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Price: EUR 22

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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 753/2007

of 28 June 2007

on the conclusion of the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 in conjunction with Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) The Community, on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other, have negotiated a Fisheries Partnership Agreement providing Community fishermen with fishing opportunities in the waters in the exclusive economic zone of Greenland.
- (2) As a result of those negotiations, a new Fisheries Partnership Agreement was initialled on 2 June 2006.
- (3) The method for allocating the fishing opportunities among the Member States should be defined.
- (4) In order to optimise the use of fishing opportunities under this Agreement, the Commission should be allowed to carry out reallocations of non-utilised

fishing opportunities from one Member State to another during the annual fishing campaign under certain conditions and criteria and in close cooperation with the Member States concerned. Any such reallocation should not prejudice allocation keys for the distribution of fishing opportunities amongst Member States in accordance with relative stability and should be without prejudice to the competences attributed to the Member States by Article 20(5) of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽²⁾.

- (5) It is in the Community's interest to approve that Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other, is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

Detailed rules implementing the administrative measures agreed in accordance with Article 6(3) and Article 10(2)(h), of the Agreement referred to in Article 1 may be adopted in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.

⁽¹⁾ Opinion delivered on 22 May 2007 (not yet published in the Official Journal).

⁽²⁾ OJ L 358, 31.12.2002, p. 59.

Article 3

1. The allocation and management of fishing opportunities including licences obtained under the Agreement referred to in Article 1 shall be conducted in accordance with Article 20 of Regulation (EC) No 2371/2002.

2. Notwithstanding paragraph 1, if licence applications from Member States do not cover all the fishing opportunities allocated to Member States pursuant to paragraph 1 including those exchanged in accordance with Article 20(5) of Regulation (EC) No 2371/2002 by the dates set out in the Annex, the Commission may take into consideration licence applications from any other Member State. The Commission, in close cooperation with the Member States concerned, may then, after the dates set out in the Annex, make the transfer of the non-utilised fishing opportunities from the Member State holding it to another Member State.

This reallocation of fishing opportunities shall not prejudice allocation keys for the distribution of fishing opportunities amongst Member States in accordance with relative stability.

3. For each species in the Annex, the Commission shall inform the Member States about the level of utilisation of the fishing opportunities based on licence applications received at the latest:

(a) one month before the date set out in the Annex; and

(b) by the date set out in the Annex.

4. The Commission shall establish in accordance with the procedure laid down in Article 30(2) of Regulation (EC) No 2371/2002 by 31 December 2007 the detailed rules and criteria under which the redistribution mechanism referred to above shall be exercised. Until such rules are adopted the Commission shall not be prevented from exercising the mechanism as set out in paragraph 2.

Article 4

The Member States whose vessels fish under this Agreement shall notify the Commission of the quantities of each stock caught within the Greenlandic fishing zone in accordance with Commission Regulation (EC) No 500/2001 of 14 March 2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas ⁽¹⁾.

Article 5

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement in order to bind the Community.

Article 6

This Regulation shall enter into force on the seventh 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 Luxembourg, 28 June 2007.

For the Council
The President
S. GABRIEL

⁽¹⁾ OJ L 73, 15.3.2001, p. 8.

ANNEX

Date beyond which the provisions set out in Article 3 paragraphs 2 and 3 concerning the reallocation of fishing opportunities by the Commission shall apply.

Fishing species of the Protocol	Timetable
Shrimp East	1 August ⁽¹⁾
Greenland halibut East	15 September
Atlantic halibut	1 September
Greenland halibut West	15 October
Shrimp West	1 October
Redfish	1 September
Snowcrab	1 October
Cod	31 October

⁽¹⁾ If the level of utilisation of fishing opportunities based on licence applications is, on 1 August, more than 65 %, then this date shall be postponed to 1 September.

FISHERIES PARTNERSHIP AGREEMENT

between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand

THE EUROPEAN COMMUNITY, (hereinafter referred to as 'the Community'), and

THE GOVERNMENT OF DENMARK AND THE HOME RULE GOVERNMENT OF GREENLAND, (hereinafter referred to as 'Greenland'),

(hereinafter referred to as the 'Parties'),

HAVING REGARD to the Protocol on the special arrangement applicable to Greenland,

RECOGNISING that the European Community and Greenland wish to strengthen the links between them and to establish a partnership and a cooperation which would support, complement and extend the relations and cooperation established between them in the past,

RECALLING the Council decision of November 2001 on the association of the overseas countries and territories with the European Community,

TAKING ACCOUNT of the recognition by the Council in February 2003 of the need to broaden and strengthen the future relations between the European Community and Greenland, taking into account the importance of fisheries and the need for structural and sector oriented reforms in Greenland based on a comprehensive partnership for sustainable development,

TAKING ACCOUNT of the Joint Declaration of 27 June 2006 by the European Community on one hand and the Home Rule Government of Greenland and the Government of Denmark on the other on partnership between the European Community and Greenland,

RECALLING the Council Decision of 17 July 2006 on the relations between the European Community on the one hand and the Home Rule Government of Greenland and Government of Denmark on the other hand,

RECALLING the status of Greenland, which is both autonomous and an integral part of one of the Member States of the Community,

CONSIDERING the overall relationship between the Community and Greenland, and their mutual desire to continue that relationship,

HAVING REGARD TO the United Nations Convention on the Law of the Sea and the Agreement for implementation of the provisions of the United Nations Convention on the Law of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks,

AWARE of the importance of the principles established by the Code of conduct for responsible fisheries adopted at the FAO Conference in 1995,

DETERMINED to cooperate, in their mutual interest, in securing continued responsible fisheries to ensure the long-term conservation and sustainable exploitation of marine living resources,

CONVINCED that such cooperation must take the form of initiatives and measures which, whether taken jointly or separately, are complementary, consistent with policy and ensure synergy of effort,

INTENDING, to these ends, to continue a dialogue with a view to improving the sectoral fisheries policy in Greenland and identifying the appropriate means of ensuring that this policy is effectively implemented and that economic operators and civil society are involved in the process,

DESIROUS of establishing terms and conditions governing the fishing activities of Community vessels in the Greenlandic Exclusive Economic Zone and Community support for securing continued responsible fishing in those waters,

RESOLVED to pursue closer economic cooperation in the fishing industry and related activities through the setting up and development of joint enterprises involving companies from both Parties and the promotion of temporary joint ventures,

HEREBY AGREE AS FOLLOWS:

Article 1

Scope and objectives

This Agreement establishes the principles, rules and procedures governing:

- economic, financial, technical and scientific cooperation in the fisheries sector with the purpose of ensuring that the exploitation of the fisheries resources provide sustainable economic and social conditions including the development of the Greenlandic fisheries sector,
- the conditions governing access by Community fishing vessels to the Greenlandic Exclusive Economic zone (hereinafter 'the Greenlandic EEZ'),
- the arrangements for regulating fisheries of Community vessels in the Greenlandic EEZ with a view to ensuring that the rules and conditions applicable to them are complied with, the measures for the conservation and management of fish stocks are effective and illegal, undeclared and unregulated fishing is prevented,
- partnerships between companies aimed at developing economic activities in the fisheries sector and related activities, in the common interest.

Article 2

Definitions

For the purposes of this Agreement, the Protocol and the Annex:

- (a) 'Greenland authorities' means the Greenland Home Rule Government;
- (b) 'Community authorities' means the European Commission;
- (c) 'Community vessel' means a fishing vessel flying the flag of a Member State of the Community and registered in the Community;

(d) 'joint enterprise' means any company regulated by Greenlandic law comprising one or more Community ship owners and one or more partners in Greenland, with the aim of fishing for and possibly exploiting Greenlandic fishing quotas in the Greenlandic EEZ by vessels flying the flag of Greenland with a view to the priority supply of the Community market;

(e) 'temporary joint ventures' means any association based on a contractual agreement of limited duration between Community ship owners and physical or legal persons in Greenland, with the aim of jointly fishing for and exploiting Greenland fishing quotas by vessels flying the flag of a Member State of the European Community and sharing the cost, profits or losses of the economic activity jointly undertaken, with a view to the priority supply to the Community market;

(f) 'Joint Committee' means a committee made up of representatives of the Community and Greenland whose functions are described in Article 10 of this Agreement.

Article 3

Principles underlying the implementation of this Agreement

1. The Parties hereby undertake to secure continued responsible fishing in the Greenlandic EEZ based on the principle of non-discrimination between the different fleets fishing in those waters, without prejudice to the Protocol.

2. Greenland will continue the planning of a sectoral fisheries policy and manage its implementation through annual and multi annual programmes in the light of objectives identified by common accord between the Parties. The Parties shall to that end continue the policy dialogue on the necessary reforms. The Greenland authorities hereby undertake to inform the Community authorities when further significant measures in this area are adopted.

3. The Parties shall at the request of one of them cooperate also on carrying out evaluations, both jointly or unilaterally, of measures, programmes and actions implemented on the basis of this Agreement.

4. The Parties hereby undertake to ensure that this Agreement is implemented in accordance with the principles of good economic and social governance.

Article 4

Scientific cooperation

1. During the period covered by this Agreement, the Community and Greenland shall monitor the evolution of resources in the Greenlandic EEZ; a joint scientific committee shall upon request from the Joint Committee make a report on the basis of any term of reference laid down by that Committee.

2. Based on the best scientific advice, the Parties shall consult each other within the Joint Committee and thereafter Greenland shall adopt such conservation and management measures as it deems necessary to achieve the objectives of the Greenland Fisheries Policy.

3. The Parties hereby undertake to consult each other, either directly or within the international organisations concerned, to ensure the management and conservation of living resources in the Greenlandic EEZ, and to cooperate in the relevant scientific research.

Article 5

Access to the fisheries in the Greenlandic EEZ

1. Greenland hereby undertakes to authorise Community vessels to engage in fishing activities in its EEZ in accordance with this Agreement, including the Protocol and Annex thereto. The Greenland authorities shall grant to vessels designated by the Community licenses issued under the Protocol commensurate with the fishing opportunities granted in accordance with the Protocol.

2. The fishing opportunities granted to the Community by Greenland under the present Agreement may be taken by vessels flying the flag of and registered in Norway, Iceland and the Faroe Islands to the extent to which this is necessary for the proper functioning of the fisheries agreements concluded by the Community with those Parties. To this end, Greenland undertakes to authorise vessels flying the flag of, and registered in, Norway, Iceland and the Faroe Islands to engage in fishing activities in its EEZ.

3. The fishing activities governed by this Agreement shall be subject to the laws and regulations in force in Greenland. The

Greenland authorities shall seek the observations of the Community authorities on any amendments to that legislation prior to the entry into force of the legislation unless the purpose of the legislation is such that it duly justifies its urgent entry into force, without any delay which could be caused by such consultation with the Community authorities. The Greenland authorities shall notify in advance and in due time the Community authorities of any amendments to that legislation.

4. Greenland shall assume responsibility for the effective application of the fisheries monitoring provisions in the Protocol. Community vessels shall cooperate with the competent authorities responsible for carrying out such monitoring.

5. The Community authorities hereby undertake to take all the appropriate steps required to ensure that Community vessels comply with this Agreement and the legislation governing fisheries in the Greenland EEZ.

Article 6

Licences

1. Community vessels may fish in the Greenlandic EEZ only if they are in possession of a valid fishing licence issued under this Agreement.

2. The procedure for obtaining a fishing licence for a vessel, the taxes applicable and the method of payment to be used by ship owners shall be as set out in the Annex to the Protocol.

3. The contracting parties shall ensure the proper implementation of these procedures and conditions by appropriate administrative cooperation between their competent authorities.

Article 7

Financial contribution

1. The Community shall grant Greenland a financial contribution in accordance with the terms and conditions laid down in the Protocol and Annex. This single contribution shall be composed of two related elements, namely:

(a) a financial contribution for access by Community vessels to the Greenland fisheries; and

(b) the Community's financial support for securing continued responsible fishing and the sustainable exploitation of fisheries resources in the Greenlandic EEZ.

2. The component of the financial contribution referred to in point (b) of paragraph 1 shall be managed by the Greenland authorities in the light of objectives identified by common accord between the Parties in accordance with the Protocol, to be achieved in the context of the Greenland Fisheries Policy and an annual and multiannual programme for its implementation.

3. The financial contribution granted by the Community shall be paid in annual amounts in accordance with the Protocol. Subject to this Agreement and the Protocol the financial contribution may be changed as a result of:

- (a) exceptional circumstances, other than natural phenomena, preventing fishing activities in the Greenlandic EEZ;
- (b) a reduction in the fishing opportunities granted to Community vessels following mutual agreement between the Parties for the purposes of managing the stocks concerned, where this is considered necessary for the conservation and sustainable exploitation of resources on the basis of the best available scientific advice;
- (c) special priority for the Community on access to additional catch opportunities beyond those set out in the Protocol to the present Agreement, provided for by mutual agreement between the Parties within the Joint Committee where the best available scientific advice indicates that the state of resources so permits;
- (d) a reassessment of the terms of Community financial support for implementing a Greenland Fisheries Policy, where this is warranted by the results of the annual and multiannual programming observed by both Parties;
- (e) suspension of the application of this Agreement under Article 13.

Article 8

Promoting cooperation among economic operators and in civil society

1. The Parties shall encourage economic, commercial, scientific and technical cooperation in the fisheries sector and related sectors. They shall consult one another with a view to coordinating the different measures that might be taken to this end.

2. The Parties shall encourage exchanges of information on fishing techniques and gear, preservation methods and the industrial processing of fisheries products.

3. The Parties shall encourage, in particular, the setting-up of temporary joint ventures and joint enterprises in their mutual interest and in accordance with their legislation.

Article 9

Experimental fisheries

The Parties shall promote the conduct of experimental fisheries in the Greenlandic EEZ. The Parties shall implement together the experimental fishery in accordance with details as set out in the Annex to the Protocol.

Article 10

Joint Committee

1. A Joint Committee shall be set up to serve as a forum for the Parties for the monitoring of the application of this Agreement and ensuring its implementation.

2. The Joint Committee shall perform the following functions:

- (a) monitoring the performance, interpretation and application of the Agreement and, in particular, the definition of the annual and multiannual programming referred to in Article 7(2) and evaluation of its implementation;
- (b) providing the necessary liaison for matters of mutual interest relating to fisheries;
- (c) acting as a forum for reconciliation and the amicable settlement of any disputes regarding the interpretation or application of the Agreement;
- (d) reviewing and negotiating, where necessary, the level of existing and new fishing opportunities for relevant stocks in the Greenlandic EEZ based on the available scientific advice, the precautionary approach and the needs of the Greenlandic fishing industry and, consequently the fishing opportunities accessible to the Community and where appropriate of the financial contribution referred to in the Protocol;
- (e) evaluating the need for establishment of recovery plans and long term management plans for stocks under this Agreement so as to ensure sustainable exploitation of stocks and that the impact of fishing activities on marine ecosystems is kept at sustainable levels;

- (f) monitoring the applications to establish temporary joint ventures and joint enterprises under the terms of this Agreement and in particular assessing the projects presented by the Parties for the establishment of temporary joint ventures and joint enterprises in accordance with the criteria set out in the Annex to the protocol of this Agreement and reviewing the activities of vessels belonging to temporary joint ventures and joint enterprises operating in the Greenlandic EEZ;
- (g) determining, on a case-by-case basis, relevant species, conditions and other parameters relating to experimental fishery;
- (h) agreeing on administrative measures concerning access of Community fishing vessels to the Greenlandic EEZ and resources including licenses, movement of Community fishing vessels and catch reporting;
- (i) agreeing on the modalities for the implementation of the Community's financial support for securing continued responsible fishing and the sustainable exploitation of fisheries resources in the Greenlandic EEZ;
- (j) assessing the terms of Community financial support for implementing a Greenland Fisheries Policy, where this is warranted by the results of the annual and multiannual programming observed by both Parties;
- (k) any other function which the Parties decide on by mutual agreement.

3. The Joint Committee shall meet at least once a year, alternately in the Community and in Greenland, and shall be chaired by the Party hosting the meeting. It shall hold a special meeting at the request of either of the Parties.

4. The Joint Committee shall adopt its own rules of procedure.

Article 11

Geographical area to which the Agreement applies

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community applies, under the conditions laid down in that Treaty and, on the other, to the territory of Greenland and to the Greenlandic EEZ.

Article 12

Duration and termination

1. This Agreement shall apply for six years from the date of its entry into force; it shall remain in force for additional periods of six years, unless notice of termination is given in accordance with paragraphs 2 and 3.

2. This Agreement may be terminated by either Party notably in the event of serious circumstances such as the degradation of the stocks concerned, or failure to comply with undertakings made by one of the Parties with regard to combating illegal, undeclared and unregulated fishing.

3. If the Agreement is terminated for the reasons mentioned in paragraph 2 the Party concerned shall notify the other Party of its intention to withdraw from the Agreement in writing at least six months before the date of expiry of the initial period or each additional period. If the Agreement is terminated for any other reason then the period of notification shall be nine months.

Article 13

Suspension

1. Application of this Agreement may be suspended at the initiative of one of the Parties if the undertakings in this Agreement in the opinion of this Party, has been seriously infringed by the other Party. Such suspension shall require the Party concerned to notify its intention in writing at least six months before the date on which suspension is due to take effect. On receipt of this notification, the Parties shall enter into consultations with a view to resolving their differences amicably.

2. Payment of the financial contribution referred to in Article 7 and the fishing possibilities referred to in Article 5 shall be reduced proportionately, according to the duration of the suspension.

Article 14

The Protocol and the Annex and the appendices thereto shall form an integral part of this Agreement.

Article 15

Repeal

The Fisheries Agreement of 1 February 1985 between the European Community and Greenland on fishing off Greenland is hereby repealed and replaced by this Agreement.

Article 16

Language and entry into force

This Agreement, drawn up in duplicate in the Czech, Bulgarian, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish, each of these texts being equally authentic, shall enter into force on the date on which the parties notify each other that their adoption procedures have been completed.

PROTOCOL

setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand

Article 1

Period of application and fishing opportunities

1. For a period of six years from 1 January 2007, the Greenland authorities authorise Community fishing vessels to engage in fishing activities up to the level of the fishing opportunities set out in Chapter I of the Annex and those established according to paragraph 2.

The levels of the fishing opportunities set out in Chapter I of the Annex may be revised by the Joint Committee.

2. No later than 1 December 2007 and of each subsequent year, the Joint Committee shall agree upon the fishing opportunities for the species listed in Chapter I of the Annex for the following year taking into account available scientific advice, the precautionary approach, the needs of the fishing industry and in particular the quantities set out in paragraph 7 of this Article.

In the event that the fishing opportunities are established by the Joint Committee at a lower level than the level set out in Chapter I of the Annex, Greenland shall compensate the Community in subsequent years by corresponding fishing opportunities or in the same year by other fishing opportunities.

If no compensation is agreed between the Parties, the financial arrangements, including the parameters for the calculation of the value, referred to in Article 2(1) of this Protocol shall be adjusted proportionately.

3. The quota for shrimp in East Greenland may be fished in areas West of Greenland provided that arrangements for quota transfers between ship owners from Greenland and the European Community have been established on a company-to-company basis. The Greenland authorities shall undertake to facilitate such arrangements. The transfers of quotas can only take place within a maximum of 2 000 tonnes annually in areas of West Greenland. The fishery carried out by the Community vessels shall take place on the same conditions subject to the provisions of Chapter III of the Annex as laid down in the license issued to the Greenlandic ship owner.

4. Authorisations for experimental fisheries shall be made available for a trial period of maximum six month each, in accordance with the Annex.

5. When the Parties conclude that the experimental campaigns have achieved positive results, the Greenland authorities shall allocate 50 % of the fishing opportunities on the new species to the Community fleet, until the end of this Protocol, with a corresponding increase in the part of the financial compensation referred to in Article 2.

6. Greenland shall offer to the Community additional catch opportunities. If the Community accepts, in whole or in part, such offer, the financial contribution referred to in Article 2(1) shall be increased proportionately. The procedure to be followed as regards the allocation of additional catch opportunities is set out in the Annex to this Protocol.

7. The minimum quantities for maintaining Greenlandic fishing activities are hereby set at the following levels each year:

Species (tonnes)	Western stock (NAFO 0/1)	Eastern stock (ICES XIV/V)
Snowcrab	4 000	
Cod	30 000 ⁽¹⁾	
Redfish	2 500	5 000
Greenland halibut	4 700	4 000
Shrimp	25 000	1 500

⁽¹⁾ May be fished West or East.

8. Greenland shall not issue licences to Community vessels otherwise than under this Protocol.

Article 2

Financial contribution — Methods of payment

1. For the period referred to in Article 1 of this Protocol, the financial contribution of the Community referred to in Article 7 of the Agreement shall be EUR 85 843 464 ⁽¹⁾. To this shall be added a financial reserve of EUR 9 240 000 out of which payment shall be made according to the method set out in paragraph 3 below, for quantities of cod and capelin actually made available by Greenland beyond those set out in Chapter I of the Annex hereto.

⁽¹⁾ To this amount are added the following resources:

— The amount of the fees due by ship-owners in point 3 of Chapter II of the Annex, paid directly to Greenland is estimated at around EUR 2 000 000 per year.

2. Paragraph 1 above shall apply subject to the provisions of Articles 1(2), (5) and (6) and 6 of this Protocol. The total amount of the financial contribution paid by the European Community shall not be more than twice the amount indicated in Article 2(1).

3. Without prejudice to Article 1(2), (5) and (6) of this Protocol, the Community shall pay the financial contribution referred to in paragraph 1 above in the form of an annual amount at the rate of EUR 14 307 244 during the period of application of this Protocol. As regards cod and capelin every year Greenland shall notify the Community authorities of any quantities of cod and capelin made available for catching beyond the amounts set out in Chapter I of the Annex hereto. The Community shall pay for those additional amounts 17,5 % of the first landing value at the rate of EUR 1 800 per ton for cod and EUR 100 per ton for capelin, minus the fees paid by ship owners, up to a maximum of EUR 1 540 000 per year, to cover both species. Any part of this financial reserve not used in one year may be carried over to pay Greenland for additional quantities of cod and capelin made available for catching in the subsequent two years.

4. The Community shall pay the annual amount of the financial contribution no later than 30 June 2007 in the first year and no later than 1 March in the following years and the annual amount of the financial reserve for cod and capelin, by the same dates or as soon as possible thereafter following the notification of the availability of the quantities in question.

5. Subject to Article 4 of this Protocol, the Greenland authorities shall have full discretion regarding the use to which this financial contribution and financial reserve are put, except for annual amounts of EUR 500 000 and EUR 100 000 which shall be applied respectively for the operation of the Greenland Institute of Natural Resources and for training of fisheries officials, and in 2007 an amount of EUR 186 022 to be used for cod management plan studies.

6. The financial contribution shall be paid into a Public Treasury account opened with a financial institution specified by the Greenland authorities.

Article 3

Suspension and review of payment of the financial contribution on grounds of force majeure

1. Where serious circumstances, other than natural phenomena, prevent fishing activities in the Greenlandic EEZ, the European Community may suspend payment of the financial contribution provided for in Article 2(1) of this Protocol following consultations between the two Parties

where possible, and provided that the Community has paid in full any amounts due at the time of suspension.

2. Payment of the financial contribution shall resume as soon as the parties find, by mutual agreement following consultations, that the circumstances preventing fishing activities are no longer present.

3. The validity of the licences granted to Community vessels under Article 5 of the Agreement shall be extended by a period equal to the period during which fishing activities were suspended.

Article 4

Support for securing continued responsible fishing in the Greenland EEZ

1. Every year an amount of EUR 3 261 449 (exceptionally for 2007 EUR 3 224 244) of the financial contribution referred to in Article 2(1) of this Protocol shall be put towards improving and implementing a sectoral fisheries policy in Greenland with a view to securing continued responsible fishing in the Greenlandic EEZ. This contribution shall be managed in the light of objectives identified by mutual agreement between the two parties, and the annual and multi-annual programming to attain them.

2. For the purposes of paragraph 1, as soon as this Protocol enters into force and no later than three months after that date, the Joint Committee shall agree on a multiannual sectoral programme and detailed implementing rules covering, in particular:

(a) annual and multiannual guidelines for using the part of the financial contribution referred to in paragraph 1;

(b) the objectives, both annual and multiannual, to be achieved with a view to securing a continuation, over time, of responsible fishing and sustainable fisheries, taking account of the priorities expressed by Greenland in its national fisheries policy and other policies relating to or having an impact on the continuation of responsible fishing and sustainable fisheries;

(c) criteria and procedures for evaluating the results obtained each year.

3. Any proposed amendments to the multiannual sectoral programme must be agreed to by both Parties within the Joint Committee.

4. Each year, Greenland shall allocate the part of the financial contribution referred to in paragraph 1 with a view to implementing the multiannual programme. For the first year of application of the Protocol, that allocation shall be notified to the Community at the same time as the notification takes place for the following year. For each year thereafter, Greenland shall notify the Community of the allocation no later than 1 December of the previous year.

5. Where the annual evaluation of the progress made in implementing the multiannual sectoral programme so warrants, the European Community may ask with the approval of the Joint Committee for the application of the financial contribution referred to in Article 2(1) of this Protocol to be changed.

Article 5

Disputes — Suspension of application of the Protocol

1. Any dispute between the parties over the interpretation of this Protocol or its application shall be the subject of consultations between the Parties within the Joint Committee, in a special meeting if necessary.

2. Without prejudice to Article 6 of this Protocol, application of the Protocol may be suspended at the initiative of one Party if the undertakings in this protocol in the opinion of this Party have been seriously infringed by the other Party and if the consultations held within the Joint Committee under paragraph 1 have not resulted in an amicable settlement.

3. Suspension of application of the Protocol shall require the interested Party to notify its intention in writing at least three months before the date on which suspension is due to take effect.

4. In the event of suspension, the Parties shall continue to consult with a view to finding an amicable settlement to their dispute. Where such settlement is reached, application of the Protocol shall resume and the amount of the financial contribution and fishing opportunities shall be reduced proportionately and *pro rata temporis* according to the period during which application of the Protocol was suspended.

Article 6

Suspension of application of the Protocol on grounds of non-payment

If the Community fails to make the payments provided for in Article 2 of this Protocol, application of the Protocol may be suspended on the following terms:

(a) The competent authorities of Greenland shall notify the Community authorities of the non-payment. The latter shall make the necessary verifications and, where necessary, transmit the payment within no more than 30 working days of the date of receipt of the notification;

(b) If no payment is made and non-payment is not adequately justified within the period provided for in point (a) above, the competent Greenland authorities shall be entitled to suspend application of the Protocol. They shall inform the Community authorities of such action forthwith;

(c) Application of the Protocol shall resume as soon as the payment concerned has been made.

Article 7

Mid-term review

If one of the Parties so requests during 2009, the application of Articles 1, 2 and 4 of the present Protocol shall be reviewed before 1 December of that year. On that occasion the Parties may agree to amend the present Protocol regarding in particular the indicative quotas set out in Chapter I of the Annex hereto, the financial arrangements and the provisions of Article 4.

Article 8

Entry into force

This Protocol with its Annex shall apply with effect from 1 January 2007.

ANNEX

CONDITIONS GOVERNING FISHING ACTIVITIES BY COMMUNITY VESSELS IN THE GREENLANDIC EEZ

CHAPTER I

INDICATIVE CATCH OPPORTUNITIES 2007-2012 AND BY-CATCHES

1. Level of fishing opportunities authorised by Greenland

Species	2007	2008	2009	2010	2011	2012
Cod (NAFO 0/1) ⁽¹⁾	1 000	3 500	3 500	3 500	3 500	3 500
Pelagic redfish (ICES XIV/V) ⁽²⁾	10 838	8 000	8 000	8 000	8 000	8 000
Greenland Halibut (NAFO 0/1) — south of 68°	2 500	2 500	2 500	2 500	2 500	2 500
Greenland Halibut (ICES XIV/V) ⁽³⁾	7 500	7 500	7 500	7 500	7 500	7 500
Shrimp (NAFO 0/1)	4 000	4 000	4 000	4 000	4 000	4 000
Shrimp (ICES XIV/V)	7 000	7 000	7 000	7 000	7 000	7 000
Atlantic Halibut (NAFO 0/1)	200	200	200	200	200	200
Atlantic Halibut (ICES XIV/V) ⁽⁴⁾	1 200	1 200	1 200	1 200	1 200	1 200
Capelin (ICES XIV/V)	55 000 ⁽⁵⁾	55 000 ⁽⁵⁾	55 000 ⁽⁵⁾	55 000 ⁽⁵⁾	55 000 ⁽⁵⁾	55 000 ⁽⁵⁾
Snowcrab (NAFO 0/1)	500	500	500	500	500	500
By-catches (NAFO 0/1) ⁽⁶⁾	2 600	2 300	2 300	2 300	2 300	2 300

⁽¹⁾ In the event of stock recovery, the Community may fish up to pm tonnes, with a corresponding increase in the part of the financial compensation referred to in Article 2(1) of the Protocol. The quota for 2007 can only be fished as from 1 June. May be fished East or West.

⁽²⁾ May be fished East or West. To be fished by pelagic trawl.

⁽³⁾ This figure may be revised in the light of the agreement for the allocation of catch possibilities between coastal countries. The fishery shall be managed through a limitation on the number of vessels fishing at the same time.

⁽⁴⁾ 1 000 tonnes to be fished by no more than 6 Community demersal longliners catching Atlantic halibut and associated species. The conditions for the fishery of the demersal longliners shall be agreed upon in the framework of the Joint Committee.

⁽⁵⁾ When catchable, the Community may fish up to 7,7 % of the capelin TAC for the season going from 20 June to 30 April the following year with a corresponding increase in the part of the financial compensation referred to in Article 2(1) of the Protocol.

⁽⁶⁾ By-catches are defined as any catches of species not covered by the vessel's target species indicated on the licence. The composition of the by-catches shall be reviewed annually in the framework of the Joint Committee. May be fished East or West.

2. By-catch limits

Community fishing vessels operating in the Greenlandic EEZ shall abide by the applicable by-catch rules, both for regulated and non-regulated species. Moreover, it is prohibited in the Greenlandic EEZ to discard regulated species.

By-catches are defined as any catches of species not covered by the vessel's target species indicated on the licence.

The maximum quantities which may be taken as by-catch are authorised when issuing the licence for target species. The maximum quantity of each regulated species which may be caught as by-catch will be indicated on the licence issued.

By-catches of regulated species will be counted against the by-catch reserve set aside as part of the fishing possibilities of the relevant species allocated to the Community. By-catches of non-regulated species will be counted against the by-catch reserve of non-regulated species set aside for the Community.

A licence fee shall not be paid for by-catches. However, in the case where a Community fishing vessel exceeds the maximum authorised quantity of by-catch of regulated species, a penalty shall be imposed amounting to three times the normal license fee for that species as regards the quantity in excess of the maximum by-catch allowed.

CHAPTER II

APPLICATION FOR AND ISSUE OF LICENCES

1. Only eligible vessels may obtain a licence to fish in the Greenlandic EEZ.
2. For a vessel to be eligible, neither the owner, the master nor the vessel itself must be prohibited from fishing in the Greenlandic EEZ. They must be in order with the Greenland authorities insofar as they must have fulfilled all prior obligations arising from their fishing activities in Greenland or within the Greenlandic EEZ under the fisheries agreements concluded with the Community.
3. The fisheries licence applications and issuing formalities referred to in Article 1, paragraph 3 of the Agreement are set out in the administrative arrangement in Appendix 1.

CHAPTER III

FISHING ZONES

The fishery shall take place within the fishing zone as defined as the Greenland Exclusive Economic Zone as provided for in the Regulation No 1020 of 15 October 2004 in accordance with Royal Decree No 1005 of 15 October 2004 on the Entry Into Force of Act on Exclusive Economic Zones for Greenland entering into force Act No 411 of 22 May 1996 on Exclusive Economic Zones.

The fishery shall take place at least 12 nautical miles off the base line according to paragraph 7, Section 2 of Act No 18 of 31 October 1996 on Fisheries issued by the Landsting of Greenland as most recently amended by the Landsting Act No 28 of 18 December 2003 unless specifically provided otherwise.

The baselines are defined in accordance with Royal Decree No 1004 of 15 October 2004 on Amendment of Royal Degree on Delimitation of the territorial Waters of Greenland.

CHAPTER IV

ADDITIONAL CATCH POSSIBILITIES

The Greenland authorities shall offer the Community authorities any additional catch possibilities as referred to in Article 7 of the Agreement, in accordance with Article 1(6) of the Protocol.

The Community authorities shall inform the Greenland authorities of its reaction to the offer no later than six weeks after receipt of the offer. If the Community authorities either decline the offer or do not react within six weeks, the Greenland authorities shall be free to offer the additional catch possibilities to other parties.

CHAPTER V

ARRANGEMENTS FOR CATCH REPORTING, TECHNICAL CONSERVATION MEASURES AND OBSERVER SCHEME

1. Community fishing vessels shall be provided with a set of relevant parts of Greenlandic legislation in English for conditions regarding catch reporting, technical conservation measures and observer scheme.
2. Masters of Community fishing vessels shall keep on board a logbook in which they must record their activities in accordance with the rules provided for under Greenlandic law.
3. Fishing activities shall be carried out in accordance with the technical conservation measures as set out under Greenlandic law.
4. Any fishing operations in the Greenlandic EEZ are subject to the observer scheme provided for under Greenlandic law. Masters of Community fishing vessels shall cooperate with the Greenland authorities for the purpose of embarking of observers on board in the ports designated by the Greenland authorities.

CHAPTER VI

VMS

The conditions concerning VMS are laid down in Appendix 2.

CHAPTER VII

TEMPORARY JOINT VENTURES

The conditions concerning access to resources of Temporary Joint Ventures are laid down in Appendix 3.

CHAPTER VIII

EXPERIMENTAL FISHERIES

The conditions concerning Experimental Fisheries are laid down in Appendix 4.

CHAPTER IX

MONITORING

When the competent authorities establish that there has been a violation of Greenlandic law by a master of a Community fishing vessel, notice thereof shall be sent as soon as possible to the European Commission and the flag Member State. The notice shall contain information concerning the name of the vessel, register number, call signal and the names of the vessel owners and master of the vessel. Furthermore, the notice shall contain a description of the circumstances leading to the violation and shall specify any sanctions applied.

The Commission shall provide the Greenland authorities with a list of the competent authorities in the Member States as well as a regular update of this list.

Appendices

- (1) Administrative Arrangement on licences. Conditions for the exercise of fishing activities by Community vessels in the Greenlandic EEZ.
 - (2) Conditions On Issues related to Satellite Tracking of Fishing Vessels.
 - (3) Conditions relating to Temporary Joint Ventures.
 - (4) Details of implementation for experimental fisheries.
-

*Appendix 1***Administrative Arrangement on licences between the European Commission, the Government of Denmark and the Home Rule Government of Greenland*****Conditions for the exercise of fishing activities by Community vessels in the Greenland EEZ****A. Licence application and issuing formalities*

1. Ship owners of Community fishing vessels which are interested to make use of the fishing opportunities under this Agreement, or their agent, shall no later than 1 December prior to the fishing year notify through electronic transmission to the Commission via the national authorities a list of vessels concerned, containing the data set out in the attached application form. The Community authorities shall transmit forthwith these lists to the Greenland authorities. Any modifications shall be notified in advance in accordance with this procedure.

Ship owners of Community vessels or their agent shall present to the Community authorities via the national authorities by 1 March or 30 days before the beginning of the fishing trip an application for each vessel wishing to fish under the Agreement. Applications shall be made on the forms provided for that purpose by Greenland, specimens of which are attached. Each licence application shall be accompanied by proof of payment of the fee for the licence's term of validity. The fees shall include all national and local charges related to access to fishing activities as well as fees imposed by banks for transfers of money. In case a vessel has not paid the bank transfer fee this amount will be required to be paid with the next licence application of this vessel and is a precondition for the issuing of a new licence. The Greenland authorities will charge an administration fee of one percent of the licence fee.

Community vessels of the same ship owner or agent may submit a collective application for a licence provided that these vessels fly the flag of one and the same Member State. Each licence issued under a collective application shall indicate the total quantity of specimen for which the licence fee has been paid and shall carry the footnote 'maximum quantity to be shared by the vessels ... (names of each vessel listed on the collective application)'.

A collective application must be accompanied by a fishing plan, which gives the aimed quantity for each of the vessels. Any change in the fishing plan shall be communicated at least three days before the change takes place to the Greenland authorities with a copy to the European Commission and the national authorities.

The Community authorities shall present to the Greenland authorities the (collective) application for (a) licence(s) of each vessel wishing to fish under the Agreement.

The Greenland authorities are entitled to suspend an existing licence or not to issue a new licence if a Community vessel has not fulfilled the requirements of transmitting relevant logbook sheets and landing declarations to the Greenland authorities in accordance with the catch reporting arrangements.

2. The Greenland authorities shall communicate, before the entry into force of the Administrative Arrangement, all information concerning the bank accounts to be used for the payment of the fee.
3. Licences shall be issued for specific vessels and shall not be transferable – subject to the provisions of paragraph 4. Licences shall indicate the maximum quantity authorised to be caught and retained on board. An amendment of any of the maximum quantities indicated in the licence(s) shall be subject to a new application. In the case where a vessel incidentally exceeds any maximum quantity indicated in its licence, it shall pay a fee for the quantity in excess of the maximum quantity indicated in its licence. No new licence is issued to that vessel as long as the fees corresponding to the exceeded quantities are not paid. This fee is calculated in accordance with Part B 2 and thereafter tripled.
4. However, in the case of force majeure and at the request of the Commission of the European Communities, a vessel's licence may be replaced by a new licence for another vessel with characteristics similar to those of the first vessel. The new licence shall indicate:

— the date of issue,

— the fact that it invalidates and replaces the licence of the previous vessel.

5. Licences shall be transmitted by the Greenland Fisheries Authority to the Commission of the European Communities within 15 working days of receipt of the application.
6. The original licence or a copy of it must be held on board at all times and be presented at any time on request of the competent Greenland authorities.

B. Validity of Licences and Payment

1. Licences shall be valid from the date of issue to the end of the calendar year in which the licence has been issued. They shall be issued within 15 working days of receipt of the application following payment of the required licence fees per year for each vessel.

As far as the capelin fishery is concerned, licences shall be issued from 20 June to 31 December and 1 January to 30 April.

In case Community legislation fixing the fishing opportunities for a given year for Community vessels, in waters where catch limitations are required, has not been adopted by the beginning of the fishing year Community fishing vessels authorised to fish on 31 December in the previous fishing year may continue their activities on the same licence in the year for which legislation has not been adopted provided that scientific advice allows for this. A provisional use of 1/12th of the quota per month will be allowed provided that the applicable licence fee is paid for the quota. The provisional quota may be adjusted in relation to the scientific advice and the conditions of the specific fishery.

2. The licence fee shall be 5 % of the converted price which are as follows:

Species	Live weight price per tonne
Cod	1 800
Redfish	1 053
Greenland Halibut	2 571
Shrimp	1 600
Atlantic Halibut ⁽¹⁾	4 348
Capelin	100
Snowcrab	2 410

⁽¹⁾ Atlantic halibut and associated species: 3 000 Euro.

3. The licence fees are as follows:

Species	EUR per tonne
Cod	90
Redfish	53
Greenland Halibut	129
Shrimp	80
Atlantic Halibut ⁽¹⁾	217
Capelin	5
Snowcrab	120

⁽¹⁾ Licence fee for Atlantic halibut and associated species: 150 Euro per ton.

The total licence fee (maximum quantity authorised to be fished multiplied by price per tonne) will be charged with a Greenlandic administration fee of one percent of the licence fee.

Should the maximum authorised quantity not be fished, the fee corresponding to this maximum authorised quantity shall not be reimbursed to the ship owner.

Application form for a fishing licence in the Greenlandic EEZ

1	Nationality	
2	Name of Vessel	
3	EC Community Fleet Register Number	
4	External identification letters and number	
5	Port of registration	
6	Radio call Sign	
7	Inmarsat Number (Telephone, Telex, E-mail) ⁽¹⁾	
8	Year of Building	
9	Type of Vessel	
10	Type of fishing gear	
11	Target Species + Quantity	
12	Fishing area (ICES/NAFO)	
13	Time period for a licence	
14	Owners, Address, Telephone, Telex, E-mail	
15	Vessel operator	
16	Name of Master	
17	Number of crew members	
18	Engine power (KW)	
19	Length (L.O.A.)	
20	Tonnage in GT	
21	Representative in Greenland Name and address	
22	Address to where the licence should be mailed, Fax	European Commission, Directorate General Fisheries, Rue de la Loi 200, B-1049 Brussels, Fax +32 2 2962338

⁽¹⁾ May be forwarded when application has been approved.

*Appendix 2***Conditions on issues related to satellite tracking of fishing vessels**

1. Satellite tracking shall apply to the Parties' fishing vessels when operating in the waters of the other Party.

Fishing vessels shall be tracked by their Flag State Fisheries Monitoring Centre (FMC) when operating in waters under the jurisdiction of the other Party.

2. For the purpose of the satellite tracking, the Parties shall exchange consistent latitude and longitude coordinates of waters which fall under their jurisdiction. Such coordinates shall be without prejudice to other claims and positions of the Parties. The data shall be communicated in computer readable form, as decimal degrees in the WGS-84 datum.
3. The Vessel Monitoring System hardware and software components shall be tamper proof, i.e. shall not permit the input or output of false positions and shall not be capable of being manually over-ridden. The system shall be fully automatic and operational at all times regardless of environmental conditions. It shall be prohibited to destroy, damage, render inoperative or otherwise interfere with the satellite-tracking device.

In particular, the masters shall ensure that:

- data are not altered in any way,
- the antenna or the antennas connected to the satellite tracking devices are not obstructed in any way,
- the power supply of the satellite tracking devices is not interrupted in any way, and
- the satellite tracking devices are not removed from the vessel.

It shall be prohibited for a Community fishing vessel to enter the Greenlandic EEZ without a functioning satellite tracking device. The Greenland authorities are entitled to suspend with immediate effect the licence of Community fishing vessels entering the Greenlandic EEZ without functioning satellite tracking devices. The Greenland authorities shall provide notice without delay to the vessel concerned. The European Commission and the flag Member State shall be notified of the suspension of licences by the Greenland authorities without delay.

4. Tracking shall have a position error which shall be less than 500 metres, with a confidence interval of 99 %.
5. When a vessel subject to satellite tracking enters into or exits from waters under the jurisdiction of the other Party, the Flag State shall forward to the relevant FMC of the other Party an Entry or Exit message as described in the Annex. These messages shall be transmitted without delay and based on a preceding tracking on an hourly basis. The tracking frequency by the Flag State FMC of a vessel being in the waters under the jurisdiction of the other Party, shall be on an hourly basis, or more frequent if the Parties so desire.
6. When a vessel has moved into waters under the jurisdiction of the other Party, the latest position message from the vessel will be communicated from the Flag State FMC to the relevant FMC of the other Party without delay at least every two hours. These messages will be identified as Position messages as described in the Annex.
7. It shall be prohibited for a vessel to switch off its satellite tracking devices when operating in waters under the jurisdiction of the other Party.

When the satellite tracking device has transmitted hourly messages with the same geographical position for more than four hours, a position message containing the activity code 'ANC' as described in the Annex may be sent. Such position messages may be transmitted with a frequency of once every 12 hours. Within less than one hour after the position has changed, the hourly reporting frequency will resume.

8. Messages according to paragraphs 5, 6 and 7 shall be in computer readable form, utilising X 25 or other secure protocols, subject to prior agreement between relevant FMCs.

The X 25 shall be replaced forthwith by HTTPS or other secure protocols as soon as NEAFC has decided on a replacement.

9. In the event of technical failure or non-function of the satellite tracking device fitted on board a vessel, the master of the vessel shall communicate to his Flag State FMC information according to paragraph 7 in a timely manner. At least one position report per four hours shall be sufficient under such circumstances, as long as the vessel stays within the waters under the jurisdiction of the other Party. The Flag State FMC or the vessels shall forward such messages to the FMC of the other Party without undue delay.

Such faulty equipment shall be repaired or replaced before the vessel commences a new fishing trip.

Exemptions may be made where it is evident that the equipment cannot be repaired or replaced for reasons outside the control of the master or the owner of the vessel.

10. The Flag State FMC shall monitor the tracking of its vessels when in the waters under the jurisdiction of the other Party. Information shall be forwarded to the FMC of the other Party without delay in the event that it is discovered that the tracking of vessels does not function as agreed.
11. In the event that a FMC discovers that information is not being communicated by the other Party in accordance with paragraphs 5, 6 and 7, the other Party shall be notified without delay.

The stored messages shall be transmitted as soon as electronic communication is re-established between the relevant FMCs.

Communication failures between FMCs shall not affect the operation of the vessels.

12. Under no circumstances shall tracking data communicated to the other Party in accordance with this Agreement be disclosed to authorities, other than control and monitoring authorities in such a form that the identification of an individual vessel can be derived.
13. The FMCs of the European Community shall be the Flag State FMC in terms of communicating messages and reports in accordance with paragraphs 5, 6 and 7 from the European Community to Greenland. For the purpose of communicating such reports and messages from Greenland to the European Community, the European Community FMC shall be the FMC of the Member State in whose waters the vessel is or has been operating. The FMC of Greenland is established at the controlling unit of Directorate of Fisheries (Greenland Fisheries Licence Control Authorities) in Nuuk.
14. The Parties shall exchange information concerning addresses and specifications that shall be used for electronic communication between their FMCs in accordance with paragraphs 5, 6 and 7. Such information shall, to the extent available, also include names, telephone numbers and e-mail addresses that can be useful for general communication between the FMCs.
15. If a vessel as identified in paragraph 1 flying the flag of one of the Parties is observed within the jurisdiction of the other Party fishing or intending to fish, without having operational satellite tracking device on board and without messages being communicated to that other Party, this vessel may be instructed to leave the waters of that Party. The Parties shall establish routines concerning the exchange of information in order to establish the factual situation causing such lack of messages. This exchange must seek to prevent the wrongful exclusion of vessel.

16. Repeated failure to comply with the measures hereby provided for may be considered a serious infringement.

17. The Parties shall review these Conditions as appropriate.

Communication of VMS messages to the FMC of the other Party

1. 'ENTRY' message

Data Element	Field Code	Mandatory/ Optional	Remarks
Start Record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination Party Alfa-3 ISO country code
From	FR	M	Message detail; the transmitting Party Alfa-3 ISO country code
Record Number	RN	O	Message detail; serial number of the record in the relevant year
Record Date	RD	O	Message detail; date of transmission
Record Time	RT	O	Message detail; time of transmission
Type of Message	TM	M	Message detail; message type, 'ENT'
Radio Call Sign	RC	M	Vessel detail; international radio call sign of the vessel
Internal Reference Number	IR	M	Vessel detail. Unique Party vessel number as Alfa-3 ISO flag country code followed by number
External Registration Number	XR	O	Vessel detail; the side number of the vessel
Latitude	LT	M	Position detail; position ± 99.999 (WGS-84)
Longitude	LG	M	Position detail; position ± 999.999 (WGS-84)
Speed	SP	M	Position detail; Vessel speed in tenths of knots
Course	CO	M	Position detail; Vessel course 360° scale
Date	DA	M	Position detail; UTC date of position (YYYYMMDD)
Time	TI	M	Position detail; UTC time of position (HHMM)
End of Record	ER	M	System detail; indicates end of the record

2. 'POSITION' message/report

Data Element	Field Code	Mandatory/ Optional	Remarks
Start Record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination Party Alfa-3 ISO country code
From	FR	M	Message detail; the transmitting Party Alfa-3 ISO country code
Record Number	RN	O	Message detail; serial number of the record in the relevant year
Record Date	RD	O	Message detail; date of transmission
Record Time	RT	O	Message detail; time of transmission

Data Element	Field Code	Mandatory/ Optional	Remarks
Type of Message	TM	M	Message detail; message type, 'POS' ⁽¹⁾
Radio Call Sign	RC	M	Vessel detail; international radio call sign of the vessel
Internal Reference Number	IR	M	Vessel detail. Unique Party vessel number as Alfa-3 ISO flag country code followed by number
External Registration Number	XR	O	Vessel detail; the side number of the vessel
Latitude	LT	M	Position detail; position \pm 99.999 (WGS-84)
Longitude	LG	M	Position detail; position \pm 999.999 (WGS-84)
Activity	AC	O ⁽²⁾	Position detail; 'ANC' indicating reduced reporting mode
Speed	SP	M	Position detail; Vessel speed in tenths of knots
Course	CO	M	Position detail; Vessel course 360° scale
Date	DA	M	Position detail; UTC date of position (YYYYMMDD)
Time	TI	M	Position detail; UTC time of position (HHMM)
End of Record	ER	M	System detail; indicates end of the record

⁽¹⁾ Type of message shall be 'MAN' for reports communicated by vessels with a defective satellite tracking device.

⁽²⁾ Applicable only if the vessel is transmitting POS messages at a reduced frequency.

3. 'EXIT' message

Data Element	Field Code	Mandatory/ Optional	Remarks
Start Record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination Party Alfa-3 ISO country code
From	FR	M	Message detail; the transmitting Party Alfa-3 ISO country code
Record Number	RN	O	Message detail; serial number of the record in the relevant year
Record Date	RD	O	Message detail; date of transmission
Record Time	RT	O	Message detail; time of transmission
Type of Message	TM	M	Message detail; message type, 'EXI'
Radio Call Sign	RC	M	Vessel detail; international radio call sign of the vessel
Internal Reference Number	IR	M	Vessel detail. Unique Party vessel number as Alfa-3 ISO flag country code followed by number
External Registration Number	XR	O	Vessel detail; the side number of the vessel
Date	DA	M	Position detail; UTC date of position (YYYYMMDD)
Time	TI	M	Position detail; UTC time of position (HHMM)
End of Record	ER	M	System detail; indicates end of the record

4. Format details

Each message in a data transmission is structured as follows:

- double slash (//) and the character 'SR' indicates the start of a message,
- a double slash (//) and field code indicates the start of a data element,
- a single slash (/) separates the field code and the data,
- pairs of data are separated by space
- the character ER and a double slash (//) indicate the end of the record.

All field codes in this Annex are in The North Atlantic Format as described in The NEAFC Scheme of Control and Enforcement.

*Appendix 3***Methods and criteria for project assessment for temporary joint ventures and joint enterprises**

1. The Parties shall exchange information on the projects presented for the formation of temporary joint ventures and joint enterprises according to Article 2 of the Agreement.
2. The projects shall be presented to the Community via the competent authorities of the Member State or Member States concerned.
3. The Community shall submit to the Joint Committee a list of projects concerning temporary joint ventures and joint enterprises. The Joint Committee shall assess the projects in accordance *inter alia* with the following criteria:
 - (a) technology appropriate to the proposed fishing operations;
 - (b) target species and fishing zones;
 - (c) age of the vessel;
 - (d) in case of temporary joint ventures, the total duration and that of fishing operations;
 - (e) previous experience of the Community ship owner and any Greenlandic partner in the fisheries sector.
4. The Joint Committee shall issue an opinion on the projects following the assessment under point 3.
5. In the case of temporary joint ventures, once the projects have received a favourable opinion from the Joint Committee, the Greenland Authority shall issue the necessary authorisations and fishing licences.

Conditions concerning access to resources of temporary joint ventures in Greenland*1. Licences*

The fishing licences to be issued by Greenland shall have a validity equal to the duration of the temporary joint ventures. Fishing shall take place on quotas allocated by the Greenland Authority.

2. Replacement of vessels

A Community vessel operating under a temporary joint venture may be replaced by another Community vessel with equivalent capacity and technical specifications only on duly justified grounds and with the agreement of the parties.

3. Fitting-out

Vessels operating under temporary joint ventures shall comply with the rules and regulations applicable in Greenland regarding fitting-out, which regulation shall be applied without discrimination between Greenland and Community vessels.

*Appendix 4***Details of implementation for experimental fisheries**

The Home Rule Government of Greenland and the European Commission shall jointly decide on the European Community operators, the most suitable time as well as the arrangements for the implementation of experimental fisheries. In order to facilitate the exploratory work of the vessels, the Home Rule Government of Greenland (through the Greenland Institute of Natural Resources) shall provide existing scientific and other basic information.

The Greenland fishing industry shall be closely associated (coordination and dialogue on the arrangements for experimental fisheries).

Length of the campaigns: maximum six month and minimum three month, unless changed by the parties in agreement.

Selection of candidates for the implementation of the experimental campaigns:

The European Commission shall communicate to the Greenland authorities the requests for licences for experimental fishery. A technical dossier specifying:

- the technical characteristics of the vessel,
- the level of expertise on the fishery of the ship officers,
- the proposal for the technical parameters of the campaign (length, gear, exploration regions etc.).

The Home Rule Government of Greenland shall organise a technical dialogue between the administrations of Greenland and the Community authorities with the ship-owners concerned, if it considers this necessary.

Before the beginning of the campaign, the vessel owners shall submit to the Greenland authorities and to the European Commission:

- a declaration of the catches already on board,
- the technical characteristics of the fishing gear to be used for the campaign,
- an assurance that they comply with the Greenland Regulations for fisheries.

During the campaign at sea, the owners of the vessels concerned shall:

- provide the Greenland Institute of Natural Resources, the Greenland authorities and the European Commission with a weekly report on catches per day and by haul, including the description of the campaign's technical parameters (position, depth, date and time, catches and other observations or comments),
- communicate the vessel's position, speed and heading by VMS,
- ensure the presence on board of one Greenlandic scientific observer or an observer chosen by the Greenland authorities. The role of the observer will be to gather scientific information from the catches, as well as to sample the catches. The observer shall be treated as a ship's officer and the vessel-owner shall cover the living costs of the observer during his stay on the vessel. The decision on the observer's time on board, the length of his stay, the boarding and landing harbour will be fixed in agreement with the Greenland authorities. Unless there is agreement between the parties to the contrary, the vessel will never be obliged to put into harbour more than once per two month,
- submit the vessels to inspection on leaving the Greenlandic EEZ if the Greenland authorities so request,
- ensure that they comply with the Greenland Regulations for fisheries.

The catches consistent with and obtained during the experimental campaign remain the property of the vessel-owner.

The catches consistent with the experimental campaign shall be established by the Greenland authorities prior to the commencement of each campaign and made available to the master of the vessel(s) concerned.

The Greenland authorities will designate a contact person responsible for addressing any unforeseen problems that might hinder the development of the experimental fisheries.

The Greenland authorities will prior to the commencement of each campaign present the details and conditions of the experimental fishing campaigns in accordance with Articles 9 and 10 of the Agreement and in accordance with Greenlandic law.

COUNCIL REGULATION (EC) No 754/2007**of 28 June 2007****amending Regulations (EC) No 1941/2006, (EC) No 2015/2006 and (EC) No 41/2007, as regards fishing opportunities and associated conditions for certain fish stocks**

THE COUNCIL OF THE EUROPEAN UNION,

(3) The provisions on designated ports should be clarified.

Having regard to the Treaty establishing the European Community,

(4) Drift lines should be excluded from the gear types subject to the fishing effort limits when this gear type is not used to catch cod.

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 20 thereof,

(5) Since it is not considered necessary to maintain the reference to Subdivision 27 as regards fishing effort limits in the Baltic Sea due to minimal catches of cod in this Subdivision, the reference to this Subdivision should be deleted.

Having regard to Council Regulation (EC) No 423/2004 of 26 February 2004 establishing measures for the recovery of cod stocks ⁽²⁾, and in particular Article 8 thereof,

(6) Council Regulation (EC) No 2015/2006 ⁽⁴⁾ fixes for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks.

Having regard to the proposal from the Commission,

(7) The descriptions of certain fishing zones in that Regulation should be clarified in order to ensure the correct identification of the area in which a quota can be fished.

Whereas:

(1) Council Regulation (EC) No 1941/2006 ⁽³⁾ fixes the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2007.

(8) Certain quotas and footnotes were inaccurately indicated in that Regulation for certain species and should be corrected.

(2) Regulation (EC) No 1941/2006 provides that the additional prohibited days to be allocated by Member States in certain subdivisions of the Baltic Sea are to be divided into periods of not less than five days. That provision should, however, not apply where the additional prohibited days are linked to one of the fixed closed periods provided for in that Regulation, as long as the total period of closed days is equal to or greater than five days. The allocation of the additional prohibited days should be clarified retroactively.

(9) Council Regulation (EC) No 41/2007 ⁽⁵⁾ fixes for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.

(10) Certain special provisions concerning landing or transshipment of frozen fish caught by third-country fishing vessels in the NEAFC Convention area should be clarified.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 70, 9.3.2004, p. 8. Regulation as amended by Commission Regulation (EC) No 441/2007 (OJ L 104, 21.4.2007, p. 28).

⁽³⁾ OJ L 367, 22.12.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 609/2007 (OJ L 141, 2.6.2007, p. 33).

⁽⁴⁾ OJ L 384, 29.12.2006, p. 28. Regulation as amended by Regulation (EC) No 609/2007.

⁽⁵⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Regulation (EC) No 643/2007 (OJ L 151, 13.6.2007, p. 1).

- (11) The title of Annex IA to Regulation (EC) No 41/2007 and certain descriptions of fishing zones should be clarified in order to ensure the correct identification of the area in which a quota can be fished.
- (12) The final catch limits for the fisheries on sandeel in ICES zones IIIa and IV and EC waters of ICES zone IIa shall be established on the basis of advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF) and pursuant to point 8 of Annex IID to Regulation (EC) No 41/2007. Sandeel is a North Sea stock which is shared with Norway but which is currently not jointly managed. The final catch limits are in accordance with the Agreed Record of conclusions of fisheries consultations with Norway of 22 May 2007.
- (13) The conditions applying to the by-catch quota on skates and rays should be limited to quantities of more than 200 kg of these species.
- (14) The reference period relating to the quantification of the fishing efforts deployed by fleets benefiting from the allocation of additional days for the permanent cessation of fishing activities is wrongly indicated and should be corrected.
- (15) The coordinates indicating the area related to technical measures in the Irish Sea in Annex III are not correctly indicated and should be corrected.
- (16) The Western and Central Pacific Fisheries Commission at its third Annual Meeting on 11-15 December 2006 adopted measures to protect tuna resources and regulatory measures for swordfish in certain areas. Those measures should be implemented in Community law.
- (17) Pursuant to consultations between the Community, the Faroe Islands, Iceland, Norway and the Russian Federation on 18 January 2007, an agreement on fishing opportunities for the Atlanto-Scandian (Norwegian spring-spawning) herring stock in the north-east Atlantic was reached. According to that agreement, the number of Community licenses is to be raised from 77 to 93. The agreement should be implemented in Community law.
- (18) Regulations (EC) No 1941/2006, (EC) No 2015/2006 and (EC) No 41/2007 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 1941/2006

Annexes I, II and III to Regulation (EC) No 1941/2006 shall be amended in accordance with Annex I to this Regulation.

Article 2

Amendments to Regulation (EC) No 2015/2006

Part 2 of the Annex to Regulation (EC) No 2015/2006 shall be amended in accordance with Annex II to this Regulation.

Article 3

Amendments to Regulation (EC) No 41/2007

Regulation (EC) No 41/2007 is hereby amended as follows:

1. Article 51(1) shall be replaced by the following:

‘1. By way of derogation from Article 28e(1) of Regulation (EEC) No 2847/93, the masters of all fishing vessels or their representatives, carrying fish referred to in Article 49, intending to call into a port or to land or tranship shall notify the competent authorities of the Member State of the port which they wish to use at least three working days before the estimated time of arrival.’;

2. Article 52 shall be amended as follows:

(a) the first subparagraph of paragraph 1 shall be replaced by the following:

‘1. Landings or transhipments may only be authorised by the competent authorities of the port Member State if the flag State of the fishing vessel intending to land or tranship, or where the vessel has engaged in transhipment operations outside a port, the flag State or States of donor vessels, have confirmed by returning a copy of the form transmitted pursuant to Article 51(3) with Part B duly completed that:’;

(b) paragraph 3 shall be replaced by the following:

‘3. The competent authorities of the port Member State shall without delay notify its decision whether or not to authorise the landing or transhipment by transmitting a copy of the form provided for in part I of Annex IV with Part C duly completed to the Commission and to the Secretary of NEAFC when the fish landed or transhipped is caught in the NEAFC Convention area.’;

3. Article 53(1) shall be replaced by the following:

Article 4

Entry into force

‘1. The competent authorities of Member States shall carry out inspections of at least 15 % of landings and transshipments by third-country fishing vessels, referred to in Article 49, in its ports each year.’;

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

4. Annexes IA, IIA, III and IV to Regulation (EC) No 41/2007 shall be amended in accordance with Annex III to this Regulation.

However, Article 1, as regards the amendments set out in Annex I, points 1 and 2, to this Regulation, shall apply from 1 January 2007.

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

Done at Luxembourg, 28 June 2007.

For the Council

The President

S. GABRIEL

ANNEX I

The Annexes to Regulation (EC) No 1941/2006 are hereby amended as follows:

1. Annex I shall be amended as follows:

- (a) footnote (1) under the entries concerning the species cod in subdivisions 25-32 (EC waters) and the species cod in subdivisions 22-24 (EC waters) shall be deleted; and
- (b) Appendix I to Annex I shall be deleted.

2. Annex II shall be amended as follows:

- (a) point 1.1 shall be replaced by the following:

'1.1. Fishing with trawls, seines, or similar gears of a mesh size equal to or greater than 90 mm or with bottom set gillnets, entangling nets and trammel nets of a mesh size equal to or greater than 90 mm or with bottom set lines or long lines, except drift lines, shall be prohibited:

- (a) from 1 to 7 January, 31 March to 1 May and 31 December in Subdivisions 22 to 24; and
- (b) from 1 to 7 January, 5 to 10 April, 1 July to 31 August and 31 December in Subdivisions 25 to 26.;

- (b) point 1.2 shall be replaced by the following:

'1.2. For fishing vessels flying their flag, Member States shall ensure that fishing with trawls, seines or similar gears of a mesh size equal to or greater than 90 mm or with bottom set gillnets, entangling nets and trammel nets of a mesh size equal to or greater than 90 mm or with bottom set lines or long lines, except drift lines, shall also be prohibited for:

- (a) 77 calendar days in subdivisions 22 to 24 outside the period referred to in point 1.1(a); and
- (b) 67 calendar days in subdivisions 25 to 26 outside the period referred to in point 1.1(b).

Member States shall divide the days referred to in points (a) and (b) into periods of not less than 5 days, unless the days referred to in points (a) and (b) are added to the periods set out in points 1.1(a) and 1.1(b) respectively, excluding 31 December.;

- (c) the following point shall be added:

'1.3. When fishing with drift lines within the periods and on the days set out in points 1.1 and 1.2, no cod shall be retained on board.;

3. Point 2.7.1 of Annex III shall be replaced by the following:

- '2.7.1. If a Member State has designated ports for the landings of cod, fishing vessels retaining more than 750 kg of cod live weight may exclusively land the cod at these designated ports.'

ANNEX II

Part 2 of the Annex to Regulation (EC) No 2015/2006, is hereby amended as follows:

1. The entry concerning the species alfonsinos in Community waters and waters not under the sovereignty or jurisdiction of third countries of ICES zones I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV shall be replaced by the following:

'Species: Alfonsinos <i>Beryx</i> spp.		Zone: Community waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII and XIV
Year	2007	2008
Spain	74	74
France	20	20
Ireland	10	10
Portugal	214	214
United Kingdom	10	10
EC	328	328'

2. The entry concerning the species roundnose grenadier in ICES zone IIIa and Community waters of ICES zones IIIbcd shall be replaced by the following:

'Species: Roundnose grenadier <i>Coryphaenoides rupestris</i>		Zone: IIIa and Community waters of IIIbcd
Year	2007	2008
Denmark	1 002	946
Germany	6	5
Sweden	52	49
EC	1 060	1 000'

3. The entry concerning the species roundnose grenadier in Community waters and waters not under the sovereignty or jurisdiction of third countries of ICES zones VIII, IX, X, XII and XIV and V (Greenland waters) shall be replaced by the following:

'Species: Roundnose grenadier <i>Coryphaenoides rupestris</i>		Zone: Community waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII and XIV
Year	2007	2008
Germany	40	40
Spain	4 391	4 391
France	202	202
Ireland	9	9
United Kingdom	18	18
Latvia	71	71
Lithuania	9	9
Poland	1 374	1 374
EC	6 114	6 114'

4. The entry concerning the species orange roughy in Community waters and waters not under the sovereignty or jurisdiction of third countries of ICES zones I, II, III, IV, V, VIII, IX, X, XI, XII and XIV shall be replaced by the following:

'Species: Orange roughy <i>Hoplostethus atlanticus</i>		Zone: Community waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV, V, VIII, IX, X, XII and XIV
Year	2007	2008
Spain	4	3
France	23	15
Ireland	6	4
Portugal	7	5
United Kingdom	4	3
EC	44	30'

5. The entry concerning the species blue ling in Community waters and waters not under the sovereignty and jurisdiction of third countries of ICES zones VI and VII shall be replaced by the following:

'Species: Blue ling <i>Molva dypterygia</i>		Zone: Community waters and waters not under the sovereignty or jurisdiction of third countries of VI and VII (?)
Year	2007	2008
Germany	26	21
Estonia	4	3
Spain	83	67
France	1 898	1 518
Ireland	7	6
Lithuania	2	1
Poland	1	1
United Kingdom	482	386
Others ⁽¹⁾	7	6
EC	2 510	2 009

⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota.

⁽²⁾ Member States shall ensure that the fishery for blue ling is scientifically monitored, in particular the activities of those fishing vessels that landed more than 30 tonnes of blue ling in 2005. All vessels shall give prior notification of landing of more than 5 tonnes of blue ling and shall not land more than 25 tonnes of blue ling at the end of any fishing trip.'

6. The entry concerning the species red seabream in Community waters and waters not under the sovereignty and jurisdiction of third countries shall be replaced by the following:

'Species: Red seabream <i>Pagellus bogaraveo</i>		Zone: X (Community waters and waters not under the sovereignty or jurisdiction of third countries)
Year	2007	2008
Spain ⁽¹⁾	10	10
Portugal ⁽¹⁾	1 116	1 116
United Kingdom ⁽¹⁾	10	10
EC ⁽¹⁾	1 136	1 136

⁽¹⁾ Up to 10 % of the 2008 quotas may be taken in December 2007.'

ANNEX III

The Annexes to Regulation (EC) No 41/2007 are hereby amended as follows:

1. Annex IA shall be amended as follows:

(a) the title shall be replaced by the following:

'SKAGERRAK, KATTEGAT, ICES zones I, II, III, IV, V, VI, VII, VIII, IX, X, XII and XIV, EC waters of CECAF, French Guyana waters';

(b) the entry concerning the species sandeel in ICES zone IIIa; EC waters of ICES zones IIa and IV shall be replaced by the following:

Species: Sandeel <i>Ammodytidae</i>		Zone: IIIa; EC waters of IIa and IV ⁽¹⁾ SAN/2A3A4.
Denmark	144 324 ⁽²⁾	Analytical TAC. Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
United Kingdom	3 155 ⁽³⁾	
All Member States	5 521 ⁽⁴⁾ ⁽⁵⁾	
EC	153 000 ⁽⁶⁾	
Norway	20 000 ⁽⁷⁾	
TAC	Not relevant ⁽⁸⁾	

⁽¹⁾ Excluding waters within six miles of UK baselines at Shetland, Fair Isle and Foula.

⁽²⁾ Of which no more than 125 459 tonnes may be fished in EC waters of IIa and IV. The remaining 18 865 tonnes may be fished in ICES zone IIIa only.

⁽³⁾ Of which no more than 2 742 tonnes may be fished in EC waters of IIa and IV. The remaining 413 tonnes may be fished in EC waters of ICES zone IIIa only.

⁽⁴⁾ Of which no more than 4 799 tonnes may be fished in EC waters of ICES zones IIa and IV. The remaining 722 tonnes may be fished in ICES zone IIIa only; Member States other than Sweden may fish only in EC waters of ICES zone IIIa.

⁽⁵⁾ Except Denmark and the United Kingdom.

⁽⁶⁾ Of which no more than 133 000 tonnes may be fished in EC waters of ICES zones IIa and IV. The remaining 20 000 tonnes may be fished in ICES zone IIIa only.

⁽⁷⁾ To be taken in ICES zone IV.

⁽⁸⁾ No more than 170 000 tonnes may be fished in ICES zones IIa and IV in accordance with the Agreed Record with Norway of 22 May 2007.'

- (c) the entry concerning the species herring in ICES zone IV north of 53° 30' N shall be replaced by the following:

'Species: Herring ⁽¹⁾ <i>Clupea harengus</i>		Zone: EC and Norwegian waters of IV north of 53° 30' N HER/04A., HER/04B.
Denmark	50 349	Analytical TAC Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
Germany	34 118	
France	19 232	
The Netherlands	47 190	
Sweden	3 470	
United Kingdom	50 279	
EC	204 638	
Norway	50 000 ⁽²⁾	
TAC	341 063	

⁽¹⁾ Landings of herring taken in fisheries using nets with mesh sizes equal to or larger than 32 mm. Member States must inform the Commission of their landings of herring distinguishing between ICES zones IVa and IVb.

⁽²⁾ May be taken in EC waters. Catches taken within this quota are to be deducted from Norway's share of the TAC.

Special conditions

Within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the zones specified

Norwegian waters south of 62° N
(HER/*04N-)

EC 50 000'

- (d) the entry concerning the species herring in ICES zones Vb and VIb and EC waters of ICES zone VIaN shall be replaced by the following:

'Species: Herring <i>Clupea harengus</i>		Zone: EC and international waters of Vb, VIb and VIaN ⁽¹⁾ HER/5B6ANB.
Germany	3 727	Precautionary TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
France	705	
Ireland	5 036	
The Netherlands	3 727	
United Kingdom	20 145	
EC	33 340	
Faroe Islands	660 ⁽²⁾	
TAC	34 000	

⁽¹⁾ Reference is to the herring stock in ICES zone VIa, north of 56° 00' N and in that part of VIa which is situated east of 7° 00' W and north of 55° 00' N, excluding the Clyde.

⁽²⁾ This quota may only be taken in ICES zone VIa north of 56° 30' N.'

(e) the entry concerning the species haddock in ICES zones VIb, XII and XIV shall be replaced by the following:

'Species: Haddock <i>Melanogrammus aeglefinus</i>		Zone: EC and international waters of VIb, XII and XIV HAD/6B1214
Belgium	10	Analytical TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 applies. Article 5(2) of Regulation (EC) No 847/96 applies.
Germany	12	
France	509	
Ireland	363	
United Kingdom	3 721	
EC	4 615	
TAC	4 615'	

(f) the entry concerning the species skates and rays in EC waters of IIa and IV shall be replaced by the following:

'Species: Skates and rays <i>Rajidae</i>		Zone: EC waters of IIa and IV SRX/2AC4-C
Belgium	369 ⁽¹⁾	Precautionary TAC Article 3 of Regulation (EC) No 847/96 applies. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.
Denmark	14 ⁽¹⁾	
Germany	18 ⁽¹⁾	
France	58 ⁽¹⁾	
The Netherlands	314 ⁽¹⁾	
United Kingdom	1 417 ⁽¹⁾	
EC	2 190 ⁽¹⁾	
TAC	2 190	

⁽¹⁾ By-catch quota. Where more than 200 kg of these species are caught in any continuous 24-hour period they shall not comprise more than 25 % by live weight of the catch retained on board.'

2. Annex IIA shall be amended as follows:

(a) point 10.1 shall be replaced by the following:

'10.1. An additional number of days on which a vessel may be present within the area when carrying on board any of the gears referred to in point 4.1 may be allocated to Member States by the Commission on the basis of permanent cessations of fishing activities that have taken place since 1 January 2002. The effort expended in 2001 measured in kilowatt days of the withdrawn vessels using the gear in question in the relevant area shall be divided by the effort expended by all vessels using that gear during 2001. The additional number of days shall then be calculated by multiplying the ratio so obtained by the number of days originally allocated. Any part of a day resulting from this calculation shall be rounded to the nearest whole day. This point shall not apply where a vessel has been replaced in accordance with point 5.2 or when the withdrawal has already been used in previous years to obtain additional days at sea.;

(b) point 11.4 shall be replaced by the following:

'11.4. Six additional days on which a vessel may be present within the area referred to in point 2.1(c) when carrying on board gear referred to in point 4.1(a)(iv) and 4.1(a)(v) may be allocated between 1 February 2007 and 31 January 2008 to Member States by the Commission on the basis of an Enhanced Data Pilot Project.;

(c) point 11.5 shall be replaced by the following:

'11.5. Twelve additional days on which a vessel may be present within the area referred to in point 2.1(c) when carrying on board gear referred to in point 4.1 except gear referred to in paragraphs 4.1(a)(iv) and 4.1(a)(v) may be allocated between 1 February 2007 and 31 January 2008 to Member States by the Commission on the basis of an Enhanced Data Pilot Project.;

3. Annex III shall be amended as follows:

(a) point 8.1 shall be replaced by the following:

‘8.1. In the period from 14 February to 30 April 2007 it shall be prohibited to use any demersal trawl, seine or similar towed net, any gill net, tangle net or similar static net or any fishing gear incorporating hooks within that part of ICES division VIIa enclosed by:

- the east coast of Ireland and the east coast of Northern Ireland; and
- straight lines sequentially joining the following geographical coordinates:
- a point on the east coast of the Ards peninsula in Northern Ireland at 54° 30′ N;
- 54° 30′ N, 4° 50′ W;
- 53° 15′ N, 4° 50′ W;
- a point at the east coast of Ireland at 53° 15′ N;’

(b) point 9.4 shall be replaced by the following:

‘9.4. By way of derogation from point 9.3 it shall be permitted to use the following gear:

- (a) gillnets with a mesh size equal to or greater than 120 mm and less than 150 mm, provided that they are deployed in waters of less than 600 metres charted depth, are no more than 100 meshes deep, have a hanging ratio of not less than 0,5 and are rigged with floats or equivalent flotation. The nets shall each be of a maximum of 2,5 km in length, and the total length of all nets deployed at any one time shall not exceed 25 km per vessel. The maximum soak time shall be 24 hours; or
- (b) entangling nets with a mesh size equal to or greater than 250 mm, provided that they are deployed in waters of less than 600 metres charted depth, are no more than 15 meshes deep, have a hanging ratio of not less than 0,33 and are not rigged with floats or other means of flotation. The nets shall each be of a maximum of 10 km in length. The total length of all nets deployed at any one time shall not exceed 100 km per vessel. The maximum soak time shall be 72 hours.

However, this derogation shall not apply in the NEAFC Regulatory area.’;

(c) point 21 shall be replaced by the following:

‘21. Western and Central Pacific Ocean

- 21.1. Member States shall ensure that the total fishing effort for bigeye tuna, yellowfin tuna, skipjack tuna and south pacific albacore in the area of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention Area) is limited to the fishing effort provided for in fisheries partnership agreements between the Community and coastal States in the region.
- 21.2. Member States whose vessels are authorised to fish in the Convention Area shall develop management plans for the use of anchored or drifting floating aggregate devices (FADs). Those management plans shall include strategies to limit the interaction with juvenile bigeye and yellowfin tuna.
- 21.3. Management plans referred to in point 21.2 shall be submitted to the Commission not later than 15 October 2007. The Commission shall compile those management plans and submit a Community management plan to the Western and Central Pacific Fisheries Commission (WCPFC) Secretariat not later than 31 December 2007.
- 21.4. The number of Community vessels fishing for swordfish in areas south of 20° S of the Convention Area shall not exceed 14 vessels. Community participation shall be limited to vessels flying the flag of Spain.’;

4. Annex IV shall be amended as follows:

(a) Part I shall be replaced by the following:

PART I

Quantitative limitations of licences and fishing permits for Community vessels fishing in third country waters

Area of fishing	Fishery	Number of licences	Allocation of licences amongst Member States	Maximum number of vessels present at any time
Norwegian waters and fishery zone around Jan Mayen	Herring, North of 62° 00' N	93	DK: 32, DE: 6, FR: 1, IRL: 9, NL: 11, SW: 12, UK: 21, PL: 1	69
	Demersal species, North of 62° 00' N	80	FR: 18, PT: 9, DE: 16, ES: 20, UK: 14, IRL: 1	50
	Mackerel, South of 62° 00' N, purse seine fishery	11	DE: 1 ⁽¹⁾ , DK: 26 ⁽¹⁾ , FR: 2 ⁽¹⁾ , NL: 1 ⁽¹⁾	not relevant
	Mackerel, South of 62° 00' N, trawl fishery	19		not relevant
	Mackerel, North of 62° 00' N, purse seine fishery	11 ⁽²⁾	DK: 11	not relevant
	Industrial species, South of 62° 00' N	480	DK: 450, UK: 30	150
Waters of the Faroe Islands	All trawl fisheries with vessels of not more than 180 feet in the zone between 12 and 21 miles from the Faroese baselines.	26	BE: 0, DE: 4, FR: 4, UK: 18	13
	Directed fishing for cod and haddock with a minimum mesh of 135 mm, restricted to the area south of 62° 28' N and east of 6° 30' W.	8 ⁽³⁾		4
	Trawling outside 21 miles from the Faroese baseline. In the periods 1 March to 31 May and 1 October to 31 December, these vessels may operate in the area between 61° 20' N and 62° 00' N and between 12 and 21 miles from the baselines.	70	BE: 0, DE: 10, FR: 40, UK: 20	26
	Trawl fisheries for blue ling with a minimum mesh of 100 mm in the area south of 61° 30' N and west of 9° 00' W and in the area between 7° 00' W and 9° 00' W south of 60° 30' N and in the area south-west of a line between 60° 30' N, 7° 00' W and 60° 00' N, 6° 00' W.	70	DE: 8 ⁽⁴⁾ , FR: 12 ⁽⁴⁾ , UK: 0 ⁽⁴⁾	20 ⁽⁵⁾

Area of fishing	Fishery	Number of licences	Allocation of licences amongst Member States	Maximum number of vessels present at any time
	Directed trawl fishery for saithe with a minimum mesh size of 120 mm and with the possibility to use round-straps around the codend.	70		22 ⁽⁵⁾
	Fisheries for blue whiting. The total number of licences may be increased by four vessels to form pairs, should the Faroese authorities introduce special rules of access to an area called "main fishing area of blue whiting."	36	DE: 3, DK: 19, FR: 2, UK: 5, NL: 5	20
	Line fishing	10	UK: 10	6
	Fishing for mackerel	12	DK: 12	12
	Herring fisheries north of 62° N	21	DE: 1, DK: 7, FR: 0, UK: 5, IRL: 2, NL: 3, SW: 3	21

(¹) This allocation is valid for purse and trawl fisheries.

(²) To be selected from the 11 licences for purse seine fishery for mackerel South of 62° 00' N.

(³) Following the Agreed Record of 1999, the figures for the directed fishing for cod and haddock are included in the figures for "All trawl fisheries with vessels of not more than 180 feet in the zone between 12 and 21 miles from the Faroese baselines".

(⁴) These figures refer to the maximum number of vessels present at any time.

(⁵) These figures are included in the figures for "Trawling outside 21 miles from the Faroese baselines".

(b) Part II shall be replaced by the following:

PART II

Quantitative limitations of licences and fishing permits for third country fishing vessels in Community waters

Flag State	Fishery	Number of licences	Maximum number of vessels present at any time
Norway	Herring, north of 62° 00' N	20	20
Faeroe Islands	Mackerel, VIa (north of 56° 30' N), VIIe,f,h, horse mackerel, IV, VIa (north of 56° 30' N), VIIe,f,h; herring, VIa (north of 56° 30' N)	14	14
	Herring north of 62° 00' N	21	21
	Herring, IIIa	4	4
	Industrial fishing for Norway pout and sprat, IV, VIa (north of 56° 30' N); sandeel, IV (including unavoidable by-catches of blue whiting)	15	15
	Ling and tusk	20	10
	Blue whiting, II, VIa (north of 56° 30' N), VIIb, VII (west of 12° 00' W)	20	20
	Blue ling	16	16

Flag State	Fishery	Number of licences	Maximum number of vessels present at any time
Venezuela	Snappers ⁽¹⁾ (French Guyana waters)	41	pm
	Sharks (French Guyana waters)	4	pm

(¹) To be fished exclusively with long lines or traps (snappers) or long lines or mesh nets having a minimum mesh of 100 mm, at depths greater than 30 m (sharks). To issue these licences, proof must be produced that a valid contract exists between the ship owner applying for the licence and a processing undertaking situated in the Department of French Guyana, and that it includes and obligation to land at least 75 % of all snapper catches, or 50 % of all shark catches from the vessel concerned in that department so that they may be processed in that undertaking's plant.

The contract referred to above must be endorsed by the French authorities, which shall ensure that it is consistent both with the actual capacity of the contracting processing undertaking and with the objectives for the development of the Guyanese economy. A copy of the duly endorsed contract shall be appended to the licence application.

Where the endorsement referred to above is refused, the French authorities shall give notification of this refusal and state their reasons for it to the party concerned and to the Commission.'

COMMISSION REGULATION (EC) No 755/2007**of 29 June 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 June 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 29 June 2007 establishing the 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	33,7
	MK	39,3
	TR	97,2
	ZZ	56,7
0707 00 05	JO	159,1
	TR	101,8
	ZZ	130,5
0709 90 70	IL	42,1
	TR	91,3
	ZZ	66,7
0805 50 10	AR	60,4
	ZA	62,1
	ZZ	61,3
0808 10 80	AR	100,5
	BR	83,9
	CA	99,5
	CL	84,6
	CN	74,3
	CO	90,0
	NZ	99,9
	US	123,7
	UY	100,6
	ZA	103,2
	ZZ	96,0
0809 10 00	EG	88,7
	TR	192,3
	ZZ	140,5
0809 20 95	TR	305,5
	US	508,6
	ZZ	407,1
0809 40 05	IL	171,7
	ZZ	171,7

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 756/2007**of 29 June 2007****amending Regulation (EC) No 3223/94 on detailed rules for the application of the import arrangements for fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

2454/93, potentially outdated unit prices should no longer be used in the framework of the entry price system.

Having regard to the Treaty establishing the European Community,

(5) Since the modifications to Regulation (EEC) No 2454/93 applied from 19 May 2006, in the interest of legal certainty, those amendments should also apply as from that date.

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular Article 32(2) thereof,

(6) Article 3(1) of Regulation (EC) No 3223/94 contains a list of representative markets. That list should be amended to include the representative markets in Bulgaria and Romania.

Whereas:

(1) Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽²⁾ cross-refers to certain provisions of Articles 173 to 176 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3223/94 is amended as follows:

(2) Those provisions have however been deleted by Commission Regulation (EC) No 215/2006 of 8 February 2006 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code and amending Regulation (EC) No 2286/2003 ⁽⁴⁾.

1. in Article 2(2), the second and third subparagraphs are replaced by the following:

‘They shall be reduced by the following amounts:

(3) In the interests of legal certainty it is therefore necessary to amend Regulation (EC) No 3223/94 to make the necessary changes to ensure its continued smooth operation.

(a) a marketing margin of 15 % for the marketing centres of London, Milan and Rungis and of 8 % for other marketing centres, and

(4) The prices of fruit and vegetables change rapidly, and in line with the amendments to Regulation (EEC) No

(b) costs of transport and insurance within the customs territory.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

⁽³⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 214/2007 (OJ L 62, 1.3.2007, p. 6).

⁽⁴⁾ OJ L 38, 9.2.2006, p. 11.

For the costs of freight and insurance to be deducted pursuant to the third subparagraph, the Member States may fix standard amounts for deduction. Such standard amounts and the methods for calculating them shall be made known to the Commission immediately.’;

2. in Article 3, paragraph 1 is replaced by the following:

‘1. The following shall be deemed to be representative markets:

- Belgium and Luxemburg: Brussels,
- Bulgaria: Sofia,
- Czech Republic: Prague,
- Denmark: Copenhagen,
- Germany: Hamburg, Munich, Frankfurt, Cologne, Berlin,
- Estonia: Tallinn,
- Ireland: Dublin,
- Greece: Athens, Thessaloniki,
- Spain: Madrid, Barcelona, Seville, Bilbao, Zaragoza, Valencia,
- France: Paris-Rungis, Marseille, Rouen, Dieppe, Perpignan, Nantes, Bordeaux, Lyon, Toulouse,
- Italy: Milan,
- Cyprus: Nicosia,
- Latvia: Riga,
- Lithuania: Vilnius,
- Hungary: Budapest,
- Malta: Attard,
- Netherlands: Rotterdam,

- Austria: Vienna-Inzersdorf,
- Poland: Ożarów Mazowiecki-Bronisze, Poznań,
- Portugal: Lisbon, Porto,
- Romania: Bucharest, Constanţa,
- Slovenia: Ljubljana,
- Slovakia: Bratislava,
- Finland: Helsinki,
- Sweden: Helsingborg, Stockholm,
- United Kingdom: London.’

3. in Article 4, paragraph 2 is replaced by the following:

‘2. Where a standard value is established for the products and for the periods of application given in Part A of the Annex, in accordance with this Regulation, the unit price within the meaning of Article 152(1)(a) of Regulation (EEC) No 2454/93 shall not apply. It shall be replaced by the standard import value referred to in paragraph 1.’;

4. In Article 4, paragraph 5 is replaced by the following:

‘5. Notwithstanding paragraph 1, with effect from the first day of the periods of application set out in Part A of the Annex, where it has not been possible to calculate a standard import value, no standard import value shall be applicable.’

Article 2

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

Points 1, 3 and 4 of Article 1 shall apply from 19 May 2006.

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

Done at Brussels, 29 June 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

COMMISSION REGULATION (EC) No 757/2007**of 29 June 2007****concerning the permanent authorisation of certain additives in feedingstuffs****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, and in particular Articles 3, 9d(1) thereof,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽²⁾, and in particular Article 25 thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition.
- (2) Article 25 of Regulation (EC) No 1831/2003 lays down transitional measures for applications for the authorisation of feed additives submitted in accordance with Directive 70/524/EEC before the date of application of Regulation (EC) No 1831/2003.
- (3) The applications for the authorisation of the additives listed in the Annexes to this Regulation were submitted before the date of application of Regulation (EC) No 1831/2003.
- (4) Initial comments on those applications, as provided for in Article 4(4) of Directive 70/524/EEC, were forwarded to the Commission before the date of application of Regulation (EC) No 1831/2003. Those applications are therefore to continue to be treated in accordance with Article 4 of Directive 70/524/EEC.

- (5) Data were submitted in support of an application for authorisation without a time limit of the preservative preparation of sodium benzoate, propionic acid and sodium propionate for cattle for fattening. On 18 October 2006 the European Food Safety Authority delivered its opinion on the safety and efficacy of that preparation. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that preparation, as specified in Annex I to this Regulation, should be authorised without a time limit.
- (6) The use of the preparation of benzoic acid was provisionally authorised for the first time for pigs for fattening by Commission Regulation (EC) No 877/2003 ⁽³⁾. New data were submitted in support of an application for authorisation without a time limit of that preparation for pigs for fattening. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that preparation, as specified in Annex II to this Regulation, should be authorised without a time limit.
- (7) The assessment of these applications show that certain procedures should be required to protect workers from exposure to the additives set out in the Annexes. Such protection should be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽⁴⁾.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation belonging to the group 'Preservatives', as specified in Annex I, is authorised without a time limit as an additive in animal nutrition under the conditions laid down in that Annex.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation (EC) No 1800/2004 (OJ L 317, 16.10.2004, p. 37).

⁽²⁾ OJ L 268, 18.10.2003, p. 29. Regulation as amended by Commission Regulation (EC) No 378/2005 (OJ L 59, 5.3.2005, p. 8).

⁽³⁾ OJ L 126, 22.5.2003, p. 24.

⁽⁴⁾ OJ L 183, 29.6.1989, p. 1. Directive as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

Article 2

The preparation belonging to the group 'Acidity regulators', as specified in Annex II, is authorised without a time limit as an additive in animal nutrition under the conditions laid down in that Annex.

Article 3

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

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

Done at Brussels, 29 June 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	mg/kg of cereal		Other provisions	End of period of authorisation
					Minimum content	Maximum content		
Preservatives								
E700	Sodium benzoate 140 g/kg Propionic acid 370 g/kg Sodium propionate 110 g/kg	Composition of the additive: Sodium benzoate: 140 g/kg Propionic acid: 370 g/kg Sodium propionate: 110 g/kg Water: 380 g/kg Active ingredients: Sodium benzoate C ₇ H ₅ O ₂ Na Propionic acid C ₃ H ₆ O ₂ Sodium propionate C ₃ H ₅ O ₂ Na	Cattle for fattening	—	3 000	22 000	For the preservation of cereal with a humidity content of more than 15 %	Without a time limit

ANNEX II

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	mg/kg of complete feedingsstuff		Other provisions	End of period of authorisation
					Minimum content	Maximum content		
Acidity regulators								
E210	Benzoic acid	C ₇ H ₆ O ₂	Pigs for fattening	—	5 000	10 000	The directions for use shall indicate the following: 'Complementary feed containing benzoic acid may not be fed to pigs for fattening as such' 'For user safety: measures should be taken to minimise the production of breathable dust from this additive. Material safety data sheets (MSDS) available.'	Without a time limit

COMMISSION REGULATION (EC) No 758/2007**of 29 June 2007****amending Regulation (EEC) No 3149/92 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) The second subparagraph of Article 3(2) of Commission Regulation (EEC) No 3149/92 ⁽²⁾ provides that 70 % of the products allocated to a Member State must be withdrawn from stock before 1 July in the year of implementation of the plan. Given the late participation of Romania in the 2007 annual plan as a result of the date of its accession to the Community, for that Member State there should be a derogation from that requirement as regards the 2007 plan.
- (2) Regulation (EEC) No 3149/92 should be amended accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3(2) of Regulation (EEC) No 3149/92, the second subparagraph is replaced by the following:

‘70 % of the quantities referred to in Article 2(3)(1)(b) must be withdrawn from stock before 1 July in the year of plan implementation. However, this requirement shall not apply to allocations of 500 tonnes or less. Nor shall this requirement apply to products allocated to Romania under the 2007 annual plan. Any quantities that have not been withdrawn from intervention stocks by 30 September in the year of plan implementation shall no longer be allocated to the Member State to which they were assigned under the plan in question.’

Article 2

This Regulation shall enter into force on 30 June 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 352, 15.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 2535/95 (OJ L 260, 31.10.1995, p. 3).

⁽²⁾ OJ L 313, 30.10.1992, p. 50. Regulation as last amended by Regulation (EC) No 725/2007 (OJ L 165, 27.6.2007, p. 4).

COMMISSION REGULATION (EC) No 759/2007**of 29 June 2007****opening and providing for the administration of an import tariff quota of sausages originating in Iceland**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, and in particular Article 11(1) thereof,

Whereas:

(1) The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Iceland concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area ⁽²⁾, as approved by Council Decision 2007/138/EC ⁽³⁾, provides for the opening by the Community of an annual tariff quota of 100 tons of sausages originating in Iceland.

(2) The Agreement specifies that the tariff quota is to apply annually and imports should therefore be managed on a calendar-year basis. However, as the Agreement is applicable as from 1 March 2007, the annual quantity for 2007 should be adjusted accordingly.

(3) The Agreement specifies that the opening of the tariff quota is to be made as from 1 July, on the basis of nine months for 2007. This Regulation should therefore apply as from 1 July 2007.

(4) The tariff quota should be managed on a first-come, first-served basis. This should be done in accordance with Articles 308a, 308b and 308c(1) of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁴⁾.

(5) Given that the quota under this Regulation does not present a risk of market disturbance, it should be regarded initially as non-critical within the meaning of

Article 308c of Regulation (EEC) No 2454/93. Therefore, customs authorities should be authorised to waive the requirement for security in respect of goods initially imported under those quotas in accordance with Articles 308c(1) and 248(4) of Regulation (EEC) No 2454/93 and Article 308c(2) and (3) of that Regulation should not apply.

(6) It should be clarified which kind of proof certifying the origin of products has to be provided by operators in order to benefit from the tariff quota under the first-come, first served system.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

1. A Community tariff quota for sausages falling within CN code 1601 originating in Iceland (hereinafter the tariff quota), as set out in the Agreement between the Community and Iceland as approved by Decision 2007/138/EC, is hereby opened.

The tariff quota shall be opened annually for the period from 1 January to 31 December.

The order number of the tariff quota shall be 09.0809.

2. The annual quantity, expressed in net weight, of sausages imported under the tariff quota, as well as the customs duty applicable are laid down in the Annex.

For the year 2007, the quantity available shall be 75 tonnes.

Article 2

The tariff quota shall be managed in accordance with Articles 308a, 308b and 308c(1) of Regulation (EEC) No 2454/93. Article 308c(2) and (3) of that Regulation shall not apply.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 61, 28.2.2007, p. 29.

⁽³⁾ OJ L 61, 28.2.2007, p. 28.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 214/2007 (OJ L 62, 1.3.2007, p. 6).

Article 3

In order to benefit from the tariff quotas referred to in Article 1 and managed in accordance with Article 2, a valid proof of origin issued by the competent authorities of Iceland shall be presented to the Community customs authorities following the rules complying with all provisions by Articles 55 to 65 of Commission Regulation (EEC) No 2454/93.

Article 4

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

It shall apply as from 1 July 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

SAUSAGES

Community tariff quota for Iceland

CN code	Description of products	Order number	Annual quantity (net weight)	Rate of duty
1601 00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	09.0809	100 tons	0

COMMISSION REGULATION (EC) No 760/2007**of 29 June 2007****amending for the 80th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan ⁽¹⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 8 June 2007, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended as set out 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, 29 June 2007.

For the Commission

Eneko LANDÁBURU

Director-General for External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 732/2007 (OJ L 166, 28.6.2007, p. 13).

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

The following entries shall be added under the heading 'Natural persons':

1. Salem Nor Eldin Amohamed **Al-Dabski** (*alias* (a) Abu Al-Ward, (b) Abdullah Ragab, (c) Abu Naim). Address: Bab Ben Ghasheer, Tripoli, Libya. Date of birth: 1963. Place of birth: Tripoli, Libya. Nationality: Libyan. Passport number: 1990/345751 (Libyan passport). Other information: Mother's name is Kalthoum Abdul Salam Al-Shaftari.
 2. Said Youssef Ali **Abu Aziza** (*alias* Abdul Hamid, Abu Therab). Date of birth: 1958. Place of birth: Tripoli, Libya. Nationality: Libyan. Passport number: 87/437555 (Libyan passport). Other information: Married to a Sanaa Al-Game'i.
 3. Aly Soliman Massoud **Abdul Sayed** (*alias* (a) Ibn El Qaim, (b) Mohamed Osman, (c) Adam). Address: Ghout El Shamal, Tripoli, Libya. Date of birth: 1969. Place of birth: Tripoli, Libya. Nationality: Libyan. Passport number: 96/184442 (Libyan Passport). Other information: Married to Safia Abdul El Rahman (Sudanese citizen).
-

COMMISSION REGULATION (EC) No 761/2007**of 29 June 2007****fixing the import duties in the cereals sector applicable from 1 July 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10(2) of Regulation (EC) No 1784/2003 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Article 10(3) of Regulation (EC) No 1784/2003 lays down that, for the purposes of calculating the import

duty referred to in paragraph 2 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EC) No 1249/96, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 4 of that Regulation.
- (4) Import duties should be fixed for the period from 1 July 2007, and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 2007, the import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 1 July 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1816/2005 (OJ L 292, 8.11.2005, p. 5).

ANNEX I

Import duties on the products referred to in Article 10(2) of Regulation (EC) No 1784/2003 applicable from 1 July 2007

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	0,00
1005 10 90	Maize seed other than hybrid	3,72
1005 90 00	Maize, other than seed ⁽²⁾	3,72
1007 00 90	Grain sorghum other than hybrids for sowing	0,00

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

15.6.2007-28.6.2007

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

(EUR/t)

	Common wheat (*)	Maize	Durum wheat, high quality	Durum wheat, medium quality (**)	Durum wheat, low quality (***)	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	177,83	110,77	—	—	—	—
Fob price USA	—	—	181,36	171,36	151,36	159,72
Gulf of Mexico premium	—	12,53	—	—	—	—
Great Lakes premium	8,69	—	—	—	—	—

(*) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(**) Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 35,00 EUR/tonne

Freight costs: Great Lakes–Rotterdam: 33,00 EUR/tonne

COMMISSION REGULATION (EC) No 762/2007**of 29 June 2007****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

ANNEX

**to the Commission Regulation of 29 June 2007 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	0
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	C01	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	0
1001 90 99 9000	A00	EUR/t	—	1101 00 15 9180	C01	EUR/t	0
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	A00	EUR/t	—	1102 10 00 9500	A00	EUR/t	0
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	A00	EUR/t	0
1004 00 00 9400	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0
1005 90 00 9000	A00	EUR/t	0	1103 11 10 9400	A00	EUR/t	0
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	A00	EUR/t	0
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	C01	EUR/t	0				

NB: The product codes and the 'A' series destination codes are set out in the Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

C01: All third countries with the exception of Albania, Croatia, Bosnia and Herzegovina, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Lichtenstein and Switzerland.

COMMISSION REGULATION (EC) No 763/2007**of 29 June 2007****fixing the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 15(2) thereof,

Whereas:

- (1) Article 14(2) of Regulation (EC) No 1784/2003 provides that the export refund applicable to cereals on the day on which an application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾, allows for the fixing of a corrective amount for the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed according to the same procedure as the refund; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

ANNEX

to the Commission Regulation of 29 June 2007 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	A00	0	0	0	0	0	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	0	0	0	0	0	—	—
1002 00 00 9000	A00	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	C02	0	0	0	0	0	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	C03	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	0	0	0	0	—	—
1101 00 15 9130	C01	0	0	0	0	0	—	—
1101 00 15 9150	C01	0	0	0	0	0	—	—
1101 00 15 9170	C01	0	0	0	0	0	—	—
1101 00 15 9180	C01	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0	0	0	0	—	—
1102 10 00 9700	A00	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0	0	0	0	—	—
1103 11 10 9400	A00	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended. The numeric destination codes are set out in Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

C01: All third countries with the exception of Albania, Croatia, Bosnia and Herzegovina, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Liechtenstein and Switzerland.

C02: Algeria, Saudi Arabia, Bahrain, Egypt, United Arab Emirates, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libia, Morocco, Mauritania, Oman, Qatar, Syria, Tunisia and Yemen.

C03: All countries with the exception of Norway, Switzerland and Liechtenstein.

COMMISSION REGULATION (EC) No 764/2007
of 29 June 2007
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽²⁾.
- (3) The refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question. The said quantities are laid down in Regulation (EC) No 1501/95.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1(c) of Regulation (EC) No 1784/2003 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

ANNEX

to the Commission Regulation of 29 June 2007 fixing the export refunds on malt

Product code	Destination	Unit of measurement	Amount of refunds
1107 10 19 9000	A00	EUR/t	0,00
1107 10 99 9000	A00	EUR/t	0,00
1107 20 00 9000	A00	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 765/2007**of 29 June 2007****fixing the corrective amount applicable to the refund on malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organization of the market in cereals ⁽¹⁾, and in particular Article 15(2),

Whereas:

- (1) Article 14(2) of Regulation (EC) No 1784/2003 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽²⁾ allows for the fixing of a corrective amount for the malt referred

to in Article 1(1)(c) of Regulation (EC) No 1784/2003. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 15(3) of Regulation (EC) No 1784/2003 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

ANNEX

to the Commission Regulation of 29 June 2007 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

(EUR/t)

Product code	Destination	6th period 1	7th period 2	8th period 3	9th period 4	10th period 5	11th period 6
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 766/2007**of 29 June 2007****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾ and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾ and in particular Article 14(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽³⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined.

(3) The general and implementing rules provided for in Article 13 of Regulation (EC) No 1784/2003 and in Article 13 of Regulation (EC) No 1785/2003 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.

(4) The specific criteria to be used for calculating the export refund on rice are set out in Article 14 of Regulation (EC) No 1785/2003.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 July 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 270, 21.10.2003, p. 96. Regulation as last amended by Commission Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

⁽³⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 29 June 2007 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	0,00
1002 00 00 9000	0,00
1003 00 90 9000	0,00
1005 90 00 9000	0,00
1006 30 92 9100	0,00
1006 30 92 9900	0,00
1006 30 94 9100	0,00
1006 30 94 9900	0,00
1006 30 96 9100	0,00
1006 30 96 9900	0,00
1006 30 98 9100	0,00
1006 30 98 9900	0,00
1006 30 65 9900	0,00
1007 00 90 9000	0,00
1101 00 15 9100	0,00
1101 00 15 9130	0,00
1102 10 00 9500	0,00
1102 20 10 9200	8,96
1102 20 10 9400	7,68
1103 11 10 9200	0,00
1103 13 10 9100	11,52
1104 12 90 9100	0,00

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

COMMISSION REGULATION (EC) No 767/2007**of 29 June 2007****concerning the 34th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EC) No 1898/2005, Chapter II**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/99 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies may sell by standing invitation to tender certain quantities of butter of intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further laid down

that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

- (2) On the basis of the examination of the offers received, the tendering procedure should not proceed.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 34th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 Chapter II, the tendering procedure should not proceed.

Article 2

This Regulation shall enter into force on 30 June 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

COMMISSION REGULATION (EC) No 768/2007**of 29 June 2007****fixing the minimum selling prices for butter for the 34th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter on the Community market ⁽²⁾, the intervention agencies may sell by standing invitation to tender certain quantities of butter from intervention stocks that they hold and may grant aid for cream, butter and concentrated butter. Article 25 of that Regulation lays down that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further

laid down that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure. The amount of the processing security as referred to in Article 28 of Regulation (EC) No 1898/2005 should be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 34th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005 the minimum selling prices for butter from intervention stocks and the amount of the processing security, as referred to in Articles 25 and 28 of that Regulation respectively, are fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 June 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

ANNEX

Minimum selling prices for butter and processing security for the 34th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 1898/2005

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—

COMMISSION REGULATION (EC) No 769/2007**of 29 June 2007****fixing the minimum selling price for butter for the 66th individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10(c) thereof,

Whereas:

- (1) Pursuant to Article 21 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them.
- (2) In the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no

award, in accordance with Article 24a of Regulation (EC) No 2771/1999.

- (3) In the light of the tenders received, a minimum selling price should be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 66th individual invitation to tender pursuant to Regulation (EC) No 2771/1999, in respect of which the time limit for the submission of tenders expired on 26 June 2007, the minimum selling price for butter is fixed at 365,20 EUR/100 kg.

Article 2

This Regulation shall enter into force on 30 June 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 333, 24.12.1999, p. 11. Regulation as last amended by Regulation (EC) No 1802/2005 (OJ L 290, 4.11.2005, p. 3).

COMMISSION REGULATION (EC) No 770/2007**of 29 June 2007****on the allocation of import rights for applications lodged for the period 1 July 2007 to 30 June 2008 under the tariff quota opened by Regulation (EC) No 529/2007 for frozen meat of bovine animals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 529/2007 of 11 May 2007 opening and providing for the administration of an import tariff quota for frozen meat of bovine animals

covered by CN code 0202 and products covered by CN code 0206 29 91 (1 July 2007 to 30 June 2008) ⁽³⁾ opens an import tariff quota for beef and veal products.

- (2) The applications for import rights lodged for the period 1 July 2007 to 30 June 2008 relate to quantities exceeding those available. The extent to which import rights may be allocated should therefore be determined and an allocation coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import right applications covered by the quota with the serial number 09.4003 have been lodged for the period 1 July 2007 to 30 June 2008 under Regulation (EC) No 529/2007 shall be multiplied by an allocation coefficient of 14,840062 %.

Article 2

This Regulation shall enter into force on 30 June 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

⁽³⁾ OJ L 123, 12.5.2007, p. 26.

COMMISSION REGULATION (EC) No 771/2007**of 29 June 2007****on the allocation of import rights for applications lodged for the period 1 July 2007 to 30 June 2008 under tariff quotas opened by Regulation (EC) No 545/2007 for frozen beef intended for processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾ and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 545/2007 of 16 May 2007 opening and providing for the administration of an import tariff quota for frozen beef intended for processing (1 July 2007 to 30 June 2008) ⁽³⁾ opened import tariff quotas for beef and veal products.

- (2) The applications for import rights lodged for the period 1 July 2007 to 30 June 2008 relate to quantities in excess of those available. The extent to which import rights may be granted should therefore be determined and the allocation coefficient[s] to be applied to the quantities applied for should be laid down,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import rights lodged for the period 1 July 2007 to 30 June 2008 under Regulation (EC) No 545/2007 shall be weighted by an allocation coefficient of 5,206706 % for rights under quota 09.4057 and of 34,204866 % for rights under quota 09.4058.

Article 2

This Regulation shall enter into force on 30 June 2007.

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

Done at Brussels, 29 June 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 238, 1.9.2006, p. 13. Regulation as amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

⁽³⁾ OJ L 129, 17.5.2007, p. 14.

DIRECTIVES

COMMISSION DIRECTIVE 2007/42/EC

of 29 June 2007

relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs

(Text with EEA relevance)

(Codified version)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Directive 93/10/EEC of 15 March 1993 relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs ⁽²⁾ has been substantially amended several times ⁽³⁾. In the interests of clarity and rationality the said Directive should be codified.
- (2) The Community measures envisaged by this Directive are not only necessary but also indispensable for the attainment of the objectives of the internal market. These objectives cannot be achieved by Member States individually. Furthermore, their attainment at Community level is already provided for by Regulation (EC) No 1935/2004.
- (3) In order to achieve the objective laid down in Article 3(1) of Regulation (EC) No 1935/2004 in the case of regenerated cellulose film, the suitable instrument was a specific directive within the meaning of Article 5 of that Regulation.
- (4) Synthetic casings of regenerated cellulose should be the subject of specific provisions.
- (5) The method for determining the absence of migration of colouring matters should be established at a later stage.
- (6) Until criteria of purity and methods of analysis have been drawn up, national provisions should remain in force.
- (7) The establishment of a list of approved substances, accompanied by limits to the quantities to be used, is sufficient in principle in this specific case to achieve the objective laid down in Article 3(1) of Regulation (EC) No 1935/2004.
- (8) However, the bis(2-hydroxyethyl)ether (= diethylene-glycol) and ethanediol (= monoethyleneglycol) can migrate extensively to certain foodstuffs and therefore in order to avoid this possibility, as a preventive measure, it is more appropriate to lay down definitively the maximum authorised quantity of such substances in foodstuffs which have been in contact with regenerated cellulose film.
- (9) To protect the health of the consumer, direct contact between foodstuffs and the printed surfaces of regenerated cellulose film should be avoided.
- (10) The written declaration referred to in Article 16(1) of Regulation (EC) No 1935/2004 should be provided for in the event of professional use of regenerated cellulose film for materials and articles intended to come into contact with foodstuffs, except those which are, by their nature, intended for this use.
- (11) The rules to be applied to the regenerated cellulose films should be specific to the nature of the layer in contact with the foodstuff. Accordingly, the requirements for regenerated cellulose films coated with coatings consisting of plastics should be different from those provided for regenerated cellulose films uncoated or coated with coatings derived from cellulose.

⁽¹⁾ OJ L 338, 13.11.2004, p. 4.⁽²⁾ OJ L 93, 17.4.1993, p. 27. Directive as last amended by Directive 2004/14/EC (OJ L 27, 30.1.2004, p. 48).⁽³⁾ See Annex III, Part A.

- (12) Only authorised substances should be used in the manufacture of all the types of regenerated cellulose films, including regenerated cellulose films coated with plastics.
- (13) In the case of regenerated cellulose films coated with coatings consisting of plastics, the layer in contact with foodstuffs consists of a material similar to plastic materials and articles intended to come into contact with foodstuffs. Therefore it is appropriate that the rules provided for in Commission Directive 2002/72/EC of 6 August 2002 relating to plastic materials and articles intended to come into contact with foodstuffs ⁽¹⁾ apply also to such films.
- (14) In the interest of consistency of Community legislation, the verification of compliance of plastic-coated regenerated cellulose films with the migration limits set by Directive 2002/72/EC should be carried out according to the rules laid down in Council Directive 82/711/EEC of 18 October 1982 laying down the basic rules necessary for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs ⁽²⁾ and Council Directive 85/572/EEC of 19 December 1985 laying down the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs ⁽³⁾.
- (15) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.
- (16) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex III, Part B,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive is a specific directive within the meaning of Article 5 of Regulation (EC) No 1935/2004.

2. This Directive shall apply to regenerated cellulose film within the meaning of the description given in Annex I which is intended to come into contact with foodstuffs or which, by virtue of its purpose, does come into such contact and which either:

⁽¹⁾ OJ L 220, 15.8.2002, p. 18. Directive as last amended by Directive 2007/19/EC (OJ L 91, 31.3.2007, p. 17).

⁽²⁾ OJ L 297, 23.10.1982, p. 26. Directive as last amended by Commission Directive 97/48/EC (OJ L 222, 12.8.1997, p. 10).

⁽³⁾ OJ L 372, 31.12.1985, p. 14. Directive as last amended by Commission Directive 2007/19/EC.

(a) constitutes a finished product in itself; or

(b) forms part of a finished product containing other materials.

3. This Directive shall not apply to synthetic casings of regenerated cellulose.

Article 2

The regenerated cellulose films referred to in Article 1(2) shall belong to one of the following types:

(a) uncoated regenerated cellulose film;

(b) coated regenerated cellulose film with coating derived from cellulose; or

(c) coated regenerated cellulose film with coating consisting of plastics.

Article 3

1. Regenerated cellulose films referred to in Article 2(a) and (b) shall be manufactured using only substances or groups of substances listed in Annex II subject to the restrictions set out therein.

2. By way of derogation from paragraph 1, substances other than those listed in Annex II may be used when these substances are employed as colouring matter (dyes and pigments) or as adhesives, provided that there is no trace of migration of the substances into or onto foodstuffs, detectable by a validated method.

Article 4

1. Regenerated cellulose film referred to in Article 2(c) shall be manufactured, prior to coating, using only substances or groups of substances listed in the first part of Annex II, subject to the restrictions set out therein.

2. The coating to be applied to the regenerated cellulose film referred to in paragraph 1 shall be manufactured using only substances or groups of substances listed in Annexes II to VI to Directive 2002/72/EC, subject to the restrictions set out therein.

3. Without prejudice to paragraph 1, materials and articles made of regenerated cellulose film referred to in Article 2(c) shall comply with Articles 2, 7 and 8 of Directive 2002/72/EC.

Article 5

Printed surfaces of regenerated cellulose film shall not come into contact with the foodstuffs.

Article 6

1. At the marketing stages other than the retail stages, materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs shall be accompanied by a written declaration in accordance with Article 16(1) of Regulation (EC) No 1935/2004.

2. Paragraph 1 shall not apply to materials and articles made of regenerated cellulose film which by their nature are clearly intended to come into contact with foodstuffs.

3. Where special conditions of use are indicated, the material or article made of regenerated cellulose film shall be labelled accordingly.

Article 7

Directive 93/10/EEC, as amended by the Directives listed in Annex III, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law and application of the Directives set out in Annex III, Part B.

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex IV.

Article 8

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

Article 9

This Directive is addressed to the Member States.

Done at Brussels, 29 June 2007.

For the Commission

The President

José Manuel BARROSO

ANNEX I

DESCRIPTION OF REGENERATED CELLULOSE FILM

Regenerated cellulose film is a thin sheet material obtained from a refined cellulose derived from unrecycled wood or cotton. To meet technical requirements, suitable substances may be added either in the mass or on the surface. Regenerated cellulose film may be coated on one or both sides.

ANNEX II

LIST OF SUBSTANCES AUTHORISED IN THE MANUFACTURE OF REGENERATED CELLULOSE FILM

NB:

- The percentages in this Annex, first and second parts, are expressed in weight/weight (w/w) and are calculated in relation to the quantity of anhydrous uncoated regenerated cellulose film.
- The usual technical denominations are given in square brackets.
- The substances used shall be of good technical quality as regards the purity criteria.

FIRST PART

Uncoated regenerated cellulose film

Denominations	Restrictions
A. Regenerated cellulose	Not less than 72 % (w/w)
B. Additives	
1. <i>Softeners</i>	Not more than 27 % (w/w) in total
— Bis (2-hydroxyethyl) ether [= diethyleneglycol]	Only for films intended to be coated and then used for foodstuffs which are not moist, namely which do not contain water which is physically free at the surface. The total amount of bis(2-hydroxyethyl)ether and ethanediol present in foodstuffs that have been in contact with film of this type may not exceed 30 mg/kg of the foodstuff.
— Ethanediol [= monoethyleneglycol]	
— 1,3-butanediol	
— Glycerol	
— 1,2-propanediol [= 1,2 propyleneglycol]	
— Polyethylene oxide [= polyethyleneglycol]	Average molecular weight between 250 and 1 200.
— 1,2-polypropylene oxide [= 1,2 polypropylene-glycol]	Average molecular weight not greater than 400 and free 1,3-propanediol content not greater than 1 % (w/w) in substance.
— Sorbitol	
— Tetraethyleneglycol	
— Triethyleneglycol	
— Urea	
2. <i>Other additives</i>	Not more than 1 % (w/w) in total.
First class	The quantity of the substance or group of substances in each indent may not exceed 2 mg/dm ² of the uncoated film.
— Acetic acid and its NH ₄ , Ca, Mg, K and Na salts	
— Ascorbic acid and its NH ₄ , Ca, Mg, K and Na salts	
— Benzoic acid and sodium benzoate	

Denominations	Restrictions
<ul style="list-style-type: none"> — Formic acid and its NH_4, Ca, Mg, K and Na salts — Linear fatty acids, saturated or unsaturated, with an even number of carbon atoms from 8 to 20 inclusive and also behenic and ricinoleic acids and the NH_4, Ca, Mg, K, Na, Al, Zn salts of these acids — Citric, d- and l-lactic, maleic, l-tartaric acids and their Na and K salts — Sorbic acid and its NH_4, Ca, Mg, K and Na salts — Amides of linear fatty acids, saturated or unsaturated, with an even number of carbon atoms from 8 to 20 inclusive and also the amides of behenic and ricinoleic acids — Natural edible starches and flours — Edible starches and flours modified by chemical treatment — Amylose — Calcium and magnesium carbonates and chlorides — Esters of glycerol with linear fatty acids, saturated or unsaturated, with an even number of carbon atoms from 8 to 20 inclusive and/or with adipic, citric, 12-hydroxystearic (oxystearin), ricinoleic acids — Esters of polyoxyethylene (8 to 14 oxyethylene groups) with linear fatty acids, saturated or unsaturated, with an even number of carbon atoms from 8 to 20 inclusive — Esters of sorbitol with linear fatty acids, saturated or unsaturated, with an even number of carbon atoms from 8 to 20 inclusive — Mono-and/or di-esters of stearic acid with ethanediol and/or bis (2-hydroxyethyl) ether and/or triethylene glycol — Oxides and hydroxides of aluminium, calcium, magnesium and silicon and silicates and hydrated silicates of aluminium, calcium, magnesium and potassium — Polyethylene oxide [= polyethyleneglycol] — Sodium propionate 	
Second class	<p>Average molecular weight between 1 200 and 4 000.</p> <p>The total quantity of the substances may not exceed 1 mg/dm² of the uncoated film and the quantity of the substance or group of substances in each indent may not exceed 0,2 mg/dm² (or a lower limit where one is specified) of the uncoated film.</p>
<ul style="list-style-type: none"> — Sodium alkyl (C_8-C_{18}) benzene sulphonate — Sodium isopropyl naphthalene sulphonate 	

Denominations	Restrictions
— Sodium alkyl (C ₈ -C ₁₈) sulphate	
— Sodium alkyl (C ₈ -C ₁₈) sulphonate	
— Sodium dioctylsulphosuccinate	
— Distearate of dihydroxyethyl diethylene triamine monoacetate	Not more than 0,05 mg/dm ² of the uncoated film.
— Ammonium, magnesium and potassium lauryl sulphates	
— N,N'-distearoyl diaminoethane, N,N'-dipalmitoyl diaminoethane and N,N'-dioleoyl diaminoethane	
— 2-heptadecyl-4,4-bis(methylene-stearate) oxazoline	
— Polyethylene-aminostearamide ethylsulphate	Not more than 0,1 mg/dm ² of the uncoated film.
Third class — Anchoring agent	The total quantity of substances may not exceed 1 mg/dm ² of the uncoated film.
— Condensation product of melamine-formaldehyde unmodified, or which may be modified with one or more of the following products: butanol, diethylenetriamine, ethanol, triethylene-tetramine, tetraethylenepentamine, tri-(2-hydroxyethyl) amine, 3,3'-diaminodipropylamine, 4,4'-diaminodibutylamine	Free formaldehyde content not greater than 0,5 mg/dm ² of the uncoated film. Free melamine content not greater than 0,3 mg/dm ² of the uncoated film.
— Condensation product of melamine-urea-formaldehyde modified with tris-(2-hydroxyethyl)amine	Free formaldehyde content not greater than 0,5 mg/dm ² of the uncoated film. Free melamine content not greater than 0,3 mg/dm ² of the uncoated film.
— Cross-linked cationic polyalkyleneamines: (a) polyamide-epichlorhydrin resin based on diaminopropylmethylamine and epichlorhydrin; (b) polyamide-epichlorhydrin resin based on epichlorhydrin, adipic acid, caprolactam, diethylenetriamine and/or ethylenediamine; (c) polyamide-epichlorhydrin resin based on adipic acid, diethylenetriamine and epichlorhydrin, or a mixture of epichlorhydrin and ammonia; (d) polyamide-polyamine-epichlorhydrin resin based on epichlorhydrin, dimethyl adipate and diethylenetriamine; (e) polyamide-polyamine-epichlorhydrin resin based on epichlorhydrin, adipamide and diaminopropylmethylamine	In accordance with Community directives and in their absence, with national legislation, pending the adoption of Community directives.
— Polyethyleneamines and polyethyleneimines	Not more than 0,75 mg/dm ² of the uncoated film.

Denominations	Restrictions
<ul style="list-style-type: none"> — Condensation product of urea-formaldehyde unmodified, or which may be modified with one or of the following products: aminomethylsulphonic acid, sulphanilic acid, butanol, diaminobutane, diaminodiethylamine, diaminodipropylamine, diaminopropane, diethylenetriamine, ethanol, guanidine, methanol, tetraethylenepentamine, triethylenetetramine, sodium sulphite 	Free formaldehyde content not greater than 0,5 mg/dm ² of the uncoated film.
Fourth class	The total quantity of substances may not exceed 0,01 mg/dm ² of the uncoated film.
<ul style="list-style-type: none"> — Products resulting from the reaction of the amines of edible oils with polyethylene oxide — Monoethanolamine lauryl sulphate 	

SECOND PART

Coated regenerated cellulose film

Denominations	Restrictions
A. Regenerated cellulose	See first part.
B. Additives	See first part.
C. Coating	
1. <i>Polymers</i>	The total quantity of substances may not exceed 50 mg/dm ² of the coating on the side in contact with foodstuffs.
<ul style="list-style-type: none"> — Ethyl, hydroxyethyl, hydroxypropyl and methyl ethers of cellulose — Cellulose nitrate 	Not more than 20 mg/dm ² of the coating on the side in contact with foodstuffs; nitrogen content between 10,8 % (w/w) and 12,2 % (w/w) in the cellulose nitrate.
2. <i>Resins</i>	The total quantity of substances may not exceed 12,5 mg/dm ² of the coating on the side in contact with foodstuffs and solely for the preparation of regenerated cellulose films with cellulose nitrate based coatings.
<ul style="list-style-type: none"> — Casein — Colophony and/or its products of polymerization, hydrogenation, or disproportionation and their esters of methyl, ethyl or C₂ to C₆ polyvalent alcohols, or mixtures of these alcohols — Colophony and/or its products of polymerization, hydrogenation, or disproportionation condensed with acrylic, maleic, citric, fumaric and/or phthalic acids and/or 2,2 bis (4-hydroxyphenyl) propane formaldehyde and esterified with methyl ethyl or C₂ to C₆ polyvalent alcohols or mixtures of these alcohols 	

Denominations	Restrictions
<ul style="list-style-type: none"> — Esters derived from bis(2-hydroxyethyl) ether with addition products of betapinene and/or dipentene and/or diterpene and maleic anhydride — Edible gelatine — Castor oil and its products of dehydration or hydrogenation and its condensation products with polyglycerol, adipic, citric, maleic, phthalic and sebacic acids — Natural gum [= damar] — Poly-beta-pinene [= terpenic resins] — Urea-formaldehyde resins (see anchoring agents) 	
3. <i>Plasticisers</i>	The total quantity of substances may not exceed 6 mg/dm ² of the coating on the side in contact with foodstuffs.
<ul style="list-style-type: none"> — Acetyl tributyl citrate — Acetyl tri(2-ethylhexyl) citrate — Di-isobutyl adipate — Di-n-butyl adipate — Di-n-hexyl azelate — Dicyclohexyl phthalate — 2-ethylhexyl diphenyl phosphate (synonym: phosphoric acid diphenyl 2 ethylhexyl ester) 	<p>Not more than 4,0 mg/dm² of the coating on the side in contact with foodstuffs.</p> <p>The amount of 2-ethylhexyl diphenyl phosphate shall not exceed:</p> <ul style="list-style-type: none"> (a) 2,4 mg/kg of the foodstuff in contact with this type of film; or (b) 0,4 mg/dm² in the coating on the side in contact with foodstuffs.
<ul style="list-style-type: none"> — Glycerol monoacetate [= monoacetin] — Glycerol diacetate [= diacetin] — Glycerol triacetate [= triacetin] — Di-butyl sebacate — Di-n-butyl tartrate — Di-isobutyl tartrate 	
4. <i>Other additives</i>	The total quantity of substances may not exceed 6 mg/dm ² in the uncoated regenerated cellulose film, inclusive of the coating on the side in contact with foodstuffs.
4.1. Additives listed in the first part	Same restrictions as in the first part (however the quantities in mg/dm ² refer to the uncoated regenerated cellulose film, inclusive of the coating on the side in contact with foodstuffs).

Denominations	Restrictions
4.2. Specific coating additives	The quantity of the substance or group of substances in each indent may not exceed 2 mg/dm ² (or a lower limit where one is specified) of the coating on the side in contact with foodstuffs.
— 1-hexadecanol and 1-octadecanol	
— Esters of linear fatty acids, saturated or unsaturated, with an even number of carbon atoms from 8 to 20 inclusive and of ricinoleic acid with ethyl, butyl, amyl and oleyl linear alcohols	
— Montan waxes, comprising purified montanic (C ₂₆ to C ₃₂) acids and/or their esters with ethanediol and/or 1,3 butanediol and/or their calcium and potassium salts	
— Carnauba wax	
— Beeswax	
— Esparto wax	
— Candelilla wax	
— Dimethylpolysiloxane	Not more than 1 mg/dm ² of the coating on the side in contact with foodstuffs.
— Epoxidised soya-bean oil (oxirane content 6 to 8 %)	
— Refined paraffin and microcrystalline waxes	
— Pentaerythritol tetrastearate	
— Mono and bis(octadecyldiethyleneoxide)-phosphates	Not more than 0,2 mg/dm ² of the coating on the side in contact with foodstuffs.
— Aliphatic acids (C ₈ to C ₂₀) esterified with mono- or di-(2-hydroxyethyl)amine	
— 2- and 3-tert.butyl-4-hydroxyanisole [= butylated hydroxyanisole — BHA]	Not more than 0,06 mg/dm ² of the coating on the side in contact with foodstuffs.
— 2,6-di-tert.butyl-4-methylphenol [= butylated hydroxytoluene — BHT]	Not more than 0,06 mg/dm ² of the coating on the side in contact with foodstuffs.
— Di-n-octyltin-bis(2-ethylhexyl) maleate	Not more than 0,06 mg/dm ² of the coating on the side in contact with foodstuffs.
5. Solvents	The total quantity of substances may not exceed 0,6 mg/dm ² of the coating on the side in contact with foodstuffs.
— Butyl acetate	
— Ethyl acetate	
— Isobutyl acetate	

Denominations	Restrictions
<ul style="list-style-type: none">— Isopropyl acetate— Propyl acetate— Acetone— 1-butanol— Ethanol— 2-butanol— 2-propanol— 1-propanol— Cyclohexane— Ethyleneglycol monobutyl ether— Ethyleneglycol monobutyl ether acetate— Methyl ethyl ketone— Methyl isobutyl ketone— Tetrahydrofuran— Toluene	<p>Not more than 0,06 mg/dm² of the coating on the side in contact with foodstuffs.</p>

ANNEX III

PART A

Repealed Directive with list of its successive amendments

(referred to in Article 7)

Commission Directive 93/10/EEC	(OJ L 93, 17.4.1993, p. 27).
Commission Directive 93/111/EC	(OJ L 310, 14.12.1993, p. 41).
Commission Directive 2004/14/EC	(OJ L 27, 30.1.2004, p. 48).

PART B

List of time-limits for transposition into national law and application

(referred to in Article 7)

Directive	Time-limit for transposition	Date of application
93/10/EEC	1 January 1994	1 January 1994 ⁽¹⁾ 1 January 1994 ⁽²⁾ 1 January 1995 ⁽³⁾
93/111/EC	—	—
2004/14/EC	29 July 2005	29 July 2005 ⁽⁴⁾ 29 January 2006 ⁽⁵⁾

⁽¹⁾ In accordance with the first indent of Article 5(1) of Directive 93/10/EEC: 'Member States shall permit, as from 1 January 1994, the trade in and use of regenerated cellulose film which is intended to come into contact with foodstuffs complying with this Directive.'

⁽²⁾ In accordance with the second indent of Article 5(1) of Directive 93/10/EEC: 'Member States shall prohibit, as from 1 January 1994, the trade in and use of regenerated cellulose film which is intended to come into contact with foodstuffs and which complies with neither this Directive nor Directive 83/229/EEC, other than film which Directive 92/15/EEC prohibits as from 1 July 1994.'

⁽³⁾ In accordance with the third indent of Article 5(1) of Directive 93/10/EEC: 'Member States shall prohibit, as from 1 January 1995, the trade in and use of regenerated cellulose film which is intended to come into contact with foodstuffs and which does not comply with this Directive but did comply with Directive 83/229/EEC.'

⁽⁴⁾ In accordance with Article 2(1)(a) of Directive 2004/14/EC: 'Member States shall apply those provisions in such a way as to permit the trade in and use of regenerated cellulose film which is intended to come into contact with foodstuffs complying with this Directive, from 29 July 2005.'

⁽⁵⁾ In accordance with Article 2(1)(b) of Directive 2004/14/EC: 'Member States shall apply those provisions in such a way as to prohibit the manufacture and importation into the Community of regenerated cellulose film which is intended to come into contact with foodstuffs and which does not comply with the provisions of this Directive as from 29 January 2006.'

ANNEX IV

Correlation table

Directive 93/10/EEC	This Directive
Article 1(1) and (2)	Article 1(1) and (2)
Article 1(3), introductory wording, point (b)	Article 1(3)
Article 1a	Article 2
Article 2	Article 3
Article 2a	Article 4
Article 3	Article 5
Article 4	Article 6
Article 5	—
Article 6	—
—	Article 7
—	Article 8
Article 7	Article 9
Annex I	Annex I
Annex II	Annex II
Annex III	—
—	Annex III
—	Annex IV

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 29 June 2007

correcting Directive 2006/132/EC amending Council Directive 91/414/EEC to include procymidone as active substance

(notified under document number C(2007) 3066)

(Text with EEA relevance)

(2007/452/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

In the Annex to Directive 2006/132/EC in the column 'Specific provisions', the third indent is replaced by the following:

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

‘— 0,75 kg active substance per hectare per application’.

Whereas:

Article 2

This Decision shall apply from 1 January 2007.

(1) Commission Directive 2006/132/EC ⁽²⁾ contains an error which must be corrected, namely a reference to grams instead of kilograms in its Annex.

Article 3

This Decision is addressed to the Member States.

(2) It is necessary for that correction to take effect from the date of entry into force of Directive 2006/132/EC. This retroactive effect does not interfere with the rights of any individuals.

Done at Brussels, 29 June 2007.

(3) The measure provided for in this Decision is in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2007/31/EC (OJ L 140, 1.6.2007, p. 44).

⁽²⁾ OJ L 349, 12.12.2006, p. 22.

COMMISSION DECISION

of 29 June 2007

establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk*(notified under document number C(2007) 3114)***(Text with EEA relevance)**

(2007/453/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

(1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in animals. According to Article 1 of that Regulation it applies to the production and placing on the market of live animals and products of animal origin. For that purpose, the bovine spongiform encephalopathy (BSE) status of Member States or third countries or regions thereof (countries or regions) is to be determined by classification into one of three categories depending on the BSE risk as laid down in Article 5(1) of that Regulation.

(2) The objective of categorising countries or regions according to their BSE risk is to establish trade rules for each BSE risk category in order to provide the necessary guarantees for protecting animal and public health.

(3) Annex VIII to Regulation (EC) No 999/2001 sets out the rules for intra-Community trade and Annex IX to that Regulation sets out the rules relating to imports into the Community. They are based on the rules laid down in the Terrestrial Animal Health Code of the World Organisation for Animal Health (OIE).

(4) The OIE plays a leading role in the categorisation of countries or regions according to their BSE risk.

(5) During the OIE General Session in May 2007, a Resolution was adopted relating to the BSE status of different countries. Pending a final conclusion on the BSE risk status of the Member States and taking into account the harmonised stringent BSE protective measures applied within the Community, the Member States should be provisionally recognised as countries with a controlled BSE risk.

(6) In addition, awaiting the final conclusion on the BSE risk status concerning Norway and Iceland and taking into account the results of the most recent risk assessments concerning those third countries, they should be provisionally recognised as countries with a controlled BSE risk.

(7) Pursuant to Article 23 of Regulation (EC) No 999/2001, transitional measures were taken for a period ending on 1 July 2007. Those measures are to cease to apply immediately following the date of adoption of a decision on classification in accordance with Article 5 of that Regulation. A decision should therefore be taken to classify countries or regions according to their BSE risk before that date.

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

HAS ADOPTED THIS DECISION:

Article 1

The BSE status of countries or regions according to their BSE risk is set out in the Annex.

⁽¹⁾ OJ L 147, 31.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 1923/2006 (OJ L 404, 30.12.2006, p. 1).

Article 2

This Decision shall apply from 1 July 2007.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 June 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

LIST OF COUNTRIES OR REGIONS

A. Countries or regions with a negligible BSE risk

- Argentina
- Australia
- New Zealand
- Singapore
- Uruguay

B. Countries or regions with a controlled BSE risk*Member States*

- Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, the United Kingdom

EFTA Countries

- Iceland, Norway, Switzerland

Third countries

- Brazil
- Canada
- Chile
- Taiwan
- United States of America

C. Countries or regions with undetermined BSE risk

- Countries or regions not listed in points A or B of this Annex.
-

COMMISSION DECISION

of 29 June 2007

amending Decision 2006/415/EC concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community

(notified under document number C(2007) 3183)

(Text with EEA relevance)

(2007/454/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Having regard to Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽³⁾, and in particular Articles 63(3) and Article 66(2) thereof,

Whereas:

- (1) Directive 2005/94/EC sets out certain preventive measures relating to the surveillance and the early detection of avian influenza and the minimum control measures to be applied in the event of an outbreak of that disease in poultry or other captive birds. It provides that detailed rules, required by the epidemiological situation to supplement the minimum control measures provided for in that Directive, are to be laid down. The date for the transposition of that Directive into the national law of the Member States is 1 July 2007.
- (2) Commission Decision 2006/415/EC of 14 June 2006 concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community and repealing Decision 2006/135/EC ⁽⁴⁾ lays down certain protection measures to be applied in order to prevent the spread of that

disease, including the establishment of areas A and B following a suspected or confirmed outbreak of the disease. Those areas are listed in the Annex to Decision 2006/415/EC and include parts of the Czech Republic, Hungary and the United Kingdom. That Decision currently applies until 30 June 2007.

- (3) Commission Decision 2006/416/EC of 14 June 2006 concerning certain transitional measures in relation to highly pathogenic avian influenza in poultry or other captive birds in the Community ⁽⁵⁾ provides for measures to be applied by Member States that have not fully transposed the provisions of Directive 2005/94/EC. That Decision applies until 30 June 2007. As Directive 2005/94/EC is to be transposed into the national law by the Member States by 1 July 2007, the measures provided for therein will replace the measures currently provided for in Decision 2006/416/EC.
- (4) As outbreaks of the avian influenza virus of the subtype H5N1 continue to occur, the measures laid down in Decision 2006/415/EC should continue to apply where that virus is detected in poultry, thereby supplementing the measures provided for in Directive 2005/94/EC.
- (5) Given this epidemiological situation, it is appropriate to extend the period of application of Decision 2006/415/EC until 30 June 2008.
- (6) In addition, the references in Decision 2006/415/EC to Decision 2006/416/EC should be replaced by references to Directive 2005/94/EC.
- (7) Decision 2006/415/EC should therefore be amended accordingly.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33); corrected version (OJ L 195, 2.6.2004, p. 12).

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 10, 14.1.2006, p. 16.

⁽⁴⁾ OJ L 164, 16.6.2006, p. 51. Decision as last amended by Decision 2007/434/EC (OJ L 161, 22.6.2007, p. 70).

⁽⁵⁾ OJ L 164, 16.6.2006, p. 61. Decision as amended by Decision 2007/119/EC (OJ L 51, 20.2.2007, p. 22).

HAS ADOPTED THIS DECISION:

Article 1

Decision 2006/415/EC is amended as follows:

1. In Article 1, paragraph 2 is replaced by the following:

‘2. The measures laid down in this Decision shall be applied without prejudice to the measures to be applied in the event of an outbreak of highly pathogenic avian influenza in poultry taken in accordance with Directive 2005/94/EC.’

2. Article 3 is replaced by the following:

Article 3

Areas A and B

1. The area listed in Part A of the Annex (“area A”) is classified as the high risk area consisting of the protection and surveillance zones established in accordance with Article 16 of Directive 2005/94/EC.

2. The area listed in Part B of the Annex (“area B”) is classified as the low risk area which may include all or parts of the further restricted zone established in accordance with Article 16 of Directive 2005/94/EC, and which shall separate area A from the disease free part of the affected Member State, if such part is identified, or from neighbouring countries.’

3. Article 4 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Immediately following a suspected or confirmed outbreak of highly pathogenic avian influenza caused by highly pathogenic influenza A virus of subtype H5 suspected or confirmed to be of the neuraminidase type N1, the affected Member State shall establish:

(a) area A, having regard to the legal requirements as set out in Article 16 of Directive 2005/94/EC;

(b) area B having regard to geographical, administrative, ecological and epizootiological factors relating to avian influenza.

The affected Member State shall notify areas A and B to the Commission, to the other Member States and, as appropriate, to the public.’

(b) In Article 4(4)(b), point (i) is replaced by the following:

‘(i) for at least 21 days in the case of the protection zone and 30 days in the case of the surveillance zone after the date of completion of the preliminary cleansing and disinfection on the holding where an outbreak is confirmed in accordance with Article 11(8) of Directive 2005/94/EC; and’

4. In Article 5, the introductory phrase is replaced by the following:

‘In addition to the restrictions on the movement of poultry, other captive birds, their hatching eggs and products derived from such birds laid down in Directive 2005/94/EC, for holdings in the protection, surveillance and further restricted zones, the affected Member State shall ensure that:’

5. In Article 12 the date ‘30 June 2007’ is replaced by ‘30 June 2008’.

6. In the Annex the date ‘30 June 2007’ is replaced by ‘22 July 2007’.

Article 2

This Decision shall apply from 1 July 2007.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 29 June 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL DECISION 2007/455/CFSP

of 25 June 2007

implementing Common Position 2004/161/CFSP renewing restrictive measures against Zimbabwe

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Common Position 2004/161/CFSP⁽¹⁾, and in particular Article 6 thereof, in conjunction with Article 23(2) of the Treaty on European Union,

Whereas:

- (1) By Common Position 2004/161/CFSP, the Council adopted measures, *inter alia*, to prevent the entry into, or transit through, the territories of Member States of individuals who engage in activities which seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe and to freeze their funds and economic resources.
- (2) Following the recent brutality by the Government of Zimbabwe against opposition supporters, and the specific role of the police in these events, the names of the Assistant Police Commissioner in charge of Law and Order and the Senior Assistant Police Commissioner in charge of Harare should be added to the list set out in the Annex to Common Position 2004/161/CFSP.
- (3) Furthermore, more detailed reasons in relation to the individuals listed in that Annex should be provided.

- (4) The Annex to Common Position 2004/161/CFSP should therefore be updated and revised accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The Annex to Common Position 2004/161/CFSP shall be replaced by the Annex to this Decision.

Article 2

This Decision shall take effect on the date of its adoption.

Article 3

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

Done at Luxembourg, 25 June 2007.

For the Council

The President

A. SCHAVAN

⁽¹⁾ OJ L 50, 20.2.2004, p. 66. Common Position as last amended by Decision 2007/235/CFSP (OJ L 101, 18.4.2007, p. 14).

ANNEX

List of persons referred to in Articles 4 and 5 of Common Position 2004/161/CFSP

1. Mugabe, Robert Gabriel President, born 21.2.1924.
Head of Government and as such responsible for activities that seriously undermine democracy, respect for human rights and the rule of law.
2. Bonyongwe, Happyton Director-General Central Intelligence Organisation, born 6.11.1960.
Ties to the government and complicit in forming or directing repressive state policy.
3. Buka (a.k.a. Bhuka), Flora President's office and former Minister of State for Special Affairs responsible for land and Resettlement Programmes (Former Minister of State in the Vice-President's office and former Minister of State for the Land Reform in the President's Office), born 25.2.1968.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
4. Bvudzijena, Wayne Assistant Police Commissioner, Police Spokesman.
Member of the security forces and bearing wide responsibility for defending serious violations of human rights.
5. Chapfika, David Deputy Minister of Agriculture (former Deputy Minister of Finance), born 7.4.1957.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
6. Charamba, George Permanent Secretary, Department for Information and Publicity, born 4.4.1963.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
7. Charumbira, Fortune Zefanaya Former Deputy Minister for Local Government, Public Works and National Housing, born 10.6.1962.
Former member of the Government with ongoing ties to the Government.
8. Chigudu, Tinaye Provincial Governor: Manicaland.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
9. Chigwedere, Aeneas Soko Minister of Education, Sports and Culture, born 25.11.1939.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
10. Chihota, Phineas Deputy Minister for Industry and International Trade.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
11. Chihuri, Augustine Police Commissioner, born 10.3.1953.
Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
12. Chimbudzi, Alice ZANU (PF) Politburo Committee Member.
Member of the politburo and as such with strong ties to the Government and its policy.

13. Chimutengwende, Chen
Minister of State for Public and Interactive Affairs (former Minister of Post and Telecommunications), born 28.8.1943.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
14. Chinamasa, Patrick Anthony
Minister of Justice, Legal and Parliamentary Affairs, born 25.1.1947.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
15. Chindori-Chininga, Edward Takaruza
Former Minister of Mines and Mining Development, born 14.3.1955.
Former member of the Government with ongoing ties to the Government.
16. Chipanga, Tongesai Shadreck
Former Deputy Minister of Home Affairs, born 10.10.1946.
Former member of the Government with ongoing ties to the Government.
17. Chitepo, Victoria
ZANU (PF) Politburo Committee Member, born 27.3.1928.
Member of the politburo and as such with strong ties to the Government and its policy.
18. Chiwenga, Constantine
Commander Zimbabwe Defence Forces, General (former Army Commander, Lieutenant General), born 25.8.1956.
Member of the security forces and complicit in forming or directing repressive state policy.
19. Chiweshe, George
Chairman, ZEC (Supreme Court Judge and Chairman of the controversial delimitation committee), born 4.6.1953.
Ties to the government and complicit in forming or directing repressive state policy.
20. Chiwewe, Willard
Provincial Governor: Masvingo (former Senior Secretary responsible for Special Affairs in the President's Office), born 19.3.1949.
Former member of the Government with ongoing ties and bearing wide responsibility for serious violations of human rights.
21. Chombo, Ignatius Morgan Chininya
Minister of Local Government, Public Works and Urban Development, born 1.8.1952.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
22. Dabengwa, Dumiso
ZANU (PF) Politburo Senior Committee Member, born 1939.
Member of the politburo and as such with strong ties to the Government and its policy.
23. Damasane, Abigail
Deputy Minister for Women's Affairs Gender and Community Development.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
24. Dokora, Lazarus
Deputy Minister for Higher and Tertiary Education, born 3.11.1957.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
25. Georgias, Aguy
Deputy Minister for Economic Development, born 22.6.1935.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
26. Goche, Nicholas Tasunungurwa
Minister of Public Service, Labour and Social Welfare (former Minister of State for National Security in the President's Office), born 1.8.1946.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

27. Gombe, G
Chairman, Electoral Supervisory Commission.
Shares responsibility for fraudulent elections in 2005.
28. Gula-Ndebele, Sobuza
Former Chairman of Electoral Supervisory Commission.
Ties to the government and complicit in forming or directing repressive state policy.
29. Gumbo, Rugare Eleck Ngidi
Minister of Agriculture (Former Minister of Economic Development), born 8.3.1940.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
30. Hove, Richard
ZANU (PF) Politburo Secretary for Economic Affairs, born 1935.
Member of the politburo and as such with strong ties to the Government and its policy.
31. Hungwe, Josaya (a.k.a. Josiah) Dunira
Former Provincial Governor: Masvingo, born 7.11.1935.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
32. Kangai, Kumbirai
ZANU (PF) Politburo Committee Member, born 17.2.1938.
Member of the politburo and as such with strong ties to the Government and its policy.
33. Karimanzira, David Ishemunyoro Godi
Provincial Governor: Harare and ZANU (PF) Politburo Secretary for Finance, born 25.5.1947.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
34. Kasukuwere, Saviour
Deputy Minister for Youth Development & Employment Creation and ZANU (PF) Politburo Deputy-Secretary for Youth Affairs, born 23.10.1970.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
35. Kaukonde, Ray
Provincial Governor: Mashonaland East, born 4.3.1963.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
36. Kuruneri, Christopher Tichaona
Former Minister of Finance and Economic Development, born 4.4.1949. NB currently in remand.
Former member of the Government with ongoing ties.
37. Langa, Andrew
Deputy Minister of Environment and Tourism and former Deputy Minister of Transport and Communications.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
38. Lesabe, Thenjiwe V.
ZANU (PF) Politburo Committee Member, born 1933.
Member of the politburo and as such with strong ties to the Government and its policy.
39. Mabunda, Musarahana,
Assistant Police Commissioner.
Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.

40. Machaya, Jason (a.k.a. Jaison) Max Kokerai
Former Deputy Minister of Mines and Mining Development, born 13.6.1952.
Former member of the Government with ongoing ties.
41. Made, Joseph Mtakwese
State Minister of Agricultural Engineering and Mechanisation (Former Minister of Agriculture and Rural Development), born 21.11.1954.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
42. Madzongwe, Edna (a.k.a. Edina)
ZANU (PF) President of Senate, born 11.7.1943.
Member of the politburo and as such with strong ties to the Government and its policy.
43. Mahofa, Shuvai Ben
Former Deputy Minister for Youth Development, Gender and Employment Creation, born 4.4.1941.
Former member of the Government with ongoing ties.
44. Mahoso, Tafataona
Chair, Media Information Commission.
Ties to the Government and bearing wide responsibility for serious violations of the freedom of expression and media.
45. Makoni, Simbarashe
ZANU (PF) Politburo Deputy Secretary General for Economic Affairs (former Minister of Finance), born 22.3.1950.
Member of the Politburo and as such with strong ties to the Government and its policy.
46. Makwavarara, Sekesai
Acting Mayor of Harare.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
47. Malinga, Joshua
ZANU (PF) Politburo Deputy Secretary for Disabled and Disadvantaged, born 28.4.1944.
Member of the politburo and as such with strong ties to the Government and its policy.
48. Maluleke, Titus
Deputy Minister of Education, Sports and Culture.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
49. Mangwana, Paul Munyaradzi
Minister of State for Indigenisation and Empowerment, born 10.8.1961.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
50. Manyika, Elliot Tapfumanei
Minister without Portfolio (former Minister of Youth Development, Gender and Employment Creation), born 30.7.1955.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
51. Manyonda, Kenneth Vhundukai
Former Deputy Minister of Industry and International Trade, born 10.8.1934.
Former member of the Government with ongoing ties.
52. Marumahoko, Reuben
Deputy Minister for Foreign Affairs (former Deputy Minister for Home Affairs), born 4.4.1948.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

53. Masawi, Ephrahim Sango
Provincial Governor: Mashonaland Central.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
54. Masuku, Angeline
Provincial Governor: Matabeleland South (ZANU (PF) Politburo, Secretary for Disabled and Disadvantaged), born 14.10.1936.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
55. Mathema, Cain
Provincial Governor: Bulawayo.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
56. Mathuthu, Thokozile
Provincial Governor: Matabeleland North and ZANU (PF) Politburo, Deputy Secretary for Transport and Social Welfare.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
57. Matiza, Joel Biggie
Deputy Minister for Rural Housing and Social Amenities, born 17.8.1960.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
58. Matonga, Brighton
Deputy Minister for Information and Publicity, born 1969.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
59. Matshalaga, Obert
Deputy Minister of Home Affairs (Former Deputy Minister of Foreign Affairs), born 21 April 1951 in Mhute Kraal — Zvishavane.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
60. Matshiya, Melusi (Mike)
Permanent Secretary, Ministry of Home Affairs.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
61. Mavhaire, Dzikamai
ZANU (PF) Politburo Committee Member.
Member of the politburo and as such with strong ties to the Government and its policy.
62. Mbiriri, Partson
Permanent Secretary, Ministry of Local Government, Public Works and Urban Development.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
63. Midzi, Amos Bernard (Mugenva)
Minister of Mines and Mining Development (former Minister of Energy and Power Development), born 4.7.1952.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
64. Mnangagwa, Emmerson Dambudzo
Minister of Rural Housing and Social Amenities (former Speaker of Parliament), born 15.9.1946.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

65. Mohadi, Kembo Campbell Dugishi
Minister of Home Affairs (former Deputy Minister of Local Government, Public Works and National Housing), born 15.11.1949.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
66. Moyo, Jonathan
Former Minister of State for Information and Publicity in the President's Office, born 12.1.1957.
Former member of the Government engaged in activities that seriously undermined fundamental freedoms.
67. Moyo, July Gabarari
Former Minister of Energy and Power Development (former Minister of Public Service, Labour and Social Welfare), born 7.5.1950.
Former member of the Government with ongoing ties.
68. Moyo, Simon Khaya
ZANU (PF) Politburo Deputy Secretary for Legal Affairs, born 1945. NB Ambassador to South Africa.
Former member of the politburo with ongoing ties to the Government and its policy.
69. Mpofu, Obert Moses
Minister for Industry and International Trade (former Provincial Governor: Matabeleland North) (ZANU (PF) Politburo Deputy Secretary for National Security), born 12.10.1951.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
70. Msika, Joseph W.
Vice-President, born 6.12.1923.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
71. Msipa, Cephas George
Provincial Governor: Midlands, born 7.7.1931.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
72. Muchena, Olivia Nyembesi (a.k.a. Nyembezi)
Minister of State for Science and Technology in the President's Office (former Minister of State in Vice-President Msika's Office), born 18.8.1946.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
73. Muchinguri, Oppah Chamu Zvipange
Minister for Women's Affairs, Gender and Community Development ZANU (PF) Politburo Secretary for Gender and Culture, born 14.12.1958.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
74. Mudede, Tobaiwa (Tonneth)
Registrar General, born 22.12.1942.
Ties to the Government and complicit in forming or directing state policy.
75. Mudenge, Isack Stanilaus Gorerazvo
Minister of Higher Tertiary Education (former Minister of Foreign Affairs), born 17.12.1941.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
76. Mugabe, Grace
Born 23.7.1965.
Spouse of the Head of Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
77. Mugabe, Sabina
ZANU (PF) Politburo Senior Committee Member, born 14.10.1934.
Member of the politburo and as such with strong ties to the Government and its policy.

78. Mugariri, Bothwell
Senior Assistant Police Commissioner.
Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
79. Muguti, Edwin
Deputy Minister for Health and Child Welfare, born 1965.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
80. Mujuru, Joyce Teurai Ropa
Vice President (former Minister of Water Resources and Infrastructural Development), born 15.4.1955.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
81. Mujuru, Solomon T.R.
ZANU (PF) Politburo Senior Committee Member, born 1.5.1949.
Member of the politburo and as such with strong ties to the Government and its policy.
82. Mumbengegwi, Samuel Creighton
Minister of Finance (Former Minister of State for Indigenisation and Empowerment, born 23.10.1942).
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
83. Mumbengegwi, Simbarashe
Minister of Foreign Affairs, born 20.7.1945.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
84. Murerwa, Herbert Muchemwa
Former Minister of Finance, born 31.7.1941.
Former member of the Government with ongoing ties.
85. Musariri, Munyaradzi
Assistant Police Commissioner.
Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
86. Mushohwe, Christopher Chindoti
Minister of Transport and Communications (former Deputy Minister of Transport and Communications), born 6.2.1954.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
87. Mutasa, Didymus Noel Edwin
Minister of State for National Security, Land Reform and Resettlement in the Office of the President, ZANU (PF).
Secretary for Administration, born 27.7.1935.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
88. Mutezo, Munacho
Minister for Water Resources and Infrastructural Development.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
89. Mutinhiri, Ambros (a.k.a. Ambrose)
Minister of Youth Development, Gender and Employment Creation, Retired Brigadier.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

90. Mutinhiri, Tracey
Deputy Minister for Indigenisation and Empowerment (Former Deputy Speaker of the Senate).
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
91. Mutiwekuziva, Kenneth Kaparadza
Deputy Minister of Small and Medium Enterprises Development and Employment Creation, born 27.5.1948.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
92. Muzenda, Tsitsi V.
ZANU (PF) Politburo Senior Committee Member, born 28.10.1922.
Member of the politburo and as such with strong ties to the Government and its policy.
93. Muzonzini, Elisha
Brigadier (former Director-General Central Intelligence Organisation), born 24.6.1957.
Former member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
94. Mzembi, Walter
Deputy Minister for Water Resources and Infrastructural Development, born 16.3.1964.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
95. Ncube, Abedinico
Deputy Minister of Public Service, Labour and Social Welfare (former Deputy Minister of Foreign Affairs), born 13.10.1954.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
96. Ndlovu, Naison K.
ZANU (PF) Politburo Secretary for Production and Labour, born 22.10.1930.
Member of the politburo and as such with strong ties to the Government and its policy.
97. Ndlovu, Richard
ZANU (PF) Politburo Deputy Commissariat, born 26.6.1942.
Member of the politburo and as such with strong ties to the Government and its policy.
98. Ndlovu, Sikhanyiso
Minister of Information and Publicity (Former Deputy Minister of Higher and Tertiary Education), born 20.9.1949.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
99. Nguni, Sylvester
Minister of Economic Development (Former Deputy Minister for Agriculture), born 4.8.1955.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
100. Nhema, Francis
Minister of Environment and Tourism, born 7.4.1959.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
101. Nkomo, John Landa
Speaker of Parliament (former Minister of Special Affairs in the President's Office), born 22.8.1934.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

102. Nyambuya, Michael Reuben Minister for Energy and Power Development (former Lieutenant General, Provincial Governor: Manicaland), born 23.7.1955.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
103. Nyanhongo, Magadzire Hubert Deputy Minister of Transport and Communications.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
104. Nyathi, George ZANU (PF) Politburo Deputy Secretary of Science and Technology.
Member of the politburo and as such with strong ties to the Government and its policy.
105. Nyoni, Sithembiso Gile Glad Minister of Small and Medium Enterprises Development and Employment Creation, born 20.9.1949.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
106. Parirenyatwa, David Pagwese Minister of Health and Child Welfare (former Deputy Minister), born 2.8.1950.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
107. Patel, Khantibhal ZANU (PF) Politburo Deputy Secretary for Finance, born 28.10.1928.
Member of the politburo and as such with strong ties to the Government and its policy.
108. Pote, Selina M. ZANU (PF) Politburo Deputy Secretary for Gender and Culture.
Member of the politburo and as such with strong ties to the Government and its policy.
109. Sakabuya, Morris Deputy Minister for Local Government, Public Works and Urban Development.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
110. Sakupwanya, Stanley ZANU (PF) Politburo Deputy Secretary for Health and Child Welfare.
Member of the politburo and as such with strong ties to the Government and its policy.
111. Samkange, Nelson Tapera Crispen Provincial Governor: Mashonaland West.
Ties to the Government and bearing wide responsibility for serious violations of human rights.
112. Sandi or Sachi, E. (?) ZANU (PF) Politburo Deputy Secretary for Women's Affairs.
Member of the politburo and as such with strong ties to the Government and its policy.
113. Savanhu, Tendai ZANU (PF) Deputy Secretary for Transport and Social Welfare, born 21.3.1968.
Member of the politburo and as such with strong ties to the Government and its policy.
114. Sekeramayi, Sydney (a.k.a. Sidney) Tigere Minister of Defence, born 30.3.1944.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
115. Sekeramayi, Lovemore Chief Elections Officer.
Ties to the Government and complicit in forming or directing oppressive state policy.

116. Shamu, Webster
Minister of State for Policy Implementation (former Minister of State for Policy Implementation in the President's Office), born 6.6.1945.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
117. Shamuyarira, Nathan Marwirakuwa
ZANU (PF) Politburo Secretary for Information and Publicity, born 29.9.1928.
Member of the politburo and as such with strong ties to the Government and its policy.
118. Shiri, Perence
Air Marshal (Air Force), born 1.11.1955.
Member of the security forces and complicit in forming or directing oppressive state policy.
119. Shumba, Isaiah Masvayamwando
Deputy Minister of Education, Sports and Culture, born 3.1.1949.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
120. Sibanda, Jabulani
Former Chair, National War Veterans Association, born 31.12.1970.
Ties to the Government and complicit in forming or directing oppressive state policy.
121. Sibanda, Misheck Julius Mpande
Cabinet Secretary (successor to No. 127 Charles Utete), born 3.5.1949.
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
122. Sibanda, Phillip Valerio (a.k.a. Valentine)
Commander Zimbabwe National Army, Lieutenant General, born 25.8.1956.
Member of the security forces and complicit in forming or directing oppressive state policy.
123. Sikosana, Absolom
ZANU (PF) Politburo Secretary for Youth Affairs.
Member of the politburo and as such with strong ties to the Government and its policy.
124. Stamps, Timothy
Health Advisor in the Office of the President, born 15.10.1936.
Ties to the Government and complicit in forming or directing oppressive state policy.
125. Tawengwa, Solomon Chirume
ZANU (PF) Politburo Deputy Secretary for Finance, born 15.6.1940.
Member of the politburo and as such with strong ties to the Government and its policy.
126. Udenge, Samuel
Minister of State for State Enterprises (Former Deputy Minister of Economic Development).
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
127. Utete, Charles
Chairman of the Presidential Land Review Committee (former Cabinet Secretary), born 30.10.1938.
Ties to the Government and complicit in forming or directing oppressive state policy.
128. Veterai, Edmore
Senior Assistant Police Commissioner, Officer Commanding Harare.
Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.

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| 129. Zimonte, Paradzai | Prisons Director, born 4.3.1947.
Member of the security forces and complicit in forming or directing oppressive state policy. |
| 130. Zhuwao, Patrick | Deputy Minister for Science and Technology (NB Mugabe's nephew).
Member of the Government and as such engaged in activities that seriously undermine democracy, respect for human rights and the rule of law. |
| 131. Zvinavashe, Vitalis | Politburo, Indigenisation and Empowerment Committee in the party, born 27.9.1943.
Former member of the security forces and complicit in forming or directing repressive state policy and member of politburo. |
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