aluminium lakes may be used. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(29) In category 14.1.4 (Flavoured drinks):

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>		excluding chocolate milk and malt products	Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(74)	excluding chocolate milk and malt products	Period of application: from 1 August 2014'

(ii) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	100	(25)	excluding chocolate milk and malt products	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	100	(25) (74)	excluding chocolate milk and malt products	Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 is replaced by the following:

'E 104	Quinoline Yellow	10	(61)	excluding chocolate milk and malt products	Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	10	(61) (74)	excluding chocolate milk and malt products	Period of application: from 1 August 2014'

(iv) the entry concerning the additive E 110 is replaced by the following:

'E 110	Sunset Yellow FCF/Orange Yellow S	20	(61)	excluding chocolate milk and malt products	Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	20	(61) (74)	excluding chocolate milk and malt products	Period of application: from 1 August 2014'

(v) the entry concerning the additive E 124 is replaced by the following:

'E 124	Ponceau 4R, Cochineal Red A	10	(61)	excluding chocolate milk and malt products	Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	10	(61) (74)	excluding chocolate milk and malt products	Period of application: from 1 August 2014'

(vi) the following footnote is added:

		'(74): Maximum limit for aluminium coming from all aluminium lakes 15 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(30) In category 15.1 (Potato-, cereal-, flour- or starch-based snacks)

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(71)		Period of application: from 1 August 2014'

(ii) the entry concerning group III (excluding extruded or expanded savoury snack products) is replaced by the following:

'Group III	Colours with combined maximum limit	100		excluding extruded or expanded savoury snack products	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	100	(71)	excluding extruded or expanded savoury snack products	Period of application: from 1 August 2014'

(iii) the entry concerning group III (only extruded or expanded savoury snack products) is replaced by the following:

'Group III	Colours with combined maximum limit	200		only extruded or expanded savoury snack products	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	200	(71)	only extruded or expanded savoury snack products	Period of application: from 1 August 2014'

(iv) the following footnote is added:

		'(71): Maximum limit for aluminium coming from all aluminium lakes 30 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(31) In category 16. (Desserts excluding products covered in category 1, 3 and 4)

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(74)		Period of application: from 1 August 2014'

(ii) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	150			Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	150	(74)		Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 is replaced by the following:

'E 104	Quinoline Yellow	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	10	(61) (74)		Period of application: from 1 August 2014'

(iv) the entry concerning the additive E 110 is replaced by the following:

'E 110	Sunset Yellow FCF/Orange Yellow S	5	(61)		Period of application: from 1 January 2014 to 31 July 2014
--------	-----------------------------------	---	------	--	--

E 110	Sunset Yellow FCF/Orange Yellow S	5	(61) (74)		Period of application: from 1 August 2014'
-------	-----------------------------------	---	-----------	--	---

(v) the entry concerning the additive E 124 is replaced by the following:

'E 124	Ponceau 4R, Cochineal Red A	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	10	(61) (74)		Period of application: from 1 August 2014'

(vi) the following footnote is added:

		'(74): Maximum limit for aluminium coming from all aluminium lakes 15 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	---	--	--	--

(32) In category 17.1 (Food supplements supplied in a solid form including capsules and tablets and similar forms, excluding chewable forms):

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(69)		Period of application: from 1 August 2014'

(ii) the entry concerning group III is replaced by the following:

'Group III	Colours with combined maximum limit	300			Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	300	(69)		Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 is replaced by the following:

'E 104	Quinoline Yellow	35	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	35	(61) (69)		Period of application: from 1 August 2014'

(iv) the entry concerning the additive E 110 is replaced by the following:

'E 110	Sunset Yellow FCF/Orange Yellow S	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	10	(61) (69)		Period of application: from 1 August 2014'

(v) the entry concerning the additive E 124 is replaced by the following:

E 124	Ponceau 4R, Cochineal Red A	35	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	35	(61) (69)		Period of application: from 1 August 2014'

(vi) the entry concerning additives E 551-559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000			Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000			Period of application: from 1 February 2014'

(vii) the following footnote is added:

		'(69): Maximum limit for aluminium coming from all aluminium lakes 150 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

(33) In category 17.2 (Food supplements supplied in a liquid form):

(i) the entry concerning additives E 551-559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000			Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000			Period of application: from 1 February 2014'

(34) In category 17.3 (Food supplements supplied in a syrup-type or chewable form):

(i) the entry concerning group II is replaced by the following:

'Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>			Period of application: until 31 July 2014
Group II	Colours at <i>quantum satis</i>	<i>quantum satis</i>	(69)		Period of application: from 1 August 2014'

(ii) the entry concerning III (only solid food supplements) is replaced by the following:

'Group III	Colours with combined maximum limit	300		only solid food supplements	Period of application: until 31 July 2014
Group III	Colours with combined maximum limit	300	(69)	only solid food supplements	Period of application: from 1 August 2014'

(iii) the entry concerning the additive E 104 is replaced by the following:

E 104	Quinoline Yellow	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 104	Quinoline Yellow	10	(61) (69)		Period of application: from 1 August 2014'

(iv) the entry concerning the additive E 110 is replaced by the following:

E 110	Sunset Yellow FCF/Orange Yellow S	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 110	Sunset Yellow FCF/Orange Yellow S	10	(61) (69)		Period of application: from 1 August 2014'

(v) the entry concerning the additive E 124 is replaced by the following:

E 124	Ponceau 4R, Cochineal Red A	10	(61)		Period of application: from 1 January 2014 to 31 July 2014
E 124	Ponceau 4R, Cochineal Red A	10	(61) (69)		Period of application: from 1 August 2014'

(vi) the entry concerning additives E 551-559 is replaced by the following:

E 551 – 559	Silicon dioxide – silicates	10 000			Period of application: until 31 January 2014
E 551 – 553	Silicon dioxide – silicates	10 000			Period of application: from 1 February 2014'

(vii) the following footnote is added:

		'(69): Maximum limit for aluminium coming from all aluminium lakes 150 mg/kg. For the purposes of Article 22 (1) (g) of Regulation (EC) No 1333/2008 that limit shall apply from 1 February 2013.'			
--	--	--	--	--	--

COMMISSION IMPLEMENTING REGULATION (EU) No 381/2012**of 3 May 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, 3 May 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	MA	64,1
	TN	124,7
	TR	131,5
	ZZ	106,8
0707 00 05	JO	225,1
	TR	128,9
	ZZ	177,0
0709 93 10	JO	225,1
	MA	29,9
	TR	107,4
	ZZ	120,8
0805 10 20	EG	51,0
	IL	69,2
	MA	53,5
	TN	116,7
	ZA	40,1
	ZZ	66,1
0805 50 10	TR	36,9
	ZA	91,9
	ZZ	64,4
0808 10 80	AR	118,3
	BR	76,9
	CA	148,4
	CL	92,3
	CN	117,3
	MK	31,8
	NZ	129,6
	US	168,3
	ZA	84,7
	ZZ	107,5

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

COMMISSION IMPLEMENTING REGULATION (EU) No 382/2012**of 3 May 2012****on the minimum customs duty for sugar to be fixed in response to the fifth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) No 1239/2011**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Commission Implementing Regulation (EU) No 1239/2011 ⁽²⁾ opened a standing invitation to tender for the 2011/2012 marketing year for imports of sugar of CN code 1701 at a reduced customs duty.
- (2) In accordance with Article 6 of Implementing Regulation (EU) No 1239/2011, the Commission is to decide, in the light of the tenders received in response to a partial invitation to tender, either to fix a minimum customs duty or not to fix a minimum customs duty per eight-digit CN code.
- (3) On the basis of the tenders received for the fifth partial invitation to tender, a minimum customs duty should be fixed for certain eight-digit codes for sugar falling within

CN code 1701 and no minimum customs duty should be fixed for the other eight-digit codes for sugar falling within that CN code.

- (4) In order to give a rapid signal to the market and to ensure efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the fifth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) No 1239/2011, in respect of which the time limit for the submission of tenders expired on 2 May 2012, a minimum customs duty has been fixed, or has not been fixed, as set out in the Annex to this Regulation for the eight-digit codes for sugar falling within CN code 1701.

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, 3 May 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 318, 1.12.2011, p. 4.

ANNEX

Minimum customs duties*(EUR/tonne)*

Eight-digit CN code	Minimum customs duty
1	2
1701 12 10	X
1701 12 90	—
1701 13 10	X
1701 13 90	—
1701 14 10	289,36
1701 14 90	—
1701 91 00	X
1701 99 10	320,00
1701 99 90	X

(—) no minimum customs duty fixed (all offers rejected)

(X) no offers

DECISIONS

COUNCIL DECISION 2012/237/CFSP

of 3 May 2012

concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) In view of the seriousness of the current situation in the Republic of Guinea-Bissau, the Council considers it necessary to adopt measures targeting those who seek to prevent or block a peaceful political process or who take action that undermines stability in the Republic of Guinea-Bissau, in particular those who played a leading role in the mutiny of 1 April 2010 and the coup d'état of 12 April 2012 and who aim, through their actions, at undermining the rule of law, curtailing the primacy of civilian power and furthering impunity and instability in the country.
- (2) Further action by the Union is needed in order to implement certain measures,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of persons engaging in or providing support for acts that threaten the peace, security or stability of the Republic of Guinea-Bissau and persons associated with them, as listed in the Annex.
2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.
3. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:
 - (a) as a host country of an international intergovernmental organisation;
 - (b) as a host country to an international conference convened by, or under the auspices of, the United Nations;
 - (c) under a multilateral agreement conferring privileges and immunities; or
 - (d) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and Italy.

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

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

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

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

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

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by natural or legal persons, entities or bodies engaging in or providing support for acts that threaten the peace, security or stability of the Republic of Guinea-Bissau and natural or legal persons, entities or bodies associated with them, as listed in the Annex, shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in the Annex.
3. The competent authority of a Member State may authorise the release of certain frozen funds or economic resources or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:

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

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

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

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

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

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

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the provisions of this Decision,

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

Article 3

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall adopt amendments to the list contained in the Annex as required.

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

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

Article 4

In order to maximise the impact of the measures set out in this Decision, the Union shall encourage third States to adopt restrictive measures similar to those contained in this Decision.

Article 5

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

This Decision shall apply until 5 May 2013. It shall be kept under constant review. It shall be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.

Done at Brussels, 3 May 2012.

For the Council
The President
N. WAMMEN

ANNEX

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

Persons

	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing	Date of listing
1.	General António INJAI (a.k.a António INDJAI)	Nationality: Guinea-Bissau d.o.b.: 20 January 1955 p.o.b.: Encheia, Sector de Bissorá, Região de Oio, Guiné-Bissau Parentage: Wasna Injai and Quiritche Cofte Official function: Lieutenant General – Chefe de Estado-Maior Geral das Forças Armadas National ID: Unknown (Guinea-Bissau) Passport: Diplomatic passport AAID00435 Date of issue: 18.02.2010 Place of issue: Guinea-Bissau Date of expiry: 18.02.2013	António Injai has been personally involved in planning and leading the mutiny of 1 April 2010, culminating with the illegal apprehension of the Prime Minister, Carlo Gomes Junior, and the then Chief of Staff of the Armed Forces, José Zamora Induta. António Injai has operated in a way to pressure the Government for his appointment as Chief of Staff of the Armed Forces. Indjai has been consistently making public statements threatening the lives of the legitimate authorities namely against Prime Minister Carlos Gomes Junior and undermining rule of law, undercutting civilian powers, furthering a pervasive climate of impunity and instability in the country. During the 2012 electoral period, in his capacity as Chief of Staff of the Armed Forces, Injai again made statements threatening to overthrow the elected authorities and to put an end to the electoral process. António Injai has been once again involved in the operational planning of the coup d'état of 12 April 2012. In the aftermath of the coup, the first communiqué by the "Military Command" was issued by the Armed Forces General Staff, which is led by General Injai. He did not in any way counter or distance himself from that unconstitutional military action.	3.5.2012
2.	Major General Mamadu TURE (N'KRUMAH) (a.k.a. N'Krumah)	Nationality – Guinea-Bissau d.o.b. 26 April 1947 Diplomatic Passport no DA0002186 Date of issue: 30.03.2007 Date of expiry: 26.08.2013	Deputy Chief of Staff of the Armed Forces. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
3.	General Augusto MÁRIO CÓ		Army Chief of Staff. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
4.	General Estêvão NA MENA		Navy Chief of Staff. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012

	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing	Date of listing
5.	Brigadier General Ibraima CAMARÁ (a.k.a "Papa Camará")	Nationality – Guinea-Bissau d.o.b. 11 May 1964 Diplomatic Passport no AAID00437 Date of Issue: 18.02.2010 Date of expiry: 18.02.2013	Chief of Staff of the Air Force. Member of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
6.	Lieutenant colonel Daba NAUALNA (a.k.a. Daba Na Walna)	Nationality – Guinea-Bissau d.o.b. 6 June 1966 Passport no SA 0000417 Date of issue: 29.10.2003 Date of expiry: 10.03.2013	Spokesperson of the "Military Command" which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012

COUNCIL DECISION
of 26 April 2012
on guidelines for the employment policies of the Member States
(2012/238/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 148(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

After consulting the Committee of the Regions,

Having regard to the opinion of the Employment Committee,

Whereas:

(1) Article 145 of the Treaty on the Functioning of the European Union (TFEU) provides that Member States and the Union are to work towards developing a coordinated strategy for employment and particularly for promoting a skilled, trained and adaptable workforce and labour markets that are responsive to economic change with a view to achieving the objectives defined in Article 3 of the Treaty on European Union (TEU).

(2) The Europe 2020 Strategy proposed by the Commission enables the Union to turn its economy towards smart, sustainable and inclusive growth, accompanied by high level employment, productivity and social cohesion. On 13 July 2010, the Council adopted its Recommendation on broad guidelines for the economic policies of the Member States and of the Union ⁽³⁾. Furthermore, on 21 October 2010, the Council adopted its Decision 2010/707/EU on guidelines for the employment policies of the Member States ⁽⁴⁾ (the 'employment guidelines'). Those sets of guidelines form the integrated guidelines for implementing the Europe 2020 Strategy. Five headline targets, listed under the relevant integrated guidelines, constitute shared objectives which guide the action of the Member States, taking into account their relative starting positions and national circumstances as well as the positions and circumstances of the Union.

The European Employment Strategy plays the leading role in the implementation of the employment and labour market objectives of the Europe 2020 Strategy. In 2011, the employment guidelines were maintained.

(3) The integrated guidelines are in line with the conclusions of the European Council of 17 June 2010. They give precise guidance to the Member States on defining their national reform programmes and on implementing reforms, reflecting interdependence and being in line with the Stability and Growth Pact. The employment guidelines should form the basis for any country-specific recommendations that the Council may address to the Member States under Article 148(4) of the TFEU, in parallel with the country-specific recommendations addressed to the Member States under Article 121(2) of the TFEU. The employment guidelines should also form the basis for the establishment of the Joint Employment Report sent annually by the Council and the Commission to the European Council.

(4) The examination of the Member States' draft national reform programmes, contained in the Joint Employment Report adopted by the Council on 17 February 2012, shows that Member States should continue to make every effort to address the following priorities: increasing labour market participation and reducing structural unemployment; developing a skilled workforce responding to labour market needs and promoting job quality and lifelong learning; improving the performance of education and training systems at all levels and increasing participation in tertiary education; promoting social inclusion and combating poverty.

(5) The employment guidelines adopted in 2010 should remain stable until 2014 to ensure a focus on their implementation. In the intermediate years, until the end of 2014, their updating should remain strictly limited.

(6) Member States should explore the use of the European Social Fund when implementing the employment guidelines,

HAS ADOPTED THIS DECISION:

Article 1

The guidelines for the employment policies of the Member States, as set out in the Annex to Decision 2010/707/EU, are hereby maintained for 2012 and shall be taken into account by the Member States in their employment policies.

⁽¹⁾ Opinion of 15 February 2012 (not yet published in the Official Journal).

⁽²⁾ Opinion of 22 February 2012 (not yet published in the Official Journal).

⁽³⁾ OJ L 191, 23.7.2010, p. 28.

⁽⁴⁾ OJ L 308, 24.11.2010, p. 46.

Article 2

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

Article 3

This Decision is addressed to the Member States.

Done at Luxembourg, 26 April 2012.

For the Council
The President
M. GJERSKOV

COUNCIL DECISION

of 2 May 2012

appointing three Spanish members and two Spanish alternate members of the Committee of the Regions

(2012/239/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal of the Spanish Government,

Whereas:

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

(2) Three members' seats on the Committee of the Regions have become vacant following the end of the terms of office of Mr Pedro CASTRO VÁZQUEZ, Mr Jordi HEREU I BOHER and Mr Alberto RUIZ-GALLARDÓN JIMÉNEZ. Two alternate members' seats have become vacant following the end of the terms of office of Ms Paz FERNÁNDEZ FELGUEROSO and Mr Andrés OCAÑA RABADÁN,

(a) as members:

— Mr Juan Ignacio ZOIDO ÁLVAREZ, *Alcalde de Sevilla*,— Mr Abel CABALLERO ÁLVAREZ, *Alcalde de Vigo*,— Ms Nuria MARÍN MARTÍNEZ, *Alcaldesa de Hospitalet de Llobregat*,

and

(b) as alternate members:

— Mr Ramón ROPERO MANCERA, *Alcalde de Villafranca de los Barros*,— Mr Jordi SAN JOSÉ I BUENAVENTURA, *Alcalde de Sant Feliú de Llobregat (Barcelona)*.

Article 2

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

HAS ADOPTED THIS DECISION:

Done at Brussels, 2 May 2012.

Article 1

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

For the Council

The President

M. VESTAGER

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COMMISSION IMPLEMENTING DECISION

of 27 April 2012

on the clearance of the accounts of the paying agencies of Member States concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2011 financial year

(notified under document C(2012) 2891)

(2012/240/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Articles 30 and 32 thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) Under Article 30 of Regulation (EC) No 1290/2005, the Commission, on the basis of the annual accounts submitted by the Member States, accompanied by the information required for the clearance of accounts and a certificate regarding the integrality, accuracy and veracity of the accounts and the reports established by the certification bodies, clears the accounts of the paying agencies referred to in Article 6 of the said Regulation.
- (2) Pursuant to the second subparagraph of Article 5(1) of Commission Regulation (EC) No 883/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the keeping of accounts by the paying agencies, declarations of expenditure and revenue and the conditions for reimbursing expenditure under the EAGF and the EAFRD ⁽²⁾, account is taken for the 2011 financial year of expenditure incurred by the Member States between 16 October 2010 and 15 October 2011.
- (3) The first subparagraph of Article 10(2) of Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD ⁽³⁾ lays down that the amounts that are recoverable from, or payable to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph of Article 10(1) of the said Regulation, shall be determined by deducting the monthly payments in respect of the financial year in question, i.e. 2011, from expenditure recognised for that year in accordance with paragraph

1. The Commission shall deduct that amount from or add it to the monthly payment relating to the expenditure effected in the second month following that in which the accounts clearance decision is taken.

- (4) The Commission has checked the information submitted by the Member States and it has communicated to the Member States before 31 March 2012 the results of its verifications, along with the necessary amendments.
- (5) The annual accounts and the accompanying documents permit the Commission to take, for certain paying agencies, a decision on the completeness, accuracy and veracity of the annual accounts submitted. Annex I lists the amounts cleared by Member State and the amounts to be recovered from or paid to the Member States.
- (6) The information submitted by certain other paying agencies requires additional inquiries and their accounts cannot be cleared in this Decision. Annex II lists the paying agencies concerned.
- (7) Under Article 9(4) of Regulation (EC) No 883/2006, any overrun of deadlines during August, September and October is to be taken into account in the clearance of accounts decision. Some of the expenditure declared by certain Member States during these months in the year 2011 was effected after the applicable deadlines. This Decision should therefore fix the relevant reductions.
- (8) The Commission, in accordance with Article 17 of Regulation (EC) No 1290/2005 and Article 9 of Regulation (EC) No 883/2006, has already reduced or suspended a number of monthly payments on entry into the accounts of expenditure for the 2011 financial year. In order to avoid any premature, or temporary, reimbursement of the amounts in question, they should not be recognised in this Decision and they should be further examined under the conformity clearance procedure pursuant to Article 31 of Regulation (EC) No 1290/2005.
- (9) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005, 50 % of the financial consequences of non-recovery of irregularities shall be borne by the Member State concerned if the recovery of those irregularities has not taken place within four years of the primary administrative or judicial finding, or within eight years if the recovery is taken to the national courts. Article 32(3) of the said Regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 171, 23.6.2006, p. 1.

⁽³⁾ OJ L 171, 23.6.2006, p. 90.

recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Regulation (EC) No 885/2006. Annex III to the said Regulation provides the table that had to be provided in 2012 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than four or eight years respectively. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of Regulation (EC) No 1290/2005.

- (10) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005, Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision has been taken within four years of the primary administrative or judicial finding or within eight years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the EU budget. In the summary report referred to in Article 32(3) of Regulation (EC) No 1290/2005, the amounts for which the Member State decided not to pursue recovery and the grounds for the decision are shown. These amounts are not charged to the Member States concerned and are consequently borne by the EU budget. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of the said Regulation.

- (11) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions

taken subsequently by the Commission excluding from European Union financing expenditure not effected in accordance with European Union rules,

HAS ADOPTED THIS DECISION:

Article 1

With the exception of the paying agencies referred to in Article 2, the accounts of the paying agencies of the Member States concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) in respect of the 2011 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State pursuant to this Decision, including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in Annex I.

Article 2

For the 2011 financial year, the accounts of the Member States' paying agencies in respect of expenditure financed by the EAGF, set out in Annex II, are disjoined from this Decision and shall be the subject of a future clearance of accounts Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 27 April 2012.

For the Commission

Dacian CIOLOȘ

Member of the Commission

ANNEX I

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

FINANCIAL YEAR 2011

Amount to be recovered from or paid to the Member State

MS		2011 — Expenditure/assigned revenue for the paying agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year ⁽¹⁾	Reductions according to Article 32 of Regulation (EC) No 1290/2005	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾
		cleared	disjoined						
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations						
		a	b	c = a + b	d	e	f = c + d + e	g	h = f – g
BE	EUR	634 760 357,47	0,00	634 760 357,47	0,00	– 105 388,36	634 654 969,11	634 798 583,09	– 143 613,98
BG	EUR	299 122 846,74	0,00	299 122 846,74	0,00	0,00	299 122 846,74	301 667 953,59	– 2 545 106,85
CZ	EUR	667 420 261,01	0,00	667 420 261,01	0,00	0,00	667 420 261,01	667 503 043,04	– 82 782,03
DK	DKK	0,00	0,00	0,00	0,00	– 636 877,62	– 636 877,62	0,00	– 636 877,62
DK	EUR	958 035 625,77	0,00	958 035 625,77	0,00	0,00	958 035 625,77	958 033 356,98	2 268,79
DE	EUR	5 517 442 035,14	21 210 680,66	5 538 652 715,80	0,00	– 276 371,37	5 538 376 344,43	5 520 543 082,88	17 833 261,55
EE	EUR	74 583 453,69	0,00	74 583 453,69	0,00	– 8 747,39	74 574 706,30	74 553 780,04	20 926,26
IE	EUR	1 310 481 827,22	0,00	1 310 481 827,22	– 13 215,75	– 21 745,90	1 310 446 865,57	1 309 273 415,09	1 173 450,48
EL	EUR	2 230 598 617,41	0,00	2 230 598 617,41	– 1 773 698,15	– 1 976 009,69	2 226 848 909,57	2 228 873 030,13	– 2 024 120,56
ES	EUR	5 811 699 716,21	0,00	5 811 699 716,21	– 4 744 271,13	– 2 635 285,98	5 804 320 159,10	5 806 393 228,40	– 2 073 069,30
FR	EUR	8 755 024 372,50	0,00	8 755 024 372,50	– 2 610 231,00	– 3 088 524,90	8 749 325 616,60	8 752 670 931,07	– 3 345 314,47
IT	EUR	4 755 048 387,67	0,00	4 755 048 387,67	– 2 294 113,22	– 1 148 090,06	4 751 606 184,39	4 746 634 761,34	4 971 423,05
CY	EUR	42 159 581,47	0,00	42 159 581,47	– 26,69	0,00	42 159 554,78	42 082 610,19	76 944,59
LV	EUR	112 006 965,10	0,00	112 006 965,10	0,00	0,00	112 006 965,10	112 006 965,10	0,00
LT	EUR	279 621 055,32	0,00	279 621 055,32	0,00	0,00	279 621 055,32	277 900 898,84	1 720 156,48

		a	b	c = a + b	d	e	f = c + d + e	g	h = f - g
LU	EUR	34 725 475,44	0,00	34 725 475,44	0,00	- 2 760,64	34 722 714,80	34 565 673,83	157 040,97
HU	HUF	0,00	0,00	0,00	0,00	- 104 899 105,00	- 104 899 105,00	0,00	- 104 899 105,00
HU	EUR	1 062 924 020,10	0,00	1 062 924 020,10	- 575,13	0,00	1 062 923 444,97	1 063 337 563,43	- 414 118,46
MT	EUR	4 101 334,67	0,00	4 101 334,67	0,00	0,00	4 101 334,67	4 101 334,67	0,00
NL	EUR	877 151 935,61	0,00	877 151 935,61	0,00	0,00	877 151 935,61	876 800 061,94	351 873,67
AT	EUR	745 783 095,42	0,00	745 783 095,42	0,00	0,00	745 783 095,42	745 783 095,42	0,00
PL	PLN	0,00	0,00	0,00	0,00	- 200 088,92	- 200 088,92	0,00	- 200 088,92
PL	EUR	2 537 375 664,13	0,00	2 537 375 664,13	0,00	0,00	2 537 375 664,13	2 537 577 480,05	- 201 815,92
PT	EUR	754 259 328,80	0,00	754 259 328,80	- 3 089 903,59	- 2 591 130,79	748 578 294,42	749 774 180,63	- 1 195 886,21
RO	EUR	0,00	768 973 165,29	768 973 165,29	0,00	0,00	768 973 165,29	768 973 165,29	0,00
SI	EUR	104 397 622,46	0,00	104 397 622,46	0,00	0,00	104 397 622,46	104 397 622,46	0,00
SK	EUR	298 511 468,47	0,00	298 511 468,47	- 346 334,22	0,00	298 165 134,25	298 165 180,49	- 46,24
FI	EUR	498 644 025,79	0,00	498 644 025,79	0,00	- 1 278,88	498 642 746,91	498 672 933,53	- 30 186,62
SE	SEK	0,00	0,00	0,00	0,00	- 283 324,44	- 283 324,44	0,00	- 283 324,44
SE	EUR	705 760 132,36	0,00	705 760 132,36	- 3 013,42	0,00	705 757 118,94	705 565 199,68	191 919,26
UK	GBP	0,00	0,00	0,00	0,00	- 33 586,86	- 33 586,86	0,00	- 33 586,86
UK	EUR	3 292 405 994,39	0,00	3 292 405 994,39	- 599 154,55	0,00	3 291 806 839,84	3 284 921 472,19	6 885 367,65

MS		Expenditure ⁽³⁾	Assigned revenue ⁽³⁾	Sugar Fund		Article 32 (= e)	Total (= h)
				Expenditure ⁽⁴⁾	Assigned revenue ⁽⁴⁾		
		05 07 01 06	6701	05 02 16 02	6803	6702	
		i	j	k	l	m	n = i + j + k + l + m
BE	EUR	- 38 225,62	0,00	0,00	0,00	- 105 388,36	- 143 613,98
BG	EUR	- 2 545 106,85	0,00	0,00	0,00	0,00	- 2 545 106,85

		i	j	k	l	m	n = i + j + k + l + m
CZ	EUR	- 82 782,03	0,00	0,00	0,00	0,00	- 82 782,03
DK	DKK	0,00	0,00	0,00	0,00	- 636 877,62	- 636 877,62
DK	EUR	2 268,79	0,00	0,00	0,00	0,00	2 268,79
DE	EUR	18 109 632,92	0,00	0,00	0,00	- 276 371,37	17 833 261,55
EE	EUR	29 673,65	0,00	0,00	0,00	- 8 747,39	20 926,26
IE	EUR	1 194 611,05	0,00	585,33	0,00	- 21 745,90	1 173 450,48
EL	EUR	- 48 110,87	0,00	0,00	0,00	- 1 976 009,69	- 2 024 120,56
ES	EUR	562 216,68	0,00	0,00	0,00	- 2 635 285,98	- 2 073 069,30
FR	EUR	- 220 973,54	- 35 816,03	0,00	0,00	- 3 088 524,90	- 3 345 314,47
IT	EUR	6 119 513,11	0,00	0,00	0,00	- 1 148 090,06	4 971 423,05
CY	EUR	76 944,59	0,00	0,00	0,00	0,00	76 944,59
LV	EUR	0,00	0,00	0,00	0,00	0,00	0,00
LT	EUR	1 720 156,48	0,00	0,00	0,00	0,00	1 720 156,48
LU	EUR	159 801,61	0,00	0,00	0,00	- 2 760,64	157 040,97
HU	HUF	0,00	0,00	0,00	0,00	- 104 899 105,00	- 104 899 105,00
HU	EUR	- 414 118,46	0,00	0,00	0,00	0,00	- 414 118,46
MT	EUR	0,00	0,00	0,00	0,00	0,00	0,00
NL	EUR	642 280,17	- 290 406,50	0,00	0,00	0,00	351 873,67
AT	EUR	0,00	0,00	0,00	0,00	0,00	0,00
PL	PLN	0,00	0,00	0,00	0,00	- 200 088,92	- 200 088,92
PL	EUR	- 201 815,92	0,00	0,00	0,00	0,00	- 201 815,92
PT	EUR	1 395 244,58	0,00	0,00	0,00	- 2 591 130,79	- 1 195 886,21
RO	EUR	0,00	0,00	0,00	0,00	0,00	0,00

		i	j	k	l	m	n = i + j + k + l + m
SI	EUR	0,00	0,00	0,00	0,00	0,00	0,00
SK	EUR	- 46,24	0,00	0,00	0,00	0,00	- 46,24
FI	EUR	- 5 651,78	- 23 255,96	0,00	0,00	- 1 278,88	- 30 186,62
SE	SEK	0,00	0,00	0,00	0,00	- 283 324,44	- 283 324,44
SE	EUR	191 919,26	0,00	0,00	0,00	0,00	191 919,26
UK	GBP	0,00	0,00	0,00	0,00	- 33 586,86	- 33 586,86
UK	EUR	6 885 367,65	0,00	0,00	0,00	0,00	6 885 367,65

(¹) The reductions and suspensions are those taken into account in the payment system, to which are added in particular the corrections for the non-respect of payment deadlines established in August, September and October 2011.

(²) For the calculation of the amount to be recovered from or paid to the Member State, the amount taken into account is the total of the annual declaration for the expenditure cleared (col.a) or, the total of the monthly declarations for the expenditure disjoined (col.b).

Applicable exchange rate: Article 7(2) of the Regulation (EC) No 883/2006.

(³) If the assigned revenue part would be in advantage of the Member State, it has to be declared under 05 07 01 06.

(⁴) If the assigned revenue part of the Sugar Fund, would be in the advantage of the Member State, it has to be declared under 05 02 16 02.

NB: Nomenclature 2012: 05 07 01 06, 05 02 16 02, 6701, 6702, 6803

ANNEX II

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS
FINANCIAL YEAR 2011 — EAGF

List of the paying agencies for which the accounts are disjoined and are subject of a later clearance decision

Member State	Paying agency
Germany	Hamburg-Jonas
Romania	PIAA

2012 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 200 per year
EU Official Journal, L + C series, paper + annual DVD	22 official EU languages	EUR 1 310 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 840 per year
EU Official Journal, L + C series, monthly DVD (cumulative)	22 official EU languages	EUR 100 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, DVD, one edition per week	multilingual: 23 official EU languages	EUR 200 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual DVD.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our sales agents. The list of sales agents is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN