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I

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

REGULATIONS

COUNCIL REGULATION (EC, EURATOM) No 1558/2007**of 17 December 2007****adjusting with effect from 1 July 2007 the remuneration and pensions of officials and other servants of the European Communities and the correction coefficients applied thereto**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, and in particular Articles 63, 64, 65 and 82 of the Staff Regulations and Annexes VII, XI and XIII thereto, and the first paragraph of Article 20, Article 64 and Article 92 of the Conditions of employment of other servants,

Having regard to the proposal from the Commission,

Whereas in order to guarantee that the purchasing power of Community officials and other servants develops in parallel with that of national civil servants in the Member States, the remuneration and pensions of officials and other servants of the Communities should be adjusted under the 2007 annual review,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 2007, the date '1 July 2006' in the second subparagraph of Article 63 of the Staff Regulations shall be replaced by '1 July 2007'.

Article 2

With effect from 1 July 2007, the table of basic monthly salaries in Article 66 of the Staff Regulations applicable for the purposes of calculating remuneration and pensions shall be replaced by the following:

⁽¹⁾ OJ L 56, 4.3.1968, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 337/2007 (OJ L 90, 30.3.2007, p. 1).

1.7.2007	Steps				
Grade	1	2	3	4	5
16	15 761,93	16 424,26	17 114,43		
15	13 930,91	14 516,30	15 126,30	15 547,14	15 761,93
14	12 312,60	12 829,99	13 369,12	13 741,07	13 930,91
13	10 882,28	11 339,57	11 816,07	12 144,81	12 312,60
12	9 618,12	10 022,29	10 443,43	10 733,99	10 882,28
11	8 500,81	8 858,03	9 230,25	9 487,05	9 618,12
10	7 513,30	7 829,02	8 158,00	8 384,97	8 500,81
9	6 640,50	6 919,54	7 210,31	7 410,91	7 513,30
8	5 869,09	6 115,72	6 372,71	6 550,01	6 640,50
7	5 187,30	5 405,28	5 632,41	5 789,12	5 869,09
6	4 584,71	4 777,36	4 978,11	5 116,61	5 187,30
5	4 052,11	4 222,39	4 399,82	4 522,23	4 584,71
4	3 581,39	3 731,89	3 888,71	3 996,90	4 052,11
3	3 165,35	3 298,37	3 436,97	3 532,59	3 581,39
2	2 797,64	2 915,20	3 037,71	3 122,22	3 165,35
1	2 472,65	2 576,55	2 684,82	2 759,52	2 797,64

Article 3

With effect from 1 July 2007, the correction coefficients applicable under Article 64 of the Staff Regulations to the remuneration of officials and other servants shall be as indicated in column 2 of the following table.

With effect from 1 January 2008, the correction coefficients applicable under Article 17(3) of Annex VII to the Staff Regulations to transfers by officials and other servants shall be as indicated in column 3 of the following table.

With effect from 1 July 2007, the correction coefficients applicable to pensions under Article 20(2) of Annex XIII to the Staff Regulations shall be as indicated in column 4 of the following table.

With effect from 1 May 2008, the correction coefficients applicable to pensions under Article 20(2) of Annex XIII to the Staff Regulations shall be as indicated in column 5 of the following table.

1	2	3	4	5
Country/Place	Remuneration 1.7.2007	Transfer 1.1.2008	Pension 1.7.2007	Pension 1.5.2008
Bulgaria	65,8	58,0	100,0	100,0
Czech Rep.	81,2	74,7	100,0	100,0
Denmark	139,4	135,3	136,1	135,3
Germany	99,3	99,7	100,0	100,0
Bonn	98,3			
Karlsruhe	96,9			
Münich	106,6			
Estonia	79,6	77,7	100,0	100,0
Greece	95,3	93,3	100,0	100,0
Spain	100,4	96,4	100,0	100,0
France	117,4	107,3	109,3	107,3
Ireland	121,8	118,0	118,8	118,0
Italy	110,6	107,1	107,8	107,1
Varese	98,6			

1	2	3	4	5
Country/Place	Remuneration 1.7.2007	Transfer 1.1.2008	Pension 1.7.2007	Pension 1.5.2008
Cyprus	89,9	92,0	100,0	100,0
Latvia	79,3	75,2	100,0	100,0
Lithuania	71,3	67,8	100,0	100,0
Hungary	89,8	77,7	100,0	100,0
Malta	84,8	87,0	100,0	100,0
Netherlands	111,5	103,0	104,7	103,0
Austria	107,8	107,2	107,3	107,2
Poland	80,7	73,0	100,0	100,0
Portugal	92,2	90,6	100,0	100,0
Romania	76,3	70,5	100,0	100,0
Slovenia	88,3	84,1	100,0	100,0
Slovakia	81,3	74,8	100,0	100,0
Finland	117,8	114,6	115,2	114,6
Sweden	117,0	113,7	114,4	113,7
United Kingdom	143,1	119,8	124,5	119,8
Culham	115,9			

Article 4

With effect from 1 July 2007, the amount of the parental leave allowance referred to in the second and third subparagraphs of Article 42a of the Staff Regulations shall be EUR 849,38 and EUR 1 132,49 respectively for single parents.

Article 5

With effect from 1 July 2007, the basic amount of the household allowance referred to in Article 1(1) of Annex VII to the Staff Regulations shall be EUR 158,86.

With effect from 1 July 2007, the amount of the dependent child allowance referred to in Article 2(1) of Annex VII to the Staff Regulations shall be EUR 347,13.

With effect from 1 July 2007, the amount of the education allowance referred to in Article 3(1) of Annex VII to the Staff Regulations shall be EUR 235,53.

With effect from 1 July 2007, the amount of the education allowance referred to in Article 3(2) of Annex VII to the Staff Regulations shall be EUR 84,80.

With effect from 1 July 2007, the minimum amount of the expatriation allowance referred to in Article 69 of the Staff Regulations and in the second subparagraph of Article 4(1) of Annex VII thereto shall be EUR 470,83.

Article 6

With effect from 1 January 2008, the kilometric allowance referred to in the second subparagraph of Article 8(2) of Annex VII to the Staff Regulations shall be adjusted as follows:

EUR 0 for every km from 0 to 200 km

EUR 0,3531 for every km from 201 to 1 000 km

EUR 0,5884 for every km from 1 001 to 2 000 km

EUR 0,3531 for every km from 2 001 to 3 000 km

EUR 0,1177 for every km from 3 001 to 4 000 km

EUR 0,0567 for every km from 4 001 to 10 000 km

EUR 0 for every km over 10 000 km.

To the above kilometric allowance a flat-rate supplement shall be added, amounting to:

- EUR 176,52 if the distance by train between the place of employment and the place of origin is between 725 km and 1 450 km,
- EUR 353,02 if the distance by train between the place of employment and the place of origin is greater than 1 450 km.

Article 7

With effect from 1 July 2007, the daily subsistence allowance referred to in Article 10(1) of Annex VII to the Staff Regulations shall be:

- EUR 36,48 for an official who is entitled to the household allowance,
- EUR 29,41 for an official who is not entitled to the household allowance.

Article 8

With effect from 1 July 2007, the lower limit for the installation allowance referred to in Article 24(3) of the Conditions of employment of other servants shall be:

- EUR 1 038,73 for a servant who is entitled to the household allowance,
- EUR 617,64 for a servant who is not entitled to the household allowance.

Article 9

With effect from 1 July 2007, for the unemployment allowance referred to in the second subparagraph of Article 28a(3) of the Conditions of employment of other servants, the lower limit shall be EUR 1 245,73, the upper limit shall be EUR 2 491,48 and the standard allowance shall be EUR 1 132,49.

Article 10

With effect from 1 July 2007, the table of basic monthly salaries in Article 63 of the Conditions of employment of other servants shall be replaced by the following:

1.7.2007	Steps				
Category	Group	1	2	3	4
A	I	6 348,95	7 135,39	7 921,83	8 708,27
	II	4 607,96	5 056,98	5 506,00	5 955,02
	III	3 872,28	4 044,77	4 217,26	4 389,75
B	IV	3 719,83	4 084,00	4 448,17	4 812,34
	V	2 921,86	3 114,47	3 307,08	3 499,69
C	VI	2 778,90	2 942,50	3 106,10	3 269,70
	VII	2 487,22	2 571,85	2 656,48	2 741,11
D	VIII	2 248,06	2 380,46	2 512,86	2 645,26
	IX	2 164,97	2 195,13	2 225,29	2 255,45

Article 11

With effect from 1 July 2007, the table of basic monthly salaries in Article 93 of the Conditions of employment of other servants shall be replaced by the following:

Function group	1.7.2007	Steps						
	Grade	1	2	3	4	5	6	7
IV	18	5 433,53	5 546,53	5 661,87	5 779,61	5 899,81	6 022,50	6 147,74
	17	4 802,29	4 902,16	5 004,11	5 108,17	5 214,40	5 322,84	5 433,53
	16	4 244,39	4 332,66	4 422,76	4 514,73	4 608,62	4 704,46	4 802,29
	15	3 751,30	3 829,31	3 908,95	3 990,24	4 073,22	4 157,92	4 244,39
	14	3 315,50	3 384,44	3 454,83	3 526,67	3 600,01	3 674,88	3 751,30
	13	2 930,32	2 991,26	3 053,46	3 116,96	3 181,78	3 247,95	3 315,50
III	12	3 751,25	3 829,25	3 908,88	3 990,16	4 073,14	4 157,84	4 244,30
	11	3 315,47	3 384,41	3 454,79	3 526,63	3 599,97	3 674,83	3 751,25
	10	2 930,32	2 991,25	3 053,45	3 116,95	3 181,77	3 247,93	3 315,47
	9	2 589,91	2 643,76	2 698,74	2 754,86	2 812,14	2 870,62	2 930,32
	8	2 289,04	2 336,64	2 385,23	2 434,83	2 485,46	2 537,15	2 589,91
II	7	2 589,84	2 643,71	2 698,70	2 754,83	2 812,12	2 870,61	2 930,32
	6	2 288,93	2 336,53	2 385,13	2 434,74	2 485,38	2 537,07	2 589,84
	5	2 022,97	2 065,05	2 108,00	2 151,84	2 196,60	2 242,29	2 288,93
	4	1 787,92	1 825,11	1 863,07	1 901,82	1 941,37	1 981,75	2 022,97
I	3	2 202,57	2 248,29	2 294,95	2 342,58	2 391,20	2 440,82	2 491,48
	2	1 947,17	1 987,58	2 028,83	2 070,94	2 113,92	2 157,79	2 202,57
	1	1 721,38	1 757,11	1 793,57	1 830,80	1 868,79	1 907,58	1 947,17

Article 12

With effect from 1 July 2007, the lower limit for the installation allowance referred to in Article 94 of the Conditions of employment of other servants shall be:

- EUR 781,31 for a servant who is entitled to the household allowance,
- EUR 463,22 for a servant who is not entitled to the household allowance.

Article 13

With effect from 1 July 2007, for the unemployment allowance referred to in the second subparagraph of Article 96(3) of the Conditions of employment of other servants, the lower limit shall be EUR 934,31, the upper limit shall be EUR 1 868,61 and the standard allowance shall be EUR 849,38.

Article 14

With effect from 1 July 2007, the allowances for shiftwork laid down in the first subparagraph of Article 1(1) of Council Regulation (ECSC, EEC, Euratom) No 300/76 ⁽¹⁾ shall be EUR 356,04, EUR 537,38, EUR 587,56 and EUR 801,03.

Article 15

With effect from 1 July 2007, the amounts in Article 4 of Council Regulation (EEC, Euratom, ECSC) No 260/68 ⁽²⁾ shall be subject to a coefficient of 5,139465.

Article 16

With effect from 1 July 2007, the table in Article 8(2) of Annex XIII to the Staff Regulations shall be replaced by the following:

1.7.2007	Steps							
Grade	1	2	3	4	5	6	7	8
16	15 761,93	16 424,26	17 114,43	17 114,43	17 114,43	17 114,43		
15	13 930,91	14 516,30	15 126,30	15 547,14	15 761,93	16 424,26		
14	12 312,60	12 829,99	13 369,12	13 741,07	13 930,91	14 516,30	15 126,30	15 761,93
13	10 882,28	11 339,57	11 816,07	12 144,81	12 312,60			
12	9 618,12	10 022,29	10 443,43	10 733,99	10 882,28	11 339,57	11 816,07	12 312,60
11	8 500,81	8 858,03	9 230,25	9 487,05	9 618,12	10 022,29	10 443,43	10 882,28
10	7 513,30	7 829,02	8 158,00	8 384,97	8 500,81	8 858,03	9 230,25	9 618,12
9	6 640,50	6 919,54	7 210,31	7 410,91	7 513,30			
8	5 869,09	6 115,72	6 372,71	6 550,01	6 640,50	6 919,54	7 210,31	7 513,30
7	5 187,30	5 405,28	5 632,41	5 789,12	5 869,09	6 115,72	6 372,71	6 640,50
6	4 584,71	4 777,36	4 978,11	5 116,61	5 187,30	5 405,28	5 632,41	5 869,09
5	4 052,11	4 222,39	4 399,82	4 522,23	4 584,71	4 777,36	4 978,11	5 187,30
4	3 581,39	3 731,89	3 888,71	3 996,90	4 052,11	4 222,39	4 399,82	4 584,71
3	3 165,35	3 298,37	3 436,97	3 532,59	3 581,39	3 731,89	3 888,71	4 052,11
2	2 797,64	2 915,20	3 037,71	3 122,22	3 165,35	3 298,37	3 436,97	3 581,39
1	2 472,65	2 576,55	2 684,82	2 759,52	2 797,64			

⁽¹⁾ Council Regulation (ECSC, EEC, Euratom) No 300/76 of 9 February 1976 determining the categories of officials entitled to allowances for shiftwork, and the rates and conditions thereof (OJ L 38, 13.2.1976, p. 1). Regulation as supplemented by Regulation (Euratom, ECSC, EEC) No 1307/87 (OJ L 124, 13.5.1987, p. 6) and last amended by Regulation (EC, Euratom) No 1873/2006 (OJ L 360, 19.12.2006, p. 61).

⁽²⁾ Regulation (EEC, Euratom, ECSC) No 260/68 of the Council of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities (OJ L 56, 4.3.1968, p. 8). Regulation as last amended by Regulation (EC, Euratom) No 1750/2002 (OJ L 264, 2.10.2002, p. 15).

Article 17

With effect from 1 July 2007, the amount of the dependent child allowance referred to in the first subparagraph of Article 14 of Annex XIII to the Staff Regulations shall be as follows:

1.7.2007-31.12.2007 319,27

1.1.2008-31.12.2008 333,19

Article 18

With effect from 1 July 2007, the amount of the education allowance referred to in the first subparagraph of Article 15 of Annex XIII to the Staff Regulations shall be as follows:

1.7.2007-31.8.2007 50,86

1.9.2007-31.8.2008 67,83

Article 19

With effect from 1 July 2007, for the purposes of application of Article 18(1) of Annex XIII to the Staff Regulations, the amount of the fixed allowance mentioned in the former Article 4a of Annex VII to the Staff Regulations in force before 1 May 2004 shall be:

- EUR 122,83 per month for officials in grade C4 or C5,
- EUR 188,31 per month for officials in grade C1, C2 or C3.

Article 20

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

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

Done at Brussels, 17 December 2007.

For the Council
The President
J. SILVA

COUNCIL REGULATION (EC) No 1559/2007**of 17 December 2007****establishing a multi-annual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean and amending Regulation (EC) No 520/2007**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

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

Whereas:

(1) Since 14 November 1997, the Community has been a Party to the International Convention for the Conservation of Atlantic Tunas ⁽²⁾.

(2) At its Annual Meeting in November 2006, the International Commission for the Conservation of Atlantic Tunas (ICCAT) adopted Recommendation 2006[05] to establish a 15-year recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean.

(3) In order to rebuild the stock, the ICCAT recovery plan provides for a graduated reduction in the total allowable catch (TAC) level from 2007 to 2010, restrictions on fishing within certain areas and time periods, a new minimum size for bluefin tuna, measures concerning sport and recreational fishing activities as well as control measures and the implementation of the ICCAT scheme of joint international inspection to ensure the effectiveness of the recovery plan.

(4) In order to comply with international obligations following the recommendation of ICCAT, the ICCAT recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean was implemented on a provisional basis in Council Regulation (EC) No 643/2007 of 11 June 2007 amending Regulation (EC) No 41/2007 as concerns the recovery plan for bluefin tuna recommended by the International Commission for the Conservation of Atlantic Tunas ⁽³⁾ pending the adoption of a Regulation implementing multi-annual measures to recover the bluefin tuna stock in 2007.

(5) It is therefore necessary to implement the ICCAT recovery plan on a permanent basis by means of a Regulation establishing a recovery plan as provided for in Article 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 ⁽⁴⁾, which will apply from 1 January 2008.

(6) Some technical measures adopted by ICCAT for bluefin tuna have now been incorporated in Community law as Regulation (EC) No 520/2007 of 7 May 2007 laying down technical measures for the conservation of certain stocks of highly migratory species ⁽⁵⁾.

(7) For the sole purpose of their financing until 31 December 2014, the measures for the implementation of the ICCAT recovery plan adopted under this Regulation, as well as those provisionally adopted under Regulation (EC) No 643/2007, should be deemed to be a recovery plan within the meaning of Article 5 of Regulation (EC) No 2371/2002 with effect from the date of the entry into force of Regulation (EC) No 643/2007.

(8) The adoption of new technical measures adopted by ICCAT for bluefin tuna and the updating of those in force since the adoption of the above regulation require the deletion of some provisions of Regulation (EC) No 520/2007 and their replacement by this Regulation,

HAS ADOPTED THIS REGULATION:

CHAPTER I**GENERAL PROVISIONS****Article 1****Subject matter and scope**

This Regulation lays down the general rules for the application by the Community of a multi-annual recovery plan for bluefin tuna (*thunnus thynnus*) recommended by the International Commission for the Conservation of the Atlantic Tunas (ICCAT). This Regulation shall apply to bluefin tuna in the Eastern Atlantic and the Mediterranean.

⁽¹⁾ Opinion of 15 November 2007 (not yet published in the Official Journal).

⁽²⁾ OJ L 162, 18.6.1986, p. 33.

⁽³⁾ OJ L 151, 13.6.2007, p. 1.

⁽⁴⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽⁵⁾ OJ L 123, 12.5.2007, p. 3.

The objective of that recovery plan shall be to achieve a biomass corresponding to the maximum sustainable yield (Bmsy) with greater than 50 % probability.

Article 2

Definitions

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

- (a) 'CPCs' means Contracting Parties to the International Convention for the Conservation of the Atlantic Tuna and Cooperating Non-Contracting Parties, Entities or Fishing Entities;
- (b) 'fishing vessel' means any vessel used or intended for use for the commercial exploitation of tuna resources, including fish processing vessels, transport vessels, tugboats and vessels engaged in transshipment;
- (c) 'joint fishing operation' means any operations between two or more vessels flying the flag of different CPCs or of different Member States where the catch of one vessel is attributed in total or in part to one or more other vessels;
- (d) 'transfer activities' means any transfer of bluefin tuna:
 - (i) from the fishing vessel to the end fattening bluefin tuna farm, including for the fish dead or escaped during the transport;
 - (ii) from a bluefin tuna farm or a tuna trap to a processing vessel, transport vessel or to land;
- (e) 'tuna trap' means fixed gear anchored to the bottom usually containing a guide net that leads fish into an enclosure;
- (f) 'caging' means that live bluefin tuna is not taken on board and includes both fattening and farming;
- (g) 'fattening' means caging of bluefin tuna for a short period (usually two to six months) aiming mostly at increasing the fat content of the fish;
- (h) 'farming' means caging of bluefin tuna for a period longer than one year, aiming to increase the total biomass;

- (i) 'trans-shipment' means the unloading of all or any of the bluefin tuna on board a fishing vessel onto another fishing vessel;
- (j) 'processing vessel' means a vessel on board of which fisheries products are subject to one or more of the following operations, prior to their packaging: filleting or slicing, freezing and/or transformation;
- (k) 'sport fishery' means a non-commercial fishery whose participants adhere to a national sport organisation or are issued with a national sport licence;
- (l) 'recreational fishery' means a non-commercial fishery whose participants do not adhere to a national sport organisation or are not issued with a national sport licence;
- (m) 'Task II' means Task II as defined by ICCAT in the 'Field manual for statistics and sampling Atlantic tunas and tuna-like fish' (Third edition, ICCAT, 1990);
- (n) 'transport vessel' means a vessel receiving wild individuals and transporting them to fattening or farming farms.

CHAPTER II

FISHING OPPORTUNITIES

Article 3

Total allowable catches (TACs)

The TACs, fixed by ICCAT for Contracting Parties, for the bluefin tuna stock in the Eastern Atlantic and Mediterranean shall be as follows:

- in 2008: 28 500 tonnes,
- in 2009: 27 500 tonnes,
- in 2010: 25 500 tonnes.

However, where in the framework of ICCAT new TAC levels are agreed, the Council, acting by a qualified majority on a proposal from the Commission, shall adjust the TACs provided for in the first paragraph accordingly.

Article 4

1. Each Member State shall take the necessary measures to ensure that the fishing effort of its vessels and its traps are commensurate with the fishing opportunities on bluefin tuna available to that Member State in the Eastern Atlantic and Mediterranean Sea.

2. Each Member State shall draw up an annual fishing plan for the vessels and traps fishing bluefin tuna in the Eastern Atlantic and Mediterranean Sea. Member States whose quota of bluefin tuna is less than 5 % of the Community quota may adopt a specific method to manage their quota in their fishing plan, in which case the provisions of paragraph 3 shall not apply.

3. The annual fishing plan shall identify:

(a) *inter alia*, the vessels over 24 metres included in the list referred to in Article 12 and the individual quota allocated to them;

(b) for the vessels less than 24 metres and traps, at least the quota allocated to producer organisations or groups of vessels fishing with similar gear.

4. No later than 31 January each year, the annual fishing plan shall be transmitted to the Commission. Any subsequent modification to the annual fishing plan or to the specific method to manage their quota shall be transmitted to the Commission at least 10 days before the exercise of the activity corresponding to that modification.

5. The flag Member State shall take the action under this paragraph where a vessel flying its flag has:

(a) failed in its reporting requirement referred to in Article 17(3);

(b) committed an infringement referred to in Article 26.

The flag Member State shall ensure that a physical inspection takes place under its authority in its ports or by another person designated by the flag Member State when the vessel is not in a Community port.

The flag Member State may require the vessel to proceed immediately to a port designated by it when the individual quota is deemed to be exhausted.

6. No later than 31 January, Member States shall report to the Commission on the implementation of their annual fishing plans for the preceding year. Those reports shall include:

(a) the number of vessels actually engaged in fishing activities involving bluefin tuna in the Eastern Atlantic and Mediterranean;

(b) the catches of each vessel; and

(c) the total number of days each vessel fished in the Eastern Atlantic and Mediterranean.

7. Private trade arrangements between nationals of a Member State and a CPC in order to use a fishing vessel flying the flag of that Member State for fishing in the framework of a tuna quota of a CPC shall be conducted only under authorisation by the Member State concerned, which shall inform the Commission, and by the ICCAT Commission.

8. By 1 March each year, Member States shall send to the Commission the information on any private trade arrangements between its nationals and a CPC.

9. The information referred to in paragraph 8 shall contain the following elements:

(a) the list of all the fishing vessels flying the flag of the Member State authorised to fish actively for bluefin tuna under private trade arrangements;

(b) internal number of the vessel as defined in Annex I to Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register ⁽¹⁾;

(c) length of the private trade arrangements;

(d) Member State's assent to the private arrangement;

(e) the name of the CPC concerned.

⁽¹⁾ OJ L 5, 9.1.2004, p. 25. Regulation as amended by Regulation (EC) No 1799/2006 (OJ L 341, 7.12.2006, p. 26).

10. The Commission shall send without delay the information referred to in paragraph 9 to the ICCAT Executive Secretariat.

11. The Commission shall ensure that the percentage of a CPC's quota for bluefin tuna that may be used for chartering of Community fishing vessels in accordance with Article 8b of Council Regulation (EC) No 1936/2001⁽¹⁾ shall not exceed 60 %, 40 % and 20 % of the total quota in 2007, 2008 and 2009 respectively.

12. Chartering of Community fishing vessels for bluefin tuna in the Eastern Atlantic and Mediterranean shall be prohibited in 2010 and the following years.

13. Each Member State shall ensure that the number of its bluefin tuna fishing vessels chartered and the duration of the charter shall be commensurate with the quota allocated to the charter nation.

CHAPTER III

TECHNICAL MEASURES

Article 5

Closed fishing season

1. Bluefin tuna fishing shall be prohibited in the Eastern Atlantic and Mediterranean by large-scale pelagic longline vessels over 24 metres during the period from 1 June to 31 December with the exception of the area delimited by west of 10° W and north of 42° N.

2. Purse seine fishing for bluefin tuna shall be prohibited in the Eastern Atlantic and Mediterranean during the period from 1 July to 31 December.

3. Bluefin tuna fishing by bait boats shall be prohibited in the Eastern Atlantic and Mediterranean during the period from 15 November to 15 May.

4. Bluefin tuna fishing by pelagic trawlers shall be prohibited in the Eastern Atlantic during the period from 15 November to 15 May.

Article 6

Use of planes

The use of aircraft or helicopters for searching for bluefin tuna in the Convention Area shall be prohibited.

Article 7

Minimum size

1. The minimum size for bluefin tuna in the Eastern Atlantic and in the Mediterranean Sea shall be 30 kg or 115 cm.

2. By way of derogation from paragraph 1 and without prejudice to Article 9, a minimum size for bluefin tuna (*Thunnus thynnus*) of 8 kg or 75 cm shall apply for the following bluefin tunas:

(a) bluefin tuna caught in the Eastern Atlantic by bait boats, trolling boats and pelagic trawlers;

(b) bluefin tuna caught in the Adriatic Sea for farming purposes.

3. For the purpose of paragraph 2(a), the Council, acting by qualified majority on a proposal from the Commission, shall determine the maximum number of bait boats, trolling boats authorised to fish bluefin tuna and pelagic trawlers authorised to fish bluefin tuna as by-catch. The number of bait boats and trolling boats is set at the number of Community vessels participating in directed fishery for bluefin tuna in 2006. The number of pelagic trawler vessels is set at the number of Community vessels authorised to fish bluefin tuna as by-catch in 2006.

4. For the purpose of paragraph 2(a), the Council, acting by qualified majority on a proposal from the Commission, shall distribute among the Member States the number of vessels determined in accordance with paragraph 3.

5. For the purpose of paragraph 2(a), no more than 10 % of the Community quota for bluefin tuna between 8 kg or 75 cm and 30 kg or 115 cm shall be allocated among the authorised vessels referred to in paragraphs 3 and 4, with up to a maximum of 200 tonnes of bluefin tuna weighing no less than 6,4 kg or 70 cm caught by bait boat vessels of an overall length of less than 17 m. The Council, acting by qualified majority on a proposal from the Commission, shall decide on the allocation of the Community quota among Member States.

6. No more than 2 % of the Community quota for bluefin tuna between 8 and 30 kg may be allocated among its coastal artisanal fishery for fresh fish in the Eastern Atlantic. The Council, acting by qualified majority on a proposal from the Commission, shall decide on the allocation of the Community quota among Member States.

⁽¹⁾ OJ L 263, 3.10.2001, p. 1. Regulation as amended by Regulation (EC) No 869/2004 (OJ L 162, 30.4.2004, p. 8).

7. The additional specific conditions for bluefin tuna caught in the Eastern Atlantic by bait boats, trolling boats and pelagic trawlers are set out in Annex I.

Article 8

Sampling plan for bluefin tuna

1. Each Member State shall establish a sampling programme for the estimation of the numbers-at-size of the bluefin tuna captured.
2. Sampling by size in cages shall be carried out on a sample of 100 specimens per 100 tonnes of live fish or on a sample of 10 % of the total number of fish placed in a cage. The size sample, on basis of length or weight, shall be taken during harvesting at the farm, and on the dead fish during transport in accordance with the method adopted by the ICCAT for notifying data in the framework of Task II.
3. Additional methods and samplings shall be developed for fish reared for more than one year.
4. Sampling shall be carried out during a harvest taken at random and shall cover all cages. The data for sampling carried out each year shall be notified to the Commission by 31 May of the following year.

Article 9

By-catch

1. A by-catch of maximum 8 % of bluefin tuna weighing less than 30 kg and no less than 10 kg shall be authorised for all fishing vessels fishing actively or not for bluefin tuna, without prejudice to Article 7(2).
2. The percentage referred to in paragraph 1 shall be calculated either on the basis of the total by-catch in number of fish per landing of the total bluefin tuna catches of these vessels, or on basis of its weight equivalence in percentage.
3. By-catch shall be deducted from the quota of the flag Member State. The discard of dead fish from the by-catch referred to in paragraph 1 shall be prohibited while the bluefin tuna fishery is open and shall be deducted from the quota of the flag Member State.
4. Landings of by-catch of bluefin tuna shall be subject to Articles 14 and 18(1).

Article 10

Recreational fisheries

1. In the framework of recreational fisheries it shall be prohibited to catch, retain on board, transship and land more than one individual of bluefin tuna in each sea trip.
2. The marketing of bluefin tuna caught in recreational fishing shall be prohibited except for charitable purposes.
3. Each Member State shall record catch data from recreational fishing and communicate this data to the Commission. The Commission shall forward that information to the Standing Committee on Research and Statistics of ICCAT.
4. Each Member State shall take the necessary measures to ensure, to the greatest extent possible, the release of bluefin tuna caught alive, especially juveniles, in the framework of recreational fishing.

Article 11

Sport fishing

1. Each Member State shall take the necessary measures to regulate sport fishing, notably by fishing authorisations.
2. The marketing of bluefin tuna caught in sport fishing competitions shall be prohibited except for charitable purposes.
3. Each Member State shall record catch data from sport fishing and communicate this data to the Commission. The Commission shall forward that information to the Standing Committee on Research and Statistics of ICCAT.
4. Each Member State shall take the necessary measures to ensure, to the greatest extent possible, the release of the bluefin tuna caught alive, especially juveniles, in the framework of sport fishing.

CHAPTER IV

CONTROL MEASURES

Article 12

Register of vessels authorised to fish actively for bluefin tuna

1. By 31 January 2008, each Member State shall send the Commission electronically a list of all fishing vessels flying its flag authorised to fish actively for bluefin tuna in the Eastern Atlantic and Mediterranean Sea by issue of a special fishing permit.

2. The Commission shall send this information to the ICCAT Executive Secretariat so that those vessels can be entered in the ICCAT record of vessels authorised to fish for bluefin tuna.

3. Those Community fishing vessels concerned by this Article and not entered in the ICCAT record shall not fish for, retain on board, transship, transport, transfer or land bluefin tuna in the Eastern Atlantic and Mediterranean Sea.

4. The rules on fishing licences in Article 8a(2), (4), (6), (7) and (8) of Regulation (EC) No 1936/2001 shall apply *mutatis mutandis*.

Article 13

Register of tuna traps authorised to fish for bluefin tuna

1. By 31 January 2008, each Member State shall send the Commission electronically a list of its authorised tuna traps authorised to fish for bluefin tuna in the Eastern Atlantic and Mediterranean Sea by issue of a special fishing licence. The list shall include the name of the traps and the register number.

2. The Commission shall send the list to the ICCAT Executive Secretariat so that these tuna traps can be entered on the ICCAT record of tuna traps authorised to fish for bluefin tuna.

3. Community tuna traps not entered into the ICCAT record may not fish for, retain, tranship or land bluefin tuna in the Eastern Atlantic and Mediterranean Sea.

4. Article 8a(2), (4), (6), (7) and (8) of Regulation (EC) No 1936/2001 shall apply *mutatis mutandis*.

Article 14

Designated ports

1. Member States shall designate a place to be used for landing or a place close to the shore (designated ports) where landing or transshipment operations of bluefin tuna are permitted.

2. Member States shall transmit to the Commission no later than 1 April of each year a list of designated ports. The Commission shall send this information to the ICCAT Executive Secretariat before 15 April of each year. Any subsequent changes to the list shall be notified to the Commission for transmission to the ICCAT Executive Secretariat, at least 15 days before the change comes into force.

3. It shall be prohibited to land and or tranship from vessels referred to in Article 12 any quantity of bluefin tuna fished in Eastern Atlantic and Mediterranean Sea at any place other than ports designated by CPCs and by Member States in accordance with paragraphs 1 and 2.

4. This provision shall apply to landings or trans-shipments by bait boats, trolling boats and pelagic trawlers having caught bluefin tuna in the Eastern Atlantic in accordance with the specific conditions set out in Annex I.

Article 15

Recording requirements

1. In addition to complying with Article 6 and 8 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the Common Fisheries Policy ⁽¹⁾, the master of a Community fishing vessel referred to in Article 12 shall enter in the logbook, if applicable, the information listed in Annex II.

2. The master of a Community vessel referred to in Article 12 engaged in a joint fishing operation shall record the additional information in its logbook:

(a) where the catch is taken on board or transferred into cages:

- the date and the time of the catch taken in a joint fishing operation,
- the location (longitude/latitude) of the catch taken in a joint fishing operation,
- amount of catches of bluefin tuna taken on board, or transferred into cages,
- the name and international radio call sign of the fishing vessel;

(b) for those vessels, engaged in a joint fishing operation but not involved in the transfer of fish:

- the date and the time of the joint fishing operation,
- the location (longitude/latitude) of the joint fishing operation,

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1098/2007 (OJ L 248, 22.9.2007, p. 1).

- state that no catches have been taken on board or have been transferred into cages by that vessel,
- the name and international radio call sign(s) of the catching fishing vessel(s).

3. Where a catching vessel engaged in a joint fishing operation declares the quantity of bluefin tuna captured by its fishing gear, the master shall indicate, for each catch, for which vessel(s) and flag State(s) against whose quota the catches must be counted.

Article 16

Joint fishing operations

1. Any joint fishing operations for bluefin tuna involving vessels flying the flag of one or more Member State(s) shall only be authorised with the consent of the flag Member State or flag Member States concerned.

2. At the moment of the application for the authorisation, each Member State shall take the necessary measures to obtain from its fishing vessels participating in the joint fishing operation detailed information concerning the duration of the joint operation, the identity of the operators involved and the allocation key between the vessels for the catches involved.

3. Each Member State shall transmit the information referred to in paragraph 2 to the Commission. The Commission shall promptly forward that information to the ICCAT Secretariat.

Article 17

Catch reports

1. The master of a catching fishing vessel referred to in Article 12 shall send to the competent authorities of his flag Member State a catch report stating the quantities of bluefin tuna caught by his vessel, including zero catch returns.

2. The catch report shall for the first time be transmitted at the latest at the end of the 10 days after the entry into Eastern Atlantic and Mediterranean Sea or after the beginning of the fishing trip. In the case of joint operations the master of the catching vessel shall indicate, for each catch, for which vessel or vessels the catches shall be counted against the quota of the flag State(s).

3. From 1 June of each year, the master of a fishing vessel shall transmit the catch report on the quantity of bluefin tuna, including zero catch returns, on a five-day basis.

4. Each Member State shall, upon receipt, forward catch reports by electronic or other means to the Commission. The Commission shall promptly forward that information to the ICCAT Secretariat.

5. Member States shall inform the Commission, in computer-readable form, before the 15th day of each month, of the quantities of bluefin tuna caught in the Eastern Atlantic and Mediterranean Sea which have been landed, trans-shipped, trapped or caged by the vessel flying their flag during the preceding month. The Commission shall promptly forward that information to the ICCAT Secretariat.

Article 18

Landings

1. By way of derogation from Article 7 of Regulation (EEC) No 2847/93, the master of a Community vessel referred to in Article 12 of this Regulation or his representative shall notify the competent authority of the Member State (including the flag Member State) or the CPC whose ports or landing facility they wish to use at least four hours before the estimated time of arrival at the port, of the following:

- (a) estimated time of arrival;
- (b) estimated quantity of bluefin tuna retain on board;
- (c) information on the zone where the catches were taken.

2. In the case of a landing in a designated port of a Member State other than the flag Member State, the relevant authority of that Member State shall send a record of the landing to the flag authority of the vessel, within 48 hours of the end of the landing.

3. This provision shall not apply to landings by bait boats, trolling boats and pelagic trawlers having caught bluefin tuna in the Eastern Atlantic.

Article 19

Trans-shipment

1. By way of derogation from Article 11 of Regulation (EEC) No 2847/93 trans-shipment at sea of bluefin tuna in the Eastern Atlantic and Mediterranean Sea shall be prohibited, except for large-scale tuna longline fishing vessels operating in accordance with ICCAT Recommendation 2005[06] establishing a programme for trans-shipment for large-scale tuna longline fishing vessels, as amended.

2. Prior to entry into any port, the master of the receiving vessel (catching vessel or processing vessel) or his representative, shall provide the competent authorities of the Member State whose port he wants to use at least 48 hours before the estimated time of arrival with the following:

- (a) estimated time of arrival;
- (b) estimated quantity of bluefin tuna retained on board;
- (c) information on the geographical areas where the catches of bluefin tuna to be transshipped were taken;
- (d) the name of the catching vessel which delivers the bluefin tuna and its number in the ICCAT record of authorised fishing vessels for bluefin tuna;
- (e) the name of the receiving vessel, its number in the ICCAT record of authorised fishing vessels for bluefin tuna;
- (f) the tonnage of bluefin tuna to be trans-shipped.

3. Catching fishing vessels shall not be allowed to trans-ship, unless they have obtained prior authorisation from their flag State.

4. The master of the catching vessel shall, before the trans-shipment starts, inform its flag State of the following:

- (a) the quantities of bluefin tuna to be trans-shipped;
- (b) the date and port of the trans-shipment;
- (c) the name, registration number and flag of the receiving vessel and its number in the ICCAT record of authorised fishing vessels for bluefin tuna;
- (d) the geographical area of the tuna catches.

5. The competent authority of the Member State in which port the trans-shipment takes place shall:

- (a) inspect the receiving vessel on arrival and check the cargo and documentation related to the trans-shipment operation;
- (b) send a record of the transshipment to the flag State authority of the catching vessel, within 48 hours of the end of the trans-shipment.

6. The master of a Community vessel referred to in Article 12 shall complete and transmit the ICCAT trans-shipment declaration to the competent authorities of the Member State whose flag the vessels are flying. The declaration shall be transmitted no later than 15 days after the date of trans-shipment in port in accordance with the format set out in Annex III.

Article 20

Caging operations

1. The Member State under whose jurisdiction the fattening or farming farm for bluefin tuna is located shall submit within one week of the completion of the caging operation a caging report, validated by an observer, to the Member State or CPC whose flag vessels have fished the tuna and to the Commission. The Commission shall promptly forward that information to the ICCAT Secretariat. This report shall contain the information included in the caging declaration as referred to in Article 4b of Regulation (EC) No 1936/2001.

2. When the fattening or farming farms are located on the high seas, paragraph 1 shall apply, *mutatis mutandis*, to Member States where the natural or legal persons responsible for fattening or farming farms are established.

3. Before any transfer into cage, the flag Member State or the flag CPC of the catching vessel shall be informed by the competent authority of the fattening or farming farm Member State of the transfer into cage of quantities caught by fishing vessels flying its flag.

The flag Member State of the catching vessel shall request the competent authority of the fattening or farming farm Member State to proceed to the seizure of the catches and the release of the fish into the sea if it considers on receipt of that information that:

- (a) the fishing vessel declared to have caught the fish had insufficient individual quota for bluefin tuna put into the cage;
- (b) the quantity of fish has not been duly reported and not taken into account for the calculation of any quota that may be applicable; or
- (c) the fishing vessel declared to have caught the fish is not authorised to fish for bluefin tuna.

4. The master of a Community fishing vessel shall complete and transmit to the flag Member State or to the flag CPC the ICCAT transfer declaration not later than 15 days after the date of transfer to tug vessels or to the cage, in accordance with the format set out in Annex III. The transfer declaration shall accompany the transferred fish during transport to the cage.

Article 21

Trap activities

1. Catches by trap shall be recorded after the end of every fishing operation in tuna traps and shall be transmitted by electronic means or other means within 48 hours of the end of every fishing operation to the competent authority of the Member State where the trap is located.

2. Each Member State shall, upon receipt, forward the catch record by electronic means to the Commission. The Commission shall promptly forward the information to the ICCAT Secretariat.

Article 22

Control in port or in farm

1. Member States shall take the necessary measures to ensure that all vessels referred to in the ICCAT record of vessel authorised to fish for bluefin tuna entering a designated port to land and/or tranship bluefin tuna caught in the Eastern Atlantic and Mediterranean Sea are submitted to a control in port.

2. Member States shall take the necessary measures to control each caging operation in the fattening or farming farms falling within their jurisdiction.

3. When the fattening or farming farms are located on the high seas, paragraph 2 shall apply, *mutatis mutandis*, to Member States where the natural or legal persons responsible for the fattening or farming farm are established.

Article 23

Cross-check

1. Member States shall verify, including by using VMS (vessel monitoring system) data, the submission of logbooks and relevant information recorded in the logbooks of their vessels in the transfer/trans-shipment document and in the catch documents.

2. The Member States shall carry out administrative cross-checks on all landings, all trans-shipments or caging between the quantities by species recorded in the vessels logbook or

quantities by species recorded in the trans-shipment declaration and the quantities recorded in the landing declaration or caging declaration, and any other relevant document, such as invoice and/or sales notes.

Article 24

ICCAT scheme of joint international inspection

1. The ICCAT scheme of joint international inspection adopted by ICCAT at its Fourth Regular Meeting (Madrid, November 1975) and set out in Annex IV to this Regulation shall apply in the Community.

2. Member States whose fishing vessels are authorised to fish bluefin tuna in the Eastern Atlantic and Mediterranean Sea shall assign inspectors and carry out inspections at sea under the Scheme.

3. The Commission or a body designated by it may assign Community inspectors to the Scheme.

4. The Commission or a body designated by it shall coordinate the surveillance and inspection activities for the Community. It may draw up, in concert with the Member States concerned, joint inspection programmes for that purpose which will enable the Community to fulfil its obligation under the Scheme. The Member States whose vessels are engaged in fishery on bluefin tuna shall adopt the necessary measures to facilitate the implementation of these programmes particularly as regards the human and material resources required and the periods and zones when these are to be deployed.

5. Member States shall inform the Commission by 1 April of each year of the names of the inspectors and the inspection vessels they are intending to assign to the Scheme during the following year. Using this information the Commission shall draw up, in collaboration with the Member States, a forward plan for Community participation in the Scheme each year, which it shall send to the ICCAT Secretariat and the Member States.

Article 25

Observer programme

1. Each Member State shall ensure observer coverage on its fishing vessels over 15 m in length for at least:

(a) 20 % of its active purse seine vessels. In the case of joint fishing operations, an observer shall be present during the fishing operation;

(b) 20 % of its active pelagic trawlers;

(c) 20 % of its active longline vessels;

(d) 20 % of its active bait boats;

(e) 100 % during the harvesting process for tuna traps.

The observer tasks shall be, in particular, to:

(a) monitor a vessel's compliance with this Regulation;

(b) record and report upon the fishing activity;

(c) observe and estimate catches and verify entries made in the logbook;

(d) sight and record vessels which may be fishing contrary to ICCAT conservation measures.

In addition, the observer shall carry out scientific work, such as collecting Task II data as defined by ICCAT, when required by ICCAT, based on the instructions from the Standing Committee on Research and Statistics of ICCAT.

2. Each Member State within whose jurisdiction the fattening or farming farm for bluefin tuna is located shall ensure an observer presence during all transfer of bluefin tuna to the cages and all harvesting of fish from the farm.

The observer tasks shall be, in particular, to:

(a) observe and monitor farming operation compliance in accordance with Article 4a, 4b and 4c of Regulation (EC) No 1936/2001;

(b) validate the caging report referred to in Article 20 of this Regulation;

(c) carry out such scientific work, for example collecting samples, as required by the CAT based on the instructions from the Standing Committee on Research and Statistics of ICCAT.

Article 26

Enforcement

1. Member States shall take enforcement measures with respect to a fishing vessel flying their flag, where it has been established, in accordance with their law that the vessel does not comply with Articles 4, 5, 7, 14, 15, 16, 17 and 19. The measures may include, in particular, depending on the gravity of the offence and in accordance with their national law:

(a) fines;

(b) seizure of illegal fishing gear and catches;

(c) sequestration of the vessel;

(d) suspension or withdrawal of authorisation to fish;

(e) reduction or withdrawal of the fishing quota, if applicable.

2. Each Member State within whose jurisdiction the bluefin tuna farm is located shall take enforcement measures with respect to that farm, where it has been established, in accordance with its law that the farm does not comply with Articles 20 and 25(2) of this Regulation and Articles 4a, 4b and 4c of Regulation (EC) No 1936/2001. The measures may include in particular depending on the gravity of the offence and in accordance with the national law:

(a) fines;

(b) suspension or withdrawal from the fattening farms register;

(c) prohibition of caging or marketing quantities of bluefin tuna.

Article 27

Market measures

1. Community trade, landing, imports, exports, placing in cages for fattening or farming, re-exports and trans-shipments of Eastern Atlantic and Mediterranean bluefin tuna (*thunnus thynnus*) that are not accompanied by accurate, complete and validated documentation required by this Regulation shall be prohibited.

2. Community trade, imports, landings, placing in cages for fattening or farming, processing, exports, re-exports and the trans-shipment of Eastern Atlantic and Mediterranean bluefin tuna (*thunnus thynnus*) caught by fishing vessels whose flag State does not have a quota, catch limit or allocation of fishing effort for Eastern Atlantic and Mediterranean bluefin tuna, under the terms of ICCAT management and conservation measures, or when the flag State's fishing possibilities are exhausted, shall be prohibited. Based on the information received by the ICCAT Secretariat, the Commission shall inform all the Member States that a quota of a CPC is exhausted.

3. Community trade, imports, landings, processing, exports from fattening or farming farms that do not comply with ICCAT Recommendation 2006[07] on bluefin tuna farming shall be prohibited.

Article 28

Conversion factors

The conversion factors adopted by the Standing Committee on Research and Statistics of ICCAT shall apply to calculate the equivalent round weight of the processed bluefin tuna.

Article 29

Financing

For the purpose of Article 21(a)(i) of Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund ⁽¹⁾ and until 31 December 2014 the multi-

annual recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean shall be deemed to be a recovery plan within the meaning of Article 5 of Regulation (EC) No 2371/2002.

CHAPTER V

FINAL PROVISIONS

Article 30

Amendments to Regulation (EC) No 520/2007

Regulation (EC) No 520/2007 is amended as follows:

1. Articles 6 and 11 shall be deleted;
2. in Annex IV, the entry concerning bluefin tuna shall be deleted.

Article 31

Entry into force and application

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

It shall apply from 1 January 2008.

However, Article 29 shall apply from 13 June 2007.

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

Done at Brussels, 17 December 2007.

For the Council
The President
J. SILVA

⁽¹⁾ OJ L 223, 15.8.2006, p. 1.

ANNEX I

Specific conditions applying to bait boat, trolling boat and pelagic trawler fisheries in the Eastern Atlantic

1. (a) Each Member State shall ensure that vessels to which a special fishing permit has been issued are included in a list containing their name and Community fleet register number (CFR) as defined in Annex I to Commission Regulation (EC) No 26/2004. Member States shall issue the special fishing permit only when a vessel has been entered into the ICCAT record of vessels authorised to fish for bluefin tuna;
 - (b) by 1 April 2008, each Member State shall send to the Commission the list referred to in point (a) and all subsequent amendments in a computer-readable form;
 - (c) amendments to the list referred to in point (a) shall be transmitted to the Commission at least five days prior to the date that the vessel newly inserted in that list enters the Eastern Atlantic. The Commission shall promptly forward amendments to the ICCAT Secretariat.
 2. (a) It shall be prohibited to land and/or tranship from vessels referred to in paragraph 1 of this Annex any quantity of bluefin tuna fished in the Eastern Atlantic at any place other than ports designated by Member States or by CPCs;
 - (b) Member States shall designate a place used for landing or a place close to the shore (designated ports) where landing or transshipment operations of bluefin tuna are permitted;
 - (c) Member States shall transmit to the Commission no later than 1 April of each year a list of designated ports. The Commission shall send this information to the ICCAT Executive Secretariat before 15 April of each year. Any subsequent changes to the list shall be notified to the Commission for transmission to the ICCAT Executive Secretariat, at least 15 days before the change comes into force.
 3. By way of derogation from the provision of Article 7 of Regulation (EEC) No 2847/93, the master of a Community vessel referred to in paragraph 1 and 2 of that Article or his representative must notify the competent authority of the Member State (including the competent authority of their flag State) or of the CPC in whose ports or landing facility they wish to use at least four hours before the estimated time of arrival at the port, of the following:
 - (a) estimated time of arrival;
 - (b) estimate of quantity of bluefin tuna retain on board;
 - (c) information on the zone where the catches were taken.
 4. Each Member State shall implement a catch reporting regime that insures effective monitoring of the utilisation of each vessel's quota.
 5. Bluefin tuna catches may not be offered for retail sale to the final consumer, irrespective of the marketing method, unless appropriate marking or labelling indicates:
 - (a) the species, fishing gear used;
 - (b) the catch area and date.
 6. Member States whose bait boats are authorised to fish for bluefin tuna in the Eastern Atlantic shall institute tail tag requirements as follows:
 - (a) Tail tags must be affixed on each bluefin tuna immediately upon offloading;
 - (b) Each tail tag shall have a unique identification number and be included on bluefin tuna statistical documents and written on the outside of any package containing tuna.
-

ANNEX II

Specification for logbooks

Minimum specifications for logbooks:

1. The logbook must be numbered by sheets.
2. The logbook must be filled every day (midnight) or before port arrival.
3. The logbook must be completed in case of at sea inspections.
4. One copy of the sheets must remain attached to the logbook.
5. Logbooks must be kept on board to cover a period of one year operation.

Minimum standard information for logbooks:

1. master's name and address;
2. dates and ports of departure, dates and ports of arrival;
3. vessel name, register number, ICCAT number and IMO number (if available). In case of joint fishing operations, vessel names, register numbers, ICCAT numbers and IMO numbers (if available) of all the vessels involved in the operation;
4. fishing gear:
 - (a) type FAO code;
 - (b) dimension (length, mesh size, number of hooks, ...);
5. operations at sea with one line (minimum) per day of trip, providing:
 - (a) activity (fishing, steaming, ...);
 - (b) position: exact daily positions (in degree and minutes), recorded for each fishing operation or at noon when no fishing has been conducted during this day;
 - (c) record of catches;
6. species identification:
 - (a) by FAO code;
 - (b) round (RWT) weight in kg per day;
7. master's signature;
8. observer's signature (if applicable);
9. means of weight measure: estimation, weighing on board;
10. the logbook is kept in equivalent live weight of fish and mentions the conversion factors used in the evaluation.

Minimum information in case of landing, transshipment/transfer:

1. dates and port of landing/transshipment/transfer;
 2. products:
 - (a) presentation;
 - (b) number of fish or boxes and quantity in kg;
 3. Signature of the master or vessel agent.
-

ANNEX III

ICCAT transfer/transhipment declaration

Document No ICCAT TRANSFER/TRANSHIPMENT DECLARATION

Tug/Carrier vessel

Name of vessel and radio call sign:

Flag:

Flag State authorisation No:

National Register No:

ICCAT Register No:

IMO No:

Fishing Vessel

Name of the vessel and radio call sign,

Flag:

Flag State authorisation No:

National Register No:

ICCAT Register No:

External identification:

Fishing logbook sheet No:

Day Month Hour Year

FV Master's name: Tug/carrier Master's name:

LOCATION OF TRANSHIPMENT/TRANSFER

Departure from Return to Signature: Signature:Transfer/transhipment

For transhipment, indicate the weight in kilograms

In case of transfer of live fish indicate number of unit and live weight

Port	Sea Lat. Long.	Species	Number of unit of fishes	Type of Product Live	Type of Product Whole	Type of Product Gutted	Type of Product Head off	Type of Product Filleted	Type of Product	further transfer/transhipments
										Date:
										Place/position:
										Authorization CP No:
										Transfer vessel Master signature:
										Name of receiver vessel:
										Flag:
										ICCAT Register No:
										IMO No:
										Master's signature:
										Date:
										Place/position:
										Authorisation CP No
										Transfer vessel Master's signature:
										Name of receiver vessel:
										Flag:
										ICCAT Register No:
										IMO No:
										Master's signature:

ICCAT Observer signature (if applicable):

Obligations in case of transfer/transhipment:

1. The original of the transfer/transhipment declaration must be provided to the recipient vessel tug/processing/transport).
2. The copy of the transfer/transhipment declaration must be kept by the correspondent catching fishing vessel.
3. Further transfers or transshipping operations shall be authorised by the relevant CP which authorised the vessel to operate.
4. The original of the transfer/transhipment declaration has to be kept by the recipient vessel which holds the fish, up to the farm or the landing place.
5. The transfer or transshipping operation shall be recorded in the log book of any vessel involved in the operation.

ANNEX IV

ICCAT scheme of joint international inspection

The Commission agreed at its Fourth Regular Meeting (Madrid, November 1975) that:

pursuant to paragraph 3 of Article IX of the Convention, the ICCAT Commission recommends the establishment of the following arrangements for international control outside the waters under national jurisdiction for the purpose of ensuring the application of the Convention and the measures in force thereunder:

1. control shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the ICCAT Commission;
2. ships carrying inspectors shall fly a special flag or pennant approved by the ICCAT Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the ICCAT Commission, as soon as may be practical;
3. each inspector shall carry an identity document supplied by the authorities of the flag State in a form approved by the ICCAT Commission and giving him an appointment stating that he has authority to act under arrangements approved by the ICCAT Commission;
4. subject to the arrangements agreed under paragraph (9), a vessel employed for the time being in fishing for tuna or tuna-like fishes in the Convention Area outside the waters within its national jurisdiction shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector unless it is actually carrying out fishing operations, in which case it shall stop immediately once it has finished such operations. The master ⁽¹⁾ of the vessel shall permit the inspector, who may be accompanied by a witness, to board it. The master shall enable the inspector to make such examination of catch or gear and any relevant documents as the inspector deems necessary to verify the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and the inspector may ask for any explanations that he deems necessary;
5. on boarding the vessel an inspector shall produce the document described in point (3). Inspections shall be made so that the vessel suffers the minimum interference and inconvenience and the quality of the fish does not deteriorate. An inspector shall limit his enquiries to the ascertainment of the observance of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the ICCAT Commission. He shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations. Copies of the report shall be given to the master of the vessel and to the inspector's government, which shall transmit copies to the appropriate authorities of the flag State of the vessel and to the ICCAT Commission. Where any infringement of the recommendations is discovered the inspector should, where possible, also inform the competent authorities of the flag State, as notified to the ICCAT Commission, and any inspection ship of the flag State known to be in the vicinity;
6. resistance to an inspector or failure to comply with his directions shall be treated by the flag State of the vessel in a manner similar to resistance to any inspector of that State or a failure to comply with his directions;
7. inspector shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them;
8. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on a similar basis in accordance with their national legislation to the reports of national inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements;

⁽¹⁾ Master refers to the individual in charge of the vessel.

9. (a) Contracting Governments shall inform the ICCAT Commission by 1 March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors;

(b) the arrangements set out in this recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them, and such agreement shall be notified to the ICCAT Commission:

Provided however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the ICCAT Commission to that effect, pending completion of an agreement;

10. (a) the fishing gear shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The inspector will state the nature of this violation in this report;

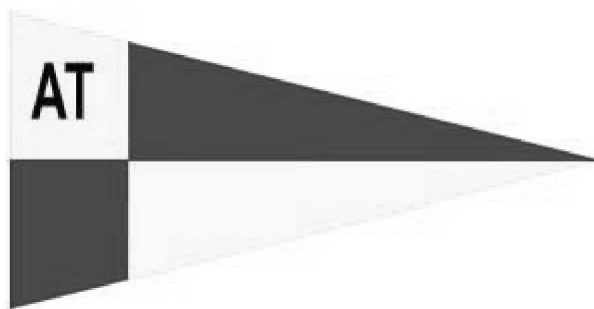
(b) inspectors shall have the authority to inspect all fishing gear in use or that fishing gear on deck ready for use;

11. the inspector shall affix an identification mark approved by the ICCAT Commission to any fishing gear inspected which appears to be in contravention of the ICCAT Commission's recommendations in force in relation to the flag State of the vessel concerned and shall record this fact in his report;

12. the inspector may photograph the gear in such a way as to reveal those features which in his opinion are not in conformity with the regulation in force, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag State;

13. the inspector shall have authority, subject to any limitations imposed by the ICCAT Commission, to examine the characteristics of catches, to establish whether the ICCAT Commission's recommendations are being complied with. He shall report his findings to the authorities of the flag State of the inspected vessel as soon as possible. (Biennial Report 1974-75, Part II).

ICCAT pennant:



COUNCIL REGULATION (EC) No 1560/2007**of 17 December 2007****amending Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals**

THE COUNCIL OF THE EUROPEAN UNION,

implement the system, taking into account its current and potential economic impact.

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

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

Whereas:

(1) Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals ⁽²⁾ provides that each Member State is to establish a system for the identification and registration of ovine and caprine animals in accordance with the provisions of that Regulation.

(2) That Regulation also provides that, as from 1 January 2008, electronic identification is to become obligatory for all animals born after that date.

(3) In addition, that Regulation provides that the Commission is to submit to the Council, by 30 June 2006, a report on the implementation of the electronic identification system, accompanied by appropriate proposals, on which the Council is to vote confirming or amending, if necessary, the date of the introduction of the obligatory use of that system and to update, if necessary, some technical aspects relating to the implementation of electronic identification.

(4) The Commission report concludes that it is not possible to justify the date of 1 January 2008 as the date for the introduction of obligatory electronic identification. Therefore it is appropriate to amend this date by postponing it to 31 December 2009 in order to allow the Member States to take necessary measures to properly

(5) A number of Member States have already developed the technology necessary for the introduction of electronic identification and gained significant experience with its implementation. They should not be prevented from introducing it at national level if they consider it appropriate. Their experience would provide the Commission and the other Member States with further valuable information on the technical implications of electronic identification and on its impact.

(6) Having regard to the economic importance of this Regulation, it is necessary to rely on the grounds of urgency provided for in point 1.3 of the Protocol on the role of national parliaments in the European Union annexed to the Treaty on European Union, to the Treaty establishing the European Community and to the Treaty establishing the European Atomic Energy Community.

(7) Since this Regulation is to apply from 1 January 2008, it should enter into force immediately.

(8) Regulation (EC) No 21/2004 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 21/2004 is hereby amended as follows:

1. the first subparagraph of Article 9(3) shall be replaced by the following:

‘3. As from 31 December 2009, electronic identification according to the guidelines referred to in paragraph 1, and in accordance with the relevant provisions of Section A of the Annex, shall be obligatory for all animals.’;

⁽¹⁾ Opinion of 13 December 2007 (not yet published in the Official Journal).

⁽²⁾ OJ L 5, 9.1.2004, p. 8. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

2. Article 9(4) shall be replaced by the following:

‘4. Before 31 December 2009, Member States may introduce the obligatory use of electronic identification for animals born on their territory.’

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, 17 December 2007.

For the Council

The President

J. SILVA

COMMISSION REGULATION (EC) No 1561/2007**of 21 December 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 22 December 2007.

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

Done at Brussels, 21 December 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 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 21 December 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	AL	72,5
	IL	171,5
	MA	92,0
	TN	148,3
	TR	147,6
	ZZ	126,4
0707 00 05	JO	189,0
	MA	57,0
	TR	82,0
	ZZ	109,3
0709 90 70	MA	90,5
	TR	115,7
	ZZ	103,1
0709 90 80	EG	290,4
	ZZ	290,4
0805 10 20	AR	42,8
	MA	76,3
	TR	74,3
	ZA	34,0
	ZW	28,6
	ZZ	51,2
0805 20 10	MA	67,2
	ZZ	67,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	30,2
	IL	66,8
	TR	74,2
	ZZ	57,1
0805 50 10	EG	62,8
	MA	121,9
	TR	121,5
	ZA	65,9
	ZZ	93,0
0808 10 80	CA	100,6
	CN	90,8
	MK	29,7
	US	80,7
	ZZ	75,5
0808 20 50	AR	71,1
	CN	44,6
	US	112,5
	ZZ	76,1

⁽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 1562/2007**of 21 December 2007****fixing the import duties in the cereals sector applicable from 1 January 2008**

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 January 2008, and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 2008, 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 January 2008.

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

Done at Brussels, 21 December 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 last amended by Regulation (EC) No 735/2007 (OJ L 169, 29.6.2007, p. 6). Regulation (EC) No 1784/2003 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1 July 2008.

⁽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 January 2008

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	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00
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

14.12.2007-20.12.2007

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	288,59	119,18	—	—	—	—
Fob price USA	—	—	462,80	452,80	432,80	171,31
Gulf of Mexico premium	—	15,66	—	—	—	—
Great Lakes premium	15,87	—	—	—	—	—

(*) 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: 55,72 EUR/t

Freight costs: Great Lakes–Rotterdam: 49,48 EUR/t

COMMISSION REGULATION (EC) No 1563/2007**of 21 December 2007****opening Community import tariff quotas for 2008 for sheep, goats, sheepmeat and goatmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2529/2001 of 19 December 2001 on the common organisation of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 16(1) thereof,

Whereas:

- (1) Community tariff quotas for sheepmeat and goatmeat should be opened for 2008. The duties and quantities referred to in Regulation (EC) No 2529/2001 should be fixed in accordance with the respective international agreements in force during the year 2008.
- (2) Council Regulation (EC) No 312/2003 of 18 February 2003 implementing for the Community the tariff provisions laid down in the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part⁽²⁾ has provided for an additional bilateral tariff quota of 2 000 tonnes with a 10 % annual increase of the original quantity to be opened for product code 0204 from 1 February 2003. Therefore, a further 200 tonnes shall be added to the GATT/WTO quota for Chile and both quotas should continue to be managed in the same way during 2008.
- (3) 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⁽³⁾, as approved by Council Decision 2007/138/EC⁽⁴⁾, provides for the granting of an additional annual tariff quota quantity of 500 tonnes (carcass weight) of fresh, chilled, frozen or smoked sheepmeat for Iceland. Therefore, the quantity available for Iceland should be adjusted accordingly.
- (4) Certain quotas are defined for a period running from 1 July of a given year to 30 June of the following year. Since imports under this Regulation should be managed on a calendar-year basis, the corresponding quantities to be fixed for the calendar year 2008 with regard to the quotas concerned are the sum of half of the quantity for

the period from 1 July 2007 to 30 June 2008 and half of the quantity for the period from 1 July 2008 to 30 June 2009.

- (5) A carcass-weight equivalent needs to be fixed in order to ensure a proper functioning of the Community tariff quotas. Furthermore, since certain tariff quotas provide for the option of importing either the live animals or their meat, a conversion factor is required.
- (6) Quotas of the sheepmeat and goatmeat products should, by way of derogation from Commission Regulation (EC) No 1439/95 of 26 June 1995 laying down detailed rules for the application of Council Regulation (EEC) No 3013/89 as regards the import and export of products in the sheepmeat and goatmeat sector⁽⁵⁾, be managed in conformity with Article 16(2)(a) of Regulation (EC) No 2529/2001. 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⁽⁶⁾.
- (7) Tariff quotas under this Regulation should be regarded initially as non-critical within the meaning of Article 308c of Regulation (EEC) No 2454/93 when managed under the firstcome, firstserved system. 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. Due to the particularities of the transfer from one management system to the other, Article 308c(2) and (3) of that Regulation should not apply.
- (8) 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 quotas under the firstcome firstserved system.
- (9) When sheepmeat products are presented by operators to the customs authorities for import, it is difficult for those authorities to establish whether they originate from domestic sheep or other sheep, which determines the application of different duty rates. It is therefore appropriate to provide that the proof of origin contains a clarification to that end.

⁽¹⁾ OJ L 341, 22.12.2001, p. 3. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 46, 20.2.2003, p. 1. Regulation as amended by Commission Regulation (EC) No 305/2005 (OJ L 52, 25.2.2005, p. 6).

⁽³⁾ OJ L 61, 28.2.2007, p. 29.

⁽⁴⁾ OJ L 61, 28.2.2007, p. 28.

⁽⁵⁾ OJ L 143, 27.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 272/2001 (OJ L 41, 10.2.2001, p. 3).

⁽⁶⁾ 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).

(10) In accordance with Chapter II of Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption⁽¹⁾ and with Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries⁽²⁾, imports may be authorised only for products meeting the requirements of the food chain procedures, rules and checks in force in the Community.

(11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation opens Community import tariff quotas for sheep, goats, sheepmeat and goatmeat for the period from 1 January to 31 December 2008.

Article 2

The customs duties applicable to the products under the quotas referred to in Article 1, the CN codes, the countries of origin, listed by country group and the order numbers are set out in the Annex.

Article 3

1. The quantities, expressed in carcas-weight equivalent, for the import of products under the quotas referred to in Article 1, shall be those as laid down in the Annex.

2. For the purpose of calculating the quantities of 'carcas-weight equivalent' referred to in paragraph 1, the net weight of sheep and goat products shall be multiplied by the following coefficients:

- (a) for live animals: 0,47;
- (b) for boneless lamb and boneless goatmeat of kid: 1,67;
- (c) for boneless mutton, boneless sheep and boneless goatmeat other than of kid and mixtures of any of these: 1,81;
- (d) for bone-in products: 1,00.

'Kid' shall mean goat of up to one year old.

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Council Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

Article 4

By way of derogation from Title II (A) and (B) of Regulation (EC) No 1439/95, the tariff quotas set out in the Annex to this Regulation shall be managed on a firstcome, firstserved basis in accordance with Articles 308a, 308b and 308c(1) of Regulation (EEC) No 2454/93 from 1 January to 31 December 2008. Article 308c(2) and (3) of that Regulation shall not apply. No import licences shall be required.

Article 5

1. In order to benefit from the tariff quotas set out in the Annex, a valid proof of origin issued by the competent authorities of the third country concerned together with a customs declaration for release for free circulation for the goods concerned shall be presented to the Community customs authorities.

The origin of products subject to tariff quotas other than those resulting from preferential tariff agreements shall be determined in accordance with the provisions in force in the Community.

2. The proof of origin referred to in paragraph 1 shall be as follows:

- (a) in the case of a tariff quota which is part of a preferential tariff agreement, it shall be the proof of origin laid down in that agreement;
- (b) in the case of other tariff quotas, it shall be a proof established in accordance with Article 47 of Regulation (EEC) No 2454/93 and, in addition to the elements provided for in that Article, the following data:
 - the CN code (at least the first four digits),
 - the order number or order numbers of the tariff quota concerned,
 - the total net weight per coefficient category as provided for in Article 3(2) of this Regulation.
- (c) in the case of a country whose quota falls under points (a) and (b) and are merged, it shall be the proof referred to in point (a).

Where the proof of origin referred to in point (b) is presented as supporting document for only one declaration for release for free circulation, it may contain several order numbers. In all other cases, it shall only contain one order number.

Article 6

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

It shall apply from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Sheepmeat and goatmeat (in tonnes of carcass weight equivalent)
Community tariff quotas for 2008

Country group No	CN codes	Ad valorem duty %	Specific duty EUR/100 kg	Order number under 'first-come first-served'				Origin	Annual volume in tonnes of carcass weight equivalent
				Live animals (Coefficient = 0,47)	Boneless lamb ⁽¹⁾ (Coefficient = 1,67)	Boneless mutton/ sheep ⁽²⁾ (Coefficient = 1,81)	Bone-in and carcasses (Coefficient = 1,00)		
1	0204	Zero	Zero	—	09.2101	09.2102	09.2011	Argentina	23 000
				—	09.2105	09.2106	09.2012	Australia	18 786
				—	09.2109	09.2110	09.2013	New Zealand	227 854
				—	09.2111	09.2112	09.2014	Uruguay	5 800
				—	09.2115	09.2116	09.1922	Chile	6 000
				—	09.2121	09.2122	09.0781	Norway	300
				—	09.2125	09.2126	09.0693	Greenland	100
				—	09.2129	09.2130	09.0690	Faeroes	20
2	0204, 0210 99 21, 0210 99 29, 0210 99 60	Zero	Zero	—	09.2131	09.2132	09.0227	Turkey	200
				—	09.2171	09.2175	09.2015	Others ⁽³⁾	200
				—	09.2119	09.2120	09.0790	Iceland	1 850
3	0104 10 30 0104 10 80 0104 20 90	10 %	Zero	09.2181	—	—	09.2019	Erga omnes ⁽⁴⁾	92

⁽¹⁾ And goatmeat of kid.⁽²⁾ And goatmeat other than kid.⁽³⁾ 'Others' shall refer to all origins excluding the other countries mentioned in the current table.⁽⁴⁾ 'Erga omnes' shall refer to all origins including the countries mentioned in the current table.

COMMISSION REGULATION (EC) No 1564/2007**of 21 December 2007****amending Regulation (EC) No 979/2007 opening and providing for the administration of an import tariff quota for pigmeat originating in Canada**

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) Article 4(1) of Commission Regulation (EC) No 979/2007 ⁽²⁾ provides that when submitting the first application for a given tariff quota sub-period, applicants have to demonstrate that during each of the periods referred to in that Article they have imported or exported at least 50 tonnes of products listed in Article 1 of Regulation (EEC) No 2759/75.
- (2) It appears necessary to clarify that the proof on the operator's previous experience should be presented together with the first application for the annual quota period. The first application may be presented for any of the four sub-periods of the quota year and if the operator applies for several sub-periods, the proof should be provided only once.

(3) Regulation (EC) No 979/2007 should be amended accordingly.

(4) 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

In Article 4 of Regulation (EC) No 979/2007, paragraph 1 is replaced by the following:

'1. For the purposes of applying Article 5 of Regulation (EC) No 1301/2006, import licence applicants shall, when submitting their first application for a given annual quota period, furnish proof that they imported or exported, during each of the two periods referred to in that Article, at least 50 tonnes of products covered by Article 1 of Regulation (EEC) No 2759/75.'

Article 2

This Regulation shall enter into force on the third 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, 21 December 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽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 217, 22.8.2007, p. 12.

COMMISSION REGULATION (EC) No 1565/2007

of 21 December 2007

amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas

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 26(3)(a) and Article 29(1) thereof,

Whereas:

- (1) The Agreement between the European Community and the Swiss Confederation on trade in agricultural products ⁽²⁾, approved by Decision 2002/309/EC, Euratom, of the Council and of the Commission ⁽³⁾ provides for the full liberalisation of the bilateral trade in cheeses as from 1 June 2007, after a five-year transition process.
- (2) Accordingly, Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas ⁽⁴⁾ as amended by Regulation (EC) No 487/2007 ⁽⁵⁾ no more provided for import quotas and import duties for cheese originating in Switzerland. In this context and in the light of the flexibility for the requirement of an import licence introduced by Article 26(3)(a) of Regulation (EC) No 1255/1999 as amended by Commission Regulation (EC) No 1152/2007 ⁽⁶⁾, it is appropriate to abolish the presentation of an import licence for all cheese import from Switzerland.
- (3) Article 19a of Regulation (EC) No 2535/2001 provides for the imports of dairy products to be managed on a 'first come, first served' basis, in accordance with Articles 308a to 308c 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 ⁽⁷⁾. This management system and its procedures make the use of import licences redundant and its presentation should therefore be withdrawn.

- (4) Certain licences for cheeses originating in Switzerland and for the imports of dairy products under the quotas managed on a 'first come, first served' basis as referred to in Chapter Ia of Regulation (EC) No 2535/2001 will still be valid after 1 January 2008. Commitments entered into in connection with those licences must be fulfilled failing which the security lodged would be forfeited. Since as from that date such imports can take place without licence and without the financial charges connected to it, it should be possible for importers holding such licences, and which are not entirely used at that date, to request and to obtain the release of the securities lodged.
- (5) The Agreement in the form of an Exchange of Letters between the European Community and New Zealand pursuant to Article XXVIII of the GATT 1994 relating to the modification of the WTO tariff quota for New Zealand butter provided for in Schedule CXL annexed to the GATT 1994 ⁽⁸⁾, approved by Council Decision 2007/867/EC of 20 December 2007 ⁽⁹⁾ provides for amendments in the tariff quota of butter contained in Schedule CXL/European Communities, concluded under the Uruguay Round of multilateral trade negotiations. Annex III.A to Regulation (EC) No 2535/2001 should be adapted accordingly.
- (6) Annex IV and V to Regulation (EC) No 2535/2001 provide for a very complex mechanism and a laborious procedure for the verification of the fat content compliance both in New Zealand and in the Community. The newly adopted description of the quota, widening the fat content range from 80-82 % to 80-85 % allows for a simplification of the control procedures, in particular by withdrawing the interpretation of the control results of the fat content based on the typical process standard deviation. Moreover such a simplification consists in a substantial reduction of administrative burden and cost to both Parties and facilitates the access to the quota for both exporters and importers.

⁽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). Regulation (EC) No 1255/1999 will be replaced by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1) as from 1.7.2008.

⁽²⁾ OJ L 114, 30.4.2002, p. 132.

⁽³⁾ OJ L 114, 30.4.2002, p. 1.

⁽⁴⁾ OJ L 341, 22.12.2001, p. 29. Regulation as last amended by Regulation (EC) No 1324/2007 (OJ L 294, 13.11.2007, p. 14).

⁽⁵⁾ OJ L 114, 1.5.2007, p. 8.

⁽⁶⁾ OJ L 258, 4.10.2007, p. 3.

⁽⁷⁾ 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).

⁽⁸⁾ See page 95 of this Official Journal.

⁽⁹⁾ See page 95 of this Official Journal.

- (7) Article 33(1)(d) of Regulation (EC) No 2535/2001 provides that the issuing body in New Zealand shall issue the IMA 1 certificate before the product it covers leaves the territory of the issuing country. Butter falling under quota year 2008 may be shipped in New Zealand as from November 2007. Since it is impossible to apply the new provisions of Regulation (EC) No 2535/2001 as amended by this Regulation, to such shipments, and as the proper implementation of the new provisions need some time, Article 33(1)(d) of Regulation (EC) No 2535/2001 should not apply for the period 1 November 2007 to 31 January 2008.
- (8) At the same time it is appropriate to update some data relating to the NZ issuing body in Annex XII to Regulation (EC) No 2535/2001.
- (9) Regulation (EC) No 2535/2001 should be amended accordingly.
- (10) Commission Decision 2001/651/EC⁽¹⁾ established the typical process standard deviation of the fat content of butter imported from New Zealand in order to facilitate the controls under Annex IV to Regulation (EC) No 2535/2001. Under the new arrangement providing for an extension of the quota description to unsalted butter, it is possible to abandon the interpretation of the control results and consequently the complicated typical process standard deviation procedure. Therefore, Decision 2001/651/EC has become obsolete and should be repealed.
- (11) 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

Regulation (EC) No 2535/2001 is amended as follows:

1. Article 2 is replaced by the following:

'Article 2

Without prejudice to Title II of Regulation (EC) No 1291/2000, and save as otherwise provided for in this Regulation, all imports of milk products shall be subject to presentation of an import licence.;

2. Article 19a is amended as follows:

- (a) paragraph 2 is replaced by the following:

'2. Imports under the quotas referred to in paragraph 1 shall not be subject to the presentation of an import licence.;

- (b) paragraph 3 is deleted.

3. Article 20 is amended as follows:

- (a) in paragraph 1, point (d) is replaced by the following:

'(d) Annex 2 to the Agreement between the European Community and Switzerland on trade in agricultural products.;

- (b) paragraph 3 is deleted.

4. After Article 22, the following Chapter is inserted:

'CHAPTER IIa

NON-QUOTA IMPORTS WITHOUT PRESENTATION OF AN IMPORT LICENCE

Article 22a

1. This Article shall apply to preferential imports as referred to in Article 3 of the Agreement between the European Community and Switzerland on trade in agricultural products.

2. All products falling under CN code 0406 originating in Switzerland are exempted from an import duty and from the presentation of an import licence.

3. The duty exemption shall be applied only on presentation of the declaration of release for free circulation accompanied by the proof of origin issued under Protocol 3 to the Agreement between the European Economic Community and the Swiss Confederation signed at Brussels on 22 July 1972.'

5. Article 38 is deleted.

6. In Article 40(1), the second, third and fourth subparagraphs are deleted.

7. Part D of Annex II is replaced by the text in Annex I to this Regulation.

8. Annex III.A is replaced by the text in Annex II to this Regulation.

9. Annex IV is amended in accordance with Annex III to this Regulation.

10. Annex V is replaced by the text in Annex IV to this Regulation.

⁽¹⁾ OJ L 229, 25.8.2001, p. 24. Decision as last amended by Decision 2004/584/EC (OJ L 255, 31.7.2004, p. 41).

11. In Annex VIII the first subparagraph of point 2 is replaced by the following:

'IMA 1 issuing bodies may cancel an IMA 1 certificate or part thereof for a quantity covered by it which is destroyed or rendered unfit for sale in circumstances beyond the control of the exporter. Where part of the quantity covered by an IMA 1 certificate is destroyed or rendered unfit for sale, a replacement certificate may be issued for the remaining quantity. In the case of New Zealand butter

referred to in Annex III(A), the original product identification list shall be used for this purpose. The replacement certificate shall be valid only up to the same date as the original. In this case, box 17 of the replacement IMA 1 certificate shall contain the words "valid up to 00.00.0000".'

12. Annex X is amended in accordance with Annex V to this Regulation.

13. In Annex XII the data related to New Zealand are replaced by the following:

New Zealand	ex 0405 10 11	Butter	New Zealand Food Safety Authority	Telecom Towers, 86 Jervois Quay, PO Box 2835 Wellington New Zealand Tel. (64-4) 894 2500 Fax (64-4) 894 2501'
	ex 0405 10 19	Butter		
	ex 0405 10 30	Butter		
	ex 0406 90 01	Cheese for processing		
	ex 0406 90 21	Cheddar		

Article 2

At the request of the interested parties, the securities lodged for the issuing of import licences shall be released under the following conditions:

- (a) the licences are issued for imports under the quotas referred to under Chapter Ia or the licences are issued for the import of products falling under CN code 0406 originating in Switzerland;
- (b) the validity of the licences has not expired before 1 January 2008;
- (c) the licences have been used only partially or not at all by 1 January 2008.

Article 3

By way of derogation from Article 34(2) of Regulation (EC) No 2535/2001, Article 33(1)(d) of that Regulation shall not apply from 1 November 2007 to 31 January 2008 for imports related to quota year 2008.

Article 4

Decision 2001/651/EC is repealed.

Article 5

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

It shall apply from 1 January 2008. However, Article 3 shall apply from 1 November 2007.

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

Done at Brussels, 21 December 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

'II.D

Reduced duty under Annex 2 to the Agreement between the Community and Switzerland on trade in agricultural products

CN Code	Description	Customs duty (EUR/100 kg net weight) from 1 June 2007
0402 29 11 ex 0404 90 83	Special milk, for infants (*), in hermetically-sealed containers of a net content not exceeding 500 g, of a fat content by weight exceeding 10 %	43,80

(*) Special milk for infants means products free from pathogenic germs and which have fewer than 10 000 revivifiable aerobic bacteria and fewer than two coliform bacteria per gram.'

ANNEX II

‘ANNEX III.A

Tariff quota under the GATT/WTO agreements specified by country of origin: New Zealand butter

CN code	Description	Country of origin	Annual quota from 1 January to 31 December (in tonnes)	Maximum half-yearly quota (quantities in tonnes)	Quota Part A Quota number 09,4195	Quota Part B Quota number 09,4182	Import duty (EUR/100 kg net weight)	Rules for completing IMA 1 certificates
ex 0405 10 11 ex 0405 10 19	Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 % manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process	New Zealand	74 693 tonnes	Half-yearly quota as from January 2008 onwards 37 346,5 tonnes	20 540,5 tonnes	16 806 tonnes	70,00	See Annex IV
ex 0405 10 30	Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 %, manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process which may involve the cream passing through a stage where the butterfat is concentrated and/or fractionated (the processes referred to as “Anmix” and “Spreadable”)							

ANNEX III

Annex IV to Regulation (EC) No 2535/2001 is amended as follows:

(1) the title is replaced by the following:

‘CHECKING THE WEIGHT AND THE FAT CONTENT OF BUTTER ORIGINATING IN NEW ZEALAND IMPORTED UNDER SECTION 2 OF CHAPTER III OF REGULATION (EC) No 2535/2001’;

(2) in Part 1, point (e) is deleted;

(3) Part 2 is amended as follows:

(a) point 2,2 is amended as follows:

(i) in point (e), the third indent is deleted;

(ii) point (i) is replaced by the following:

‘(i) in box 13, not less than 80 % but less than 85 % fat’;

(b) point 2,3 is deleted.

(4) Part 4 is amended as follows:

(a) in point 4,1, the following paragraphs are added:

‘The competent authorities shall draw duplicate samples, one of which shall be held in secure custody in case of dispute.

The laboratory undertaking the tests shall be authorised by a Member State to carry out official analyses and be recognised by that Member State as having competence in applying the method referred to above, as demonstrated by meeting the repeatability criterion when analysing blind duplicates and by successful participation in proficiency tests.’;

(b) point 4,2 is deleted;

(c) point 4,3 is replaced by the following:

‘4.3. Interpretation of control results — arithmetic mean

(a) Compliance with the fat content requirements shall be assumed if the arithmetic mean of the sample results does not exceed 84,4 %.

The competent authorities shall notify the Commission without delay of each case of non-compliance.

(b) In case the compliance requirement under a) is not met, the lot covered by the relevant import declaration and IMA 1 certificate shall be imported in accordance with Article 36, except where the results of the analysis of the duplicate samples as referred to under point 4,5 do comply with the requirements.’;

(d) point 4,4 is deleted;

(e) point 4,5 is replaced by the following:

‘4.5. Disputed results

The importer concerned may challenge the results of the analysis obtained by a competent authorities' laboratory within seven working days of receiving these results, undertaking to pay for the costs of testing the duplicate samples. In this case the competent authorities shall send sealed duplicates of the samples analysed by its laboratory to a second laboratory. This second laboratory shall be authorised by a Member State to carry out official analyses and be recognised by that Member State as having competence in applying the method referred to in point 4,1, as demonstrated by meeting the repeatability criterion when analysing blind duplicates and by successful participation in proficiency tests.

This second laboratory shall communicate the results of its analysis to the competent authorities promptly.

The findings of the second laboratory are final.’;

(f) point 4,6 is deleted.

ANNEX IV

‘ANNEX V

Application of Article 40(2) of Regulation (EC) No .../...

COMMISSION OF THE EUROPEAN COMMUNITIES

DG AGRI/D/1 — Milk products

		Description of the field (Column 1)	Box No (Column 2)	Value (Column 3)	Unit or format
General information		Name of the butter manufacturer:	1		—
		Lot identification code:	2		—
		Size of the lot:	3		kg
		Date of checks:	4		day/month/year
Weight check		Size of the random sample:	5		No of cartons
	Mean	Arithmetic mean of the net weight per carton: (as specified on the IMA 1 certificate — box 9)	6		kg
		Arithmetic mean of the net weight of the sample cartons:	7		kg
		The arithmetic mean of the net weight determined in the EU shows a significant difference to the declared value:	8		N = No Y = Yes
	Standard deviation	Standard deviation of the net weight per carton: (as specified on the IMA 1 certificate — box 9)	9		kg
		Standard deviation of the net weight of the sample cartons:	10		kg
		The standard deviation of the net weight determined in the EU shows a significant difference to the declared value:	11		N = No Y = Yes
Check of fat content		Size of the random sample:	12		Number of cartons
	Mean				
		Arithmetic mean of the fat content of the sample cartons:	14		% fat
		The arithmetic mean of the fat content determined in the EU exceeds 84,4 %	15		N = No Y = Yes

To be sent to the European Commission by e-mail (DGAGRI-D1-Milk@cec.eu.int) or by fax (+ 32-2-295 33 10).'

ANNEX V

Annex X to Regulation (EC) No 2535/2001 is amended as follows:

(a) Box 7 is replaced by the following:

7. Marks, numbers, number and kind of packages, detailed CN description and eight-digit CN code of the product preceded by 'ex' and particulars of its form of presentation.

 - See product-identification list attached, reference:
 - CN code ex 0405 10 — Butter, at least six weeks old, of a fat content by weight not less than 80 %, but less than 85 %, manufactured directly from milk or cream
 - Factory registration No
 - Date of manufacture
 - Arithmetic mean of the tare weight of plastic wrapping

(b) Box 13 is replaced by the following:

13. Fat content by weight (%)

COMMISSION REGULATION (EC) No 1566/2007**of 21 December 2007****laying down detailed rules for the implementation of Council Regulation (EC) No 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1966/2006 of 21 December 2006 on electronic recording and reporting of fishing activities and on means of remote sensing ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

- (1) Article 22(1)(c) of Council Regulation (EC) No 2371/2002 ⁽²⁾ provides that activities within the scope of the common fisheries policy are prohibited unless a master, without undue delay records and reports information on fishing activities, including landings and transshipments and that copies of the records shall be made available to the authorities.
- (2) In accordance with Council Regulation (EC) No 1966/2006 the obligation to electronically record and transmit logbook, landing declaration and transshipment data applies to masters of Community fishing vessels exceeding 24 m length overall within 24 months of entry into force of the implementing rules and to masters of Community fishing vessels exceeding 15 m length overall within 42 months of entry into force of the implementing rules.
- (3) Daily reporting of fishing activities creates the potential to enhance significantly the efficiency and effectiveness of monitoring, control and surveillance operations both at sea and on land.
- (4) Article 6 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾ provides that masters of Community fishing vessels shall keep a logbook of their operations.

(5) Article 8 of Council Regulation (EEC) No 2847/93 provides that the master of each Community fishing vessel having an overall length equal to or more than 10 m or his representative, shall after each fishing trip and within 48 hours of landing submit a declaration to the competent authorities of the Member States where the landing takes place.

(6) Article 9 of Council Regulation (EEC) No 2847/93 provides that auction centres or other bodies or persons authorised by Member States which are responsible for the first marketing of fishery products shall, upon first sale, submit a sales note to the competent authorities in whose territory the first marketing takes place.

(7) Article 9 of Council Regulation (EEC) No 2847/93 also provides that where the first marketing of fisheries products does not take place in the Member State where the products have been landed, the Member State responsible for monitoring the first marketing shall ensure that a copy of the sales note is submitted to the authorities responsible for monitoring the landing of the products as soon as possible.

(8) Article 19 of Council Regulation (EEC) No 2847/93 requires Member States to create computerised databases and to establish a validation system comprising in particular cross-checks and verification of data.

(9) Article 19b and 19e of Council Regulation (EEC) No 2847/93 require masters of Community fishing vessels to make effort reports and to record them in their logbook.

(10) Article 5 of Council Regulation (EC) No 2347/2002 ⁽⁴⁾ requires the master of a Community fishing vessel holding a deep-sea fishing permit to record in a logbook or in a form provided by the flag Member State information concerning fishing gear characteristics and fishing operations.

⁽¹⁾ OJ L 409, 30.12.2006, p. 1, as corrected by OJ L 36, 8.2.2007, p. 3.

⁽²⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽³⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11, as corrected by OJ L 36, 8.2.2007, p. 6).

⁽⁴⁾ OJ L 351, 28.12.2002, p. 6. Regulation as amended by Regulation (EC) No 2269/2004 (OJ L 396, 31.12.2004, p. 1).

- (11) Council Regulation (EC) No 768/2005⁽¹⁾ establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy provides for the operation of joint deployment plans.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture.

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1. This Regulation shall apply to:
 - (a) Community fishing vessels exceeding 24 metres length overall, as from 1 January 2010;
 - (b) Community fishing vessels exceeding 15 metres length overall, as from 1 July 2011;
 - (c) Registered buyers, registered auctions or other entities or persons authorised by Member States that are responsible for the first sale of fisheries products with an annual financial turnover in first sales of fishery products in excess of EUR 400 000, as from 1 January 2009.
2. Notwithstanding paragraph 1(a), this Regulation shall apply as from a date earlier than 1 January 2010 to Community fishing vessels flying the flag of a given Member State and exceeding 24 metres length overall, if it is so provided by that State.
3. Notwithstanding paragraph 1(b), this Regulation shall apply as from a date earlier than 1 July 2011 to Community fishing vessels flying the flag of a given Member State and exceeding 15 metres length overall, if it is so provided by that State.
4. Notwithstanding the dates laid down in paragraphs 1(a) and 1(b), a Member State may decide to apply this regulation to vessels of 15 metres or less flying its flag prior to those dates in accordance with Article 3, paragraph 2 of Regulation (EC) No 1966/2006.

5. Member States may conclude bilateral agreements on the use of electronic reporting systems on vessels flying their flags within the waters under their sovereignty or jurisdiction on condition that the vessels comply with all rules laid down in this regulation.

6. This Regulation shall apply to Community fishing vessels regardless of the waters or ports they are carrying out fishing operations in.

7. This Regulation shall not apply to Community fishing vessels used exclusively for exploitation of aquaculture.

Article 2

List of operators and vessels

1. Each Member State shall establish a list of registered buyers, registered auctions or other entities or persons that it has authorised and that are responsible for the first sale of fishery products with an annual financial turnover of fishery products in excess of EUR 400 000. The first reference year shall be 2007 and the list shall be updated on 1 January of the current year (year *n*) on the basis of the annual financial turnover of fishery products in excess of EUR 400 000 in year *n*-2. That list shall be published on an official website of the Member State.
2. Each Member State shall establish and periodically update lists of Community fishing vessels flying its flag to which the provisions of this regulation apply in accordance with Article 1 paragraphs 2, 3, 4 and 5. The lists shall be published on an official website of the Member State and shall be in the format to be decided in consultations between the Member States and the Commission.

Article 3

Definitions

For the purpose of this Regulation the following definitions shall apply:

- (a) 'fishing operation' means all activities in connection with searching for fish, the shooting, setting and hauling of a fishing gear and the removal of any catch from the gear;
- (b) 'joint deployment plan' means a plan setting out operational arrangements for the deployment of available means of control and inspection.

⁽¹⁾ OJ L 128, 21.5.2005, p. 1.

CHAPTER II

ELECTRONIC TRANSMISSION

Article 4

Information to be transmitted by masters of vessels or their representatives

1. Masters of Community fishing vessels shall transmit logbook and transshipment data by electronic means to the competent authorities of the flag Member State.

2. Masters of Community fishing vessels or their representatives shall transmit landing declaration data by electronic means to the competent authorities of the flag State.

3. When a Community fishing vessel lands its catch in a Member State other than the flag Member State, the competent authorities of the flag Member States shall immediately upon receipt forward the landing declaration data by electronic means to the competent authorities of the Member State where the catch was landed.

4. Masters of Community fishing vessels shall, where required under Community rules, transmit by electronic means to the competent authority of the flag Member State prior notification of entry into port at the time that it is required to be transmitted.

5. When a vessel intends to enter a port in a Member State other than the flag Member State, the competent authorities of the flag Member State shall immediately upon receipt forward the prior notification referred to in paragraph 4 by electronic means to the competent authorities of the coastal Member State.

Article 5

Information to be transmitted by entities or persons responsible for first sale or take-over

1. Registered buyers, registered auctions or other entities or persons authorised by Member States, that are responsible for the first sale of fishery products shall transmit information required to be recorded in a sales note by electronic means to the competent authorities of the Member State in whose territory the first marketing takes place.

2. When the first marketing takes place in a Member State other than the flag Member State, the competent authorities of the Member State where the first marketing takes place shall ensure that a copy of the sales notes data is submitted by

electronic means to the competent authorities of the flag Member State on receipt of relevant information.

3. Where the first marketing of fisheries products does not take place in the Member State where the products have been landed, the Member State where the first marketing takes place shall ensure that a copy of the sales note data is submitted by electronic means immediately on receipt of relevant information, to the following authorities:

(a) the competent authorities of the Member State where the fishery products have been landed and

(b) the competent authorities of the flag Member State of the vessel that landed the fishery products.

4. The holder of the take-over declaration shall transmit by electronic means the information required to be recorded in a take-over declaration to the competent authorities of the Member State in whose territory the take-over physically takes place.

Article 6

Frequency of transmission

1. The master shall transmit the electronic logbook information to the competent authorities of the flag Member State at least on a daily basis not later than 24.00 hours even when there are no catches. He shall also send such data:

(a) at the request of the competent authority of the flag Member State;

(b) immediately after the last fishing operation has been completed;

(c) before entering into port;

(d) at the time of any inspection at sea;

(e) at the time of events defined in Community legislation or by the flag State.

2. The master may transmit corrections to the electronic logbook and transshipment declarations up to the last transmission made at the end of the fishing trip and before entering into port. Corrections shall be easily identifiable. All original electronic logbook data and corrections to those data shall be stored by the competent authorities of the flag Member State.

3. The master or his representatives shall transmit the landing declaration by electronic means immediately after the landing declaration has been established

4. The master of the donor vessel and the receiving vessel shall transmit transshipment data by electronic means immediately after the transshipment.

5. The master shall keep a copy of the information referred to in paragraph 1 on board the fishing vessel for the duration of each fishing trip until the landing declaration has been submitted.

Article 7

Format for transmission of data from a vessel to the competent authority of its Flag state

Each Member State shall determine the format for the transmission of data from vessels flying its flag to its competent authorities.

Article 8

Return messages

Member States shall ensure that return messages are issued to vessels flying their flag for each transmission of logbook, transshipment and landing data. The return message shall contain an acknowledgement of receipt.

CHAPTER III

EXEMPTIONS

Article 9

Exemptions

1. A Member State may exempt masters of vessels flying its flag from the obligations referred to in Article 4, paragraph 1, when they carry out fishing trips of 24 hours or less within the waters under its sovereignty or jurisdiction on condition that they do not land their catch outside the territory of the flag Member State.

2. Masters of Community fishing vessels shall be exempt from the obligation to complete paper logbook, landing and transshipment declarations.

3. Masters of Community vessels, or their representatives, that land their catch in a Member State other than the flag Member State shall be exempt from the requirement to submit a paper landing declaration to the coastal Member State.

4. Member States may conclude bilateral agreements on the use of electronic reporting systems on vessels flying their flags

within the waters under their sovereignty or jurisdiction. The vessels falling within the scope of such agreements shall be exempt from completing a paper logbook within those waters.

5. Masters of Community vessels that record in their electronic logbooks the fishing effort information required under Article 19b of Regulation (EEC) No 2847/93 shall be exempt from the obligation to transmit effort reports by telex, by VMS, by fax, by telephone or by radio.

CHAPTER IV

FUNCTIONING OF ELECTRONIC RECORDING AND REPORTING SYSTEMS

Article 10

Provisions in the event of technical failure or non functioning of electronic recording and reporting systems

1. In the event of a technical failure or non-functioning of the electronic recording and reporting system the master or the owner of the vessel or their representative shall communicate logbook, landing declaration and transshipment data to the competent authorities of the flag Member State in a way established by the flag Member State on a daily basis and no later than 24.00 hours even when there are no catches:

- (a) at the request of the competent authority of the Flag State;
- (b) immediately after the last fishing operation has been completed;
- (c) before entering into port;
- (d) at the time of any inspection at sea;
- (e) at the time of events defined in Community legislation or by the flag State.

2. The competent authorities of the flag Member State shall update the electronic logbook immediately on receipt of the data referred to in paragraph 1.

3. A Community fishing vessel shall not leave a port, following a technical failure or non-functioning of its electronic recording and reporting system before it is functioning to the satisfaction of the competent authorities of the flag Member State or before it is otherwise authorised to leave by the competent authorities of the flag Member State. The flag Member State shall immediately notify the coastal Member State when it has authorised a vessel flying its flag to leave a port in the coastal Member State.

*Article 11***Non-receipt of data**

1. When the competent authorities of a flag Member State have not received data transmissions in accordance with Article 4, paragraphs 1 and 2 they shall notify the master or the owner of the vessel or their representative thereof as soon as possible. If, in respect of a particular vessel, this situation occurs more than three times within a period of one year, the flag Member State shall ensure that the electronic reporting system in question is checked. The Member State concerned shall investigate the matter in order to determine why data have not been received.

2. When the competent authorities of a flag Member State have not received data transmissions in accordance with Article 4, paragraph 1 and 2 and the last position received through the Vessel Monitoring System was from within the waters of a coastal Member State they shall notify the competent authorities of that coastal Member State thereof as soon as possible.

3. The master or the owner of the vessel or their representative shall send all data for which a notification was received in accordance with paragraph 1 to the competent authorities of the flag Member State immediately on receipt of the notification.

*Article 12***Data access failure**

1. When the competent authorities of a coastal Member State observe a vessel flying the flag of another Member State in their waters and can not access data in accordance with Article 15 they shall request the competent authorities of the flag Member State to ensure access.

2. If the access referred to in paragraph 1 is not ensured within four hours of the request, the coastal Member State shall notify the flag Member State. On receipt of the notification the flag Member State shall immediately send the data to the coastal Member State by any available electronic means.

3. If the coastal Member State does not receive the data referred to in paragraph 2, the master or owner of the vessel or their representative shall send the data and a copy of the return message referred to in Article 8 to the competent authorities of the coastal Member State on request and by any available electronic means.

4. If the master or owner of the vessel or their representative can not provide the competent authorities of the coastal Member State with a copy of the return message referred to

in Article 8, fishing activities in the waters of the coastal Member State by the vessel concerned shall be prohibited until the master or his representative can provide a copy of the return message or information referred in Article 6(1) to the said authorities.

*Article 13***Data on the functioning of the electronic reporting system**

1. Member States shall maintain databases on the functioning of their electronic reporting system. They shall contain at least the following information:

- (a) the list of fishing vessels flying their flag whose electronic reporting systems have experienced technical failure or have failed to function;
- (b) the number of electronic logbook transmissions received per day and the average number of transmissions received per vessel, broken down by flag Member State;
- (c) the number of landing declaration, transshipment declaration, takeover declaration and sales note transmissions received, broken down by flag State.

2. Summaries of information on the functioning of Member States' electronic reporting systems shall be sent to the Commission on its request in a format and at time intervals to be decided in consultation between Member States and the Commission.

CHAPTER V

DATA EXCHANGE AND ACCESS*Article 14***Format for exchange of information between Member States**

1. Information shall be exchanged between Member States using the format defined in the Annex which is based on extensible mark-up language (XML).

2. Corrections to the information referred to in paragraph 1 shall be clearly identified.

3. When a Member State receives electronic information from another Member State it shall ensure that a return message is issued to the competent authorities of that Member State. The return message shall contain an acknowledgement of receipt.

4. Data elements in the Annex that are mandatory for Masters to record in their logbook according to Community rules shall also be mandatory in exchanges between Member States.

Article 15

Access to data

1. A flag Member State shall ensure that a coastal Member State has on-line access in real time to electronic logbook and landing declaration data of vessels flying its flag when conducting fishing operations in the waters under the sovereignty or jurisdiction of the coastal Member State.

2. The data referred to in paragraph 1 shall at least cover the data from the last departure from port to the time when the landing is completed. Data from fishing trips for the previous 12 months shall be made available on request.

3. The master of a Community fishing vessel shall have secure access to his own electronic logbook information stored in the database of the flag Member State on a 24-hour, seven days a week basis.

4. A coastal Member State shall grant on-line access to its logbook database to a fishery patrol vessel of another Member State in the context of a joint deployment plan.

Article 16

Exchange of data between Member States

1. Access to the data referred to in Article 15, paragraph 1 shall be by secure Internet connection on a 24-hour, seven days a week basis.

2. Member States shall exchange the relevant technical information to ensure mutual access to electronic logbooks.

3. Member States shall:

(a) Ensure that data received according to this Regulation are safely stored in computerised databases and take all necessary measures to ensure that they are treated as confidential;

(b) Take all necessary technical measures to protect such data against any accidental or illicit destruction, accidental loss, deterioration, distribution or unauthorised consultation.

Article 17

Single authority

1. In each Member State, a single authority shall be responsible for transmitting, receiving, managing and processing all data covered by this Regulation.

2. Member States shall exchange lists and contact details of the authorities referred to in paragraph 1 and shall inform the Commission thereof.

3. Any changes in the information referred to in paragraphs 1 and 2 shall be communicated to the Commission and other Member States without delay.

CHAPTER VI

FINAL PROVISIONS

Article 18

Entry into force

This Regulation shall enter into force on 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission

Joe BORG

Member of the Commission

ANNEX

ELECTRONIC INFORMATION EXCHANGE FORMAT

Envelope data elements

Data elements	Field code	Description and content
Start/end of record		
Start of record	SR	Tag indicating start of the logbook, sales note declaration or return message
Sub-elements		
Address	AD	Destination: ISO alpha-3 country code
From	FR	Country transmitting the data (ISO alpha-3 country code)
Type of message	TM	Letter code of the type of message (LOG, SAL, RET or COR)
Return status	RS	Indicates the status of the received message/report, either ACK (acknowledged) or NAK (not acknowledged)
Return error code	RE	Numerical codes indicating errors on messages/reports received (101 — message unreadable, 102 — data value or size out of range, 104 — mandatory data missing, 106 — unauthorised data source, 150 — sequence error, 151 — date/time in the future, 250 — attempt to renotify a vessel, 251 — vessel is not notified, 302 — transshipment prior to Catch on Entry, 303 — Catch on Exit prior to Catch on Entry, 304 — no position received, 350 — position without Catch on Entry)
Record number	RN	Serial number of retransmission of the message by the FMC (annual count)
Record date	RD	Date of retransmission of the message/report (YYYYMMDD)
Record time	RT	Time of retransmission of the message/report (HHMM in UTC)

Logbook data elements

Data elements	Field code	Description and content
Start/end logbook element		
Start of logbook declaration	LOG	Tag indicating start of the logbook declaration (contains RC, XR, IR, NA, VO, MA or TN attribute and DEP, CAT, ENT, EXI, CRO, TRZ, TRA, LAN or RTP element)
Main elements		
Departure declaration	DEP	Tag indicating the departure from a harbour at the start of a fishing trip (contains DA, TI and PO attributes)
Return to port declaration	RTP	Tag indicating the return to the harbour at the end of the fishing trip (contains DA, TI and PO attributes)

Data elements	Field code	Description and content
Catch declaration	CAT	Tag indicating start of a catch declaration (contains DA, TI, FO and DU attributes and POS, GEA or SPE sub-elements)
Transshipment declaration	TRA	Tag indicating start of a transshipment declaration (contains DA, TI, TT, TF, TC and FC attributes and SPE sub-elements)
Landing declaration	LAN	Tag indicating start of a landing declaration (contains DA, TI and PO attributes and POS and SPE sub-elements)
Effort declaration: Entry in zone	ENT	Tag indicating start of a declaration on entry into the effort zone (contains DA, TI attributes and POS, SPE sub-elements)
Effort declaration: Exit out of zone	EXI	Tag indicating start of a declaration on exit of the effort zone (contains DA, TI attributes and POS, SPE sub-elements)
Effort declaration: Crossing of a zone	CRO	Tag indicating start of a declaration on crossing the effort zone (contains ENT and EXI elements)
Effort declaration: Trans-zonal fishing	TRZ	Tag indicating start of a declaration on trans-zonal fishing within the effort zone (contains ENT and EXI elements)
Sub-elements		
Species sub-declaration	SPE	Tag containing fish species details (contains SN, WT or WL or WS, NF attributes and PRO sub-elements)
Processing sub-declaration	PRO	Tag containing fish processing details (contains PR, CF and TY attributes or DIS (discards))
Position sub-declaration	POS	Tag containing detailed information on the location of the fishing vessel (contains ZO attribute and for fishing effort: LA and LO attributes)
Gear sub-declaration	GEA	Tag containing detailed information on the gear used during a fishing operation (contains GE, ME, GD and GL as required by the effort declaration). For DSS contains NH, IT, FO and FD
Attributes		
Trip number	TN	Number of fishing trip in current year (001-999)
Date	DA	Date of transmission (YYYYMMDD)
Time	TI	Time of transmission (HHMM in UTC)
Vessel's main identification	RC	International radio call sign
Vessel's external identification	XR	Side (hull) registration number of the vessel
Vessel's identification (CFR)	IR	Community Fleet Register number
Name of vessel	NA	Name of the vessel
Name of vessel owner	VO	Name of the vessel owner
Name of the master	MA	Name of the master

Data elements	Field code	Description and content
Port name	PO	Port code (2 letter country code (ISO alpha-3 country code) + 3 letter port code). I.e for Edinburgh – GBEDI, Kiel – DEKEL or Vigo – ESGVO)
Fishing operations	FO	Number of fishing operations (hauls) per 24 hour period
Fishing time	DU	Duration of fishing activity in minutes
Position: Latitude	LA	Latitude expressed in degrees and minutes (N/S DDMM)
Position: Longitude	LO	Longitude expressed in degrees and minutes (E/W DDMM)
Fishing zone	ZO	The smallest statistical area (sub-area, division, subdivision etc.) covered by the FAO Major fishing area [and ICES] classification (i.e. 27.3.24 [or III24] for the ICES sub-division 24 in the Baltic sea, 21,1F [or 1F] for NAFO division 21,1F etc.)
Gear name	GE	Letter code according to FAO's 'International Standard Statistical Classification of the Fishing Gear'
Gear mesh size	ME	Size of mesh (in millimetres)
Gear height	GD	Gear height (in metres)
Gear length	GL	Gear length (in metres)
Species name	SN	Name of the species caught (FAO alpha-3 code)
Weight of fish	WT	Weight of live fish (in kilograms)
Number of fish	NF	Number of fish caught (when quota is allocated in numbers of fish i.e. salmon)
Conversion factor	CF	Factors for the conversion of fish and fish product landed weights to live weight equivalents
Weight of fish landed	WL	Product weight in the landing declaration
Presentation of fish	PR	Letter code of the product presentation (way fish has been processed): (WHL whole fish, GUT — gutted, GUH gutted + headed, GUG — gutted and gilled, GUL — gutted liver in, GTF — gutted, tailed and finned, GUS — gutted, headed, skinned, FIL — filleted, FIS — filleted + skinned, FSB — filleted with skin + bones, FSP — filleted skinned with pinbone on, HEA — headed, WNG — wings, WNG + SKI — wings + skinned, SKI — skinned, DIS — discarded)
Processing's type of packaging	TY	3 letter code (CRT = cartons, BOX = boxes, BGS = bags, BLC = blocks)
Transhipment: receiving vessel	TT	International radio call sign of the receiving vessel
Transhipment: (donor) vessel	TF	International radio call sign of the donor vessel
Transhipment: flag state of receiving vessel	TC	Flag state of vessel receiving the transhipment (ISO alpha-3 country code)
Transhipment: flag state of donor vessel	FC	Flag state of the donor vessel (ISO alpha-3 country code)

Data elements	Field code	Description and content
Deep sea additional codes		
Average number of hooks used on longlines	NH	Average number of hooks per longline
Immersion time	IT	The total time gear was in the water (fishing) per 24 hour period
Fishing operations	FO	Number of fishing operations (hauls for nets and towed gears or longline shoots) per 24 hour period
Fishing depths	FD	Distance between the sea floor and the surface of the sea

Sales notes data elements

Data elements	Field code	Description and content
Start/end sales note element		
Start of sales note declaration	SAL	Tag indicating start of sales note declaration (contains XR (RC, IR), NA, VO and MA attributes and SIF or TOV sub-elements)
Main elements		
Sales note info	SIF	Tag containing details of a sale (contains DA, TI, SL, SC, NS, NB, CN and TD attributes and SIT sub-elements)
Takeover info	TOV	Tag containing details of a takeover declaration (contains DA, TI, SL, NS, NB, CN and TD attributes and SIT sub-elements)
Sub-elements		
Sale item	SIT	Tag containing details of an item within a sale (contains FP, FF, SF, DL, PO, QC, PD and ZO attributes and SPE, POS and PRO sub-elements)
Species sub-declaration	SPE	Tag containing fish species details (contains SN, WT or WL or WS and MZ attributes and PRO sub-elements)
Processing sub-declaration	PRO	Tag containing fish processing details (contains PR, CF and TY attributes)
Attributes		
Date	DA	Date of the sale (YYYYMMDD)
Time	TI	Time of the sale (HHMM in UTC)
Sale location	SL	Port code or place name (if not in port) where the sale took place
Sale country	SC	Country where the sale took place (ISO alpha-3 country code)
Vessel's main identification	RC	International radio call sign

Data elements	Field code	Description and content
Vessel's external identification	XR	Side (hull) number of registration of the vessel that landed the fish
Vessel's identification (CFR)	IR	Community Fleet Register number
Name of vessel	NA	Name of the vessel that landed the fish
Name of vessel owner or master	VO	Name of the vessel owner or master
Name of seller	NS	Name of auction centre, other body or person selling the fish
Name of buyer	NB	Name of auction centre, other body or person buying the fish
Sales contract reference number	CN	Sales contract reference number
Transport document reference	TD	Reference to the transport or T 2 M document (Article 13 of Regulation (EEC) No 2847/93)
Date of landing	DL	Date of landing (YYYYMMDD)
Port name	PO	Port code (port of landing) (2 letter country code (ISO alpha-3 country code) + 3 letter port code). I.e. for Edinburgh – GBEDI, Kiel – DEKEL or Vigo – ESVGGO)
Species name	SN	Name of the species caught (FAO alpha-3 code)
Geographical area of origin	ZO	According to the FAO major fishing area classification i.e. 27.3.24 [or III24] for the ICES subdivision 24 in the Baltic sea, 21,1F [or 1F] for NAFO division 21,1F etc.
Quota country	QC	ISO alpha-3 country code of the vessel which lands fish received by transshipment in case flag state of donor and recipient vessel is different
Weight of fish sold	WS	Weight of fish sold (in kilograms)
Fish size category	SF	Size of fish (1-8; one size or kg, g, cm, mm or number of fish per kg as appropriate)
Fish freshness category	FF	Fish freshness category (Extra, A, B, E)
Minimum fish size	MZ	Minimum size of fish (in millimetres)
Conversion factor	CF	Factors for the conversion of fish and fish product landed weights to live weight equivalents
Presentation of fish	PR	Letter code of the product presentation (way fish has been processed): (WHL whole fish, GUT — gutted, GUH gutted + headed, GUG — gutted and gilled, GUL — gutted liver in, GTF — gutted, tailed and finned, GUS — gutted, headed, skinned, FIL — filleted, FIS — filleted + skinned, FSB — filleted with skin + bones, FSP — filleted skinned with pinbone on, HEA — headed, WNG — wings, WNG + SKI — wings + skinned, SKI — skinned.)

Data elements	Field code	Description and content
Processing's type of packaging	TY	3 letter code (CRT = cartons, BOX = boxes, BGS = bags, BLC = blocks)
Fish price	FP	Price per kg (currency of transaction/kg)
Product destination	PD	Codes for human consumption, carry-over, industrial purposes

COMMISSION REGULATION (EC) No 1567/2007**of 21 December 2007****fixing the quantitative limit for the exports of out-of-quota isoglucose until the end of the 2007/2008 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 12(d) thereof,

Whereas:

- (1) Regulation (EC) No 318/2006 lays down rules for the common organisation of the markets in the sugar sector. According to Article 12(d) of Regulation (EC) No 318/2006, the isoglucose produced in excess of the quota referred to in Article 7 of that Regulation may be exported only within the quantitative limit to be fixed.
- (2) For certain Community producers of isoglucose, exports from the Community represent an important part of their economic activities and they have established traditional markets outside the Community. Exports of isoglucose to those markets could be economically viable also without granting export refunds. To that end, it is necessary to fix a quantitative limit for out-of-quota isoglucose exports so that the Community producers concerned may continue to supply their traditional markets.
- (3) Until the end of the 2007/2008 marketing year, i.e. 30 September 2008, it is estimated that fixing the quantitative limit at 40 000 tonnes, in dry matter, for out-of-quota isoglucose exports would correspond to the market demand.
- (4) With a view to ensuring orderly management, preventing speculation and providing for effective controls, detailed rules should be laid down for submitting licence applications. Such rules should make use of the procedures laid down by existing legislation, with suitable adaptations to reflect the specific needs of this sector.
- (5) In order to minimise the risk of fraud and to prevent any abuse associated with the eventual re-import or re-introduction into the Community of the isoglucose

concerned, certain countries of the Western Balkans should be excluded from the eligible destinations for out-of-quota isoglucose exports. However, those countries of this region whose authorities have to issue an export certificate for the confirmation of the origin of the sugar or isoglucose products to be exported to the Community should be exempted from this exclusion as the risk of fraud is more limited.

- (6) To assure coherence with the provisions relevant to exports in the sugar sector as laid down by Commission Regulation (EC) No 900/2007 of 27 July 2007 on a standing invitation to tender to determine refunds on exports of white sugar until the end of the 2007/2008 marketing year ⁽²⁾ and Commission Regulation (EC) No 1060/2007 of 14 September 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Ireland, Spain, Italy, Hungary, Slovakia and Sweden ⁽³⁾ exports of out-of-quota isoglucose should not be permitted to certain close destinations as well.
- (7) In order to reduce the risk of re-importation into the Community and, more specifically, to ensure that the specific rules for returned goods referred to in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽⁴⁾ and in Commission Regulation (EC) 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 ⁽⁵⁾ are respected, Member States should be required to take all the necessary control measures.
- (8) In addition to the provisions of Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector, ⁽⁶⁾ further implementing provisions should be established for the administration of the quantitative limit to be fixed by this Regulation, in particular regarding the conditions for applying for export licences.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽²⁾ OJ L 196, 28.7.2007, p. 26.

⁽³⁾ OJ L 242, 15.9.2007, p. 8.

⁽⁴⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽⁵⁾ 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).

⁽⁶⁾ OJ L 178, 1.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Fixing the quantitative limit for out-of-quota isoglucose exports

1. Until the end of the 2007/2008 marketing year, i.e. 30 September 2008, the quantitative limit referred to in Article 12(d) of Regulation (EC) No 318/2006 shall be 40 000 tonnes, in dry matter, for exports without refund of out-of-quota isoglucose falling within CN codes 1702 40 10, 1702 60 10 and 1702 90 30.

2. Exports within the quantitative limit fixed in paragraph 1 shall be allowed for all destinations, with exception of the following:

- (a) third countries: Andorra, Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, the Holy See (Vatican City State), Liechtenstein, Montenegro and San Marino;
- (b) territories of Member States not forming part of the customs territory of the Community: Ceuta and Melilla, the communes of Livigno and Campione d'Italia, the Faeroe Islands, Greenland, Heligoland, and the areas of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible not forming part of the customs territory of the Community: Gibraltar.

3. Exports of the products referred to in paragraph 1 shall only be allowed where they comply with the following conditions:

- (a) they are obtained by isomerisation of glucose;
- (b) they have a fructose content by weight in the dry state of not less than 41 %;
- (c) they have a total content by weight in the dry state of polysaccharides and oligosaccharides, including di- and trisaccharides, of not more than 8,5 %.

The dry matter content of isoglucose shall be determined on the basis of the density of the diluted solution in a proportion by weight of one to one or, in the case of products with a very high consistency, by drying.

Article 2

Export licences

1. Exports within the quantitative limit fixed in Article 1(1) of this Regulation shall be subject to the presentation of an export licence in accordance with the provisions of Commission Regulation (EC) No 1291/2000 ⁽¹⁾, Regulation (EC) No 951/2006 and Article 19 of Commission Regulation (EC) No 967/2006 ⁽²⁾, unless otherwise provided for in this Regulation.

2. By way of derogation from Article 9 of Regulation (EC) No 1291/2000, rights deriving from export licences shall not be transferable.

Article 3

Application for export licences

1. Applications for export licences in respect of the quantitative limit fixed in Article 1(1) of this Regulation may be submitted only by producers of isoglucose which are approved in accordance with Article 17 of Regulation (EC) No 318/2006 and to which an isoglucose quota has been allocated in respect of the marketing year 2007/2008 in accordance with Article 7 of that Regulation.

2. Applications for export licences shall be submitted to the competent authorities of the Member State in which the applicant has been allocated an isoglucose quota.

3. Export licence applications shall be submitted each week, from Monday to Friday, starting on the date of entry into force of this Regulation and until the issue of licences is suspended in accordance with Article 8.

4. Applicants may only submit one application for each weekly period referred to in paragraph 3.

5. The quantity applied for in respect of each export licence shall not exceed 5 000 tonnes.

6. The application shall be accompanied by proof that the security referred to in Article 4 has been lodged.

7. Box 20 of the application for an export licence and the licence shall contain the following entry:

'out-of-quota isoglucose for export without refund'.

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

⁽²⁾ OJ L 176, 30.6.2006, p. 22.

Article 4

Security for the export licence

1. By way of derogation from the fourth indent of Article 12(1)(b) of Regulation (EC) No 951/2006, the applicant shall lodge a security of EUR 110 per tonne net dry matter of isoglucose.
2. The security referred to in paragraph 1 may be lodged at the applicant's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the application for the licence is submitted.
3. The security referred to in paragraph 1 of this Article shall be released in accordance with Article 35 of Regulation (EC) No 1291/2000 for:
 - (a) the quantity for which the applicant has fulfilled, within the meaning of Article 31(b) and Article 32(1)(b)(i) of Regulation (EC) No 1291/2000, the export obligation resulting from the licences issued in accordance with Article 6 of this Regulation; and
 - (b) which the applicant has provided proof to the satisfaction of the competent authorities of the Member State where the export licence was issued that the customs formalities for importation have been completed within the meaning of Article 16 of Commission Regulation (EC) No 800/1999 ⁽¹⁾, for the quantity of isoglucose in question.
4. The proofs referred to in paragraph 3 shall be submitted within 12 months of the date on which the export declaration is accepted.

Article 5

Communication of Member States

1. Member States shall notify the Commission, no later than the first working day of each week, of the quantities of isoglucose, for which export licence applications have been submitted during the preceding week.

The quantities applied for shall be broken down by eight-digit CN code. Member States shall also inform the Commission if no applications for export licences have been submitted.

This paragraph shall only apply to Member States for which an isoglucose quota was fixed in respect of the 2007/2008 marketing year by Annex III and/or Point II of Annex IV to Regulation (EC) No 318/2006.

2. The Commission shall draw up weekly records of the quantities for which export licence applications have been submitted.

⁽¹⁾ OJ L 102, 17.4.1999, p. 11.

Article 6

Issue and validity of licences

1. Licences shall be issued on the third working day following the notification referred to in Article 5(1), as the case may be taking account of the acceptance percentage fixed by the Commission in accordance with Article 8.
2. Member States shall communicate, on the first working day of each week, to the Commission, the quantities of isoglucose for which export licences have been issued during the preceding week.
3. Export licences issued in respect of the quantitative limit fixed in Article 1(1) shall be valid from the actual day of issue until the end of the third month following that of issue but until 30 September 2008 at the latest.
4. Member States shall keep a record of the quantities of isoglucose actually exported under the export licences.
5. Member States shall communicate to the Commission before the end of each month, the quantities of isoglucose actually exported during the preceding month.
6. Paragraphs 2, 4 and 5 of this Article shall only apply to Member States for which an isoglucose quota was fixed in respect of the 2007/2008 marketing year by Annex III and/or Point II of Annex IV to Regulation (EC) No 318/2006.

Article 7

Methods of communication

The communications referred to in Articles 5(1), 6(2) and (5) shall be transmitted electronically in accordance with forms made available to the Member States by the Commission.

Article 8

Suspension of issuing export licences

Where the quantities applied for export licences exceed the quantitative limit fixed in Article 1(1) of this Regulation for the period concerned, the provisions laid down in Article 9 of Regulation (EC) No 951/2006 shall apply *mutatis mutandis*.

Article 9

Controls

Member States shall take all the measures necessary to establish appropriate controls to ensure that the specific rules for returned goods laid down in Chapter 2 of Title VI of Regulation (EEC) No 2913/92 and in Title I of Part III of Regulation (EEC) No 2454/93 are respected and to prevent preferential agreements with third countries from being circumvented.

*Article 10***Entry into force and applicability**

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, 21 December 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 1568/2007**of 21 December 2007****amending Regulation (EC) No 951/2006 in respect of export refunds to certain sugars used in certain products processed from fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector⁽¹⁾, in particular point (g) of Article 40(1) thereof,

Whereas:

(1) Council Regulation (EC) No 1182/2007 of 26 September 2007 laying down specific rules as regards the fruit and vegetable sector, amending Directives 2001/112/EC and 2001/113/EC and Regulations (EEC) No 827/68, (EC) No 2200/96, (EC) No 2201/96, (EC) No 2826/2000, (EC) No 1782/2003 and (EC) No 318/2006 and repealing Regulation (EC) No 2202/96⁽²⁾ introduced a reform in the processed fruit and vegetables sector. Following that reform, export refund can no longer be granted under Regulation (EC) No 1182/2007 or Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organization of the markets in processed fruit and vegetable products⁽³⁾ for the sugar used for the manufacture of certain products processed from fruit and vegetables. In turn, Article 53 of Regulation (EC) No 1182/2007 amended Regulation (EC) No 318/2006 in order to make eligible for refund under that Regulation certain sugar products contained in processed fruit and vegetables, listed previously in Regulation (EC) No 2201/96.

(2) The reference prices for white sugar are laid down by Article 3(1) of Regulation (EC) No 318/2006. In accordance with that provision the white sugar reference price will be reduced as from the marketing year 2008/2009. Community producers of certain products processed from fruit and vegetables with significant added sugar content would therefore face competitive disadvantage on their export markets as they are to continue to pay a sugar price above the world price without being eligible for export refunds. In order to maintain the competitiveness of such Community producers on the export markets, it is, therefore, justified to allow for the granting of export refund for the sugar that they use for their production.

(3) The detailed rules for the granting of export refund in respect of the sugar products concerned contained in certain processed fruit and vegetables, falling under the scope of Article 1(2)(b) of Regulation (EC) No 2201/96, are laid down in Commission Regulation (EC) No 2315/95 of 29 September 1995 laying down detailed rules for the application of export refunds to certain sugars covered by the common organization of the market in sugar used in certain products processed from fruit and vegetables⁽⁴⁾. Due to the amendments under the reform of the processed fruit and vegetables sector, it is appropriate to transfer those provisions to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector⁽⁵⁾.

(4) In the light of the provisions of Agreement between the European Community and the Swiss Confederation of 22 July 1972 and in order to avoid the imposition of unnecessary costs on operators, Commission Regulation (EC) No 389/2005⁽⁶⁾ laid down derogations from Article 18(6) of Regulation (EC) No 2201/96 and Article 16 of Commission Regulation (EC) No 800/1999⁽⁷⁾ regarding the export to third countries other than Switzerland and Liechtenstein of certain products processed from fruit and vegetables. Article 18(6) of Regulation (EC) No 2201/96 was deleted by Article 48(2) of Regulation (EC) No 1182/2007. However, a derogation from Article 16 of Regulation (EC) No 800/1999, in so far as it requires proof of import in the case of differentiated refunds, should continue to apply. It is also appropriate, where no export refunds have been fixed for Switzerland and Liechtenstein, not to take account of that fact when the lowest rate of refund is determined. For the sake of legal clarity it is appropriate to transfer that derogation to Regulation (EC) No 951/2006.

(5) It is therefore necessary to amend Regulation (EC) No 951/2006 accordingly and to repeal Regulations (EC) No 2315/95 and (EC) No 389/2005.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar.

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 1260/2007 (OJ L 283, 27.10.2007 p. 1).

⁽²⁾ OJ L 273, 17.10.2007, p. 1.

⁽³⁾ OJ L 297, 21.11.1996, p. 29. Regulation as last amended by Regulation (EC) No 1212/2007 (OJ L 274, 18.10.2007, p. 7).

⁽⁴⁾ OJ L 233, 30.9.1995, p. 70. Regulation as last amended by Regulation (EC) No 548/2007.

⁽⁵⁾ OJ L 178, 17.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

⁽⁶⁾ OJ L 62, 9.3.1995, p. 12.

⁽⁷⁾ OJ L 102, 17.4.1999, p. 11. Regulation as last amended by Regulation (EC) No 1001/2007 (OJ L 226, 30.8.2007, p. 9).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 951/2006 is amended as follows:

1. In Chapter II the following Articles 4a and 4b are added:

'Article 4a

Export refund for certain sugars used in certain products processed from fruit and vegetables

1. In accordance with Article 32 of Regulation (EC) No 318/2006, an export refund may be granted in respect of white sugar and raw sugar falling within CN code 1701, isoglucose falling within CN codes 1702 40 10, 1702 60 10 and 1702 90 30 and beet syrup and cane syrup falling within CN code 1702 90 95 used for the manufacture of the products of the processed fruit and vegetables sector referred to in Annex VIII to Regulation (EC) No 318/2006.

2. The amount of the refund shall equal the amount of the periodic export refund as fixed on the sugar products referred to in paragraph 1 exported without further processing.

3. In order to benefit from the refund, processed products shall be accompanied, upon export, by a declaration from the applicant stating the quantities of raw and white sugar and beet and cane syrups and isoglucose used for the manufacture.

Member States shall check the accuracy of the declaration on a sample of at least 5 % selected on the basis of a risk analysis. Such checks shall be carried out on the stock records kept by the manufacturer.

4. The refund shall be paid upon submission of proof that:

- (a) the products have been exported from the Community, and
- (b) in the case of a differentiated refund, the products have reached the destination indicated on the licence or another destination for which the refund was fixed.

Article 4b

Derogations from Regulation (EC) No 800/1999

1. By way of derogation from Article 16 of Regulation (EC) No 800/1999, where the differentiation of the refund is the result solely of a refund not having been fixed for Swit-

zerland or Liechtenstein, proof that the customs import formalities have been completed shall not be a condition for payment of the refund in respect of the sugar products referred to in Article 4a(1) used for the manufacture of the products processed from fruit and vegetables referred to in Annex VIII to Regulation (EC) No 318/2006 and listed in Tables I and II to Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972.

2. The fact that no export refund has been fixed in respect of the export to Switzerland or Liechtenstein of the sugar products referred to in Article 4a(1) used for the manufacture of the products processed from fruit and vegetables referred to in Annex VIII to Regulation (EC) No 318/2006 and listed in Tables I and II to Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972, shall not be taken into account in determining the lowest rate of refund within the meaning of Article 18(2) of Regulation (EC) No 800/1999.'

2. Article 5(1) is replaced by the following:

'1. All exports of products listed in Article 1(1) of Regulation (EC) No 318/2006, except those under point (h) of that Article, as well as exports with refund of the products referred to in Annex VIII to that Regulation shall require the issuing of an export licence.'

3. In Article 6 the following paragraph 2a is inserted:

'2a. As regards the refund to be granted pursuant to Article 4a, Section 20 of the licence application and of the licence shall contain one of the entries listed in Part E of the Annex.'

4. In Article 8 the following paragraph is added:

'4. Export licences for the export with refund of the products referred to in Annex VIII to Regulation (EC) No 318/2006 shall be valid from the actual day of issue until the end of the third month following that of issue.'

5. In Article 12 the following paragraph is added:

'3. The security to be lodged in respect of licences for the export with refund of the products referred to in Annex VIII to Regulation (EC) No 318/2006 shall be calculated in accordance with paragraphs 1 and 2 of this Article, based on the net content of the sugar products referred to in Article 4a of this Regulation used for the manufacture of the products listed in Annex VIII to Regulation (EC) No 318/2006.'

6. In the Annex, the text set out in the Annex to this Regulation is added.

Article 2

Regulations (EC) No 2315/95 and (EC) No 389/2005 are repealed.

Article 3

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

It shall be applicable from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

E. Indications referred to in Article 6(2a):

- *in Bulgarian:* Захар, използвана в един или повече продукти, изброени в приложение VIII към Регламент (ЕО) № 318/2006.
- *in Spanish:* Azúcar utilizado en uno o varios productos enumerados en el anexo VIII del Reglamento (CE) n.º 318/2006.
- *in Czech:* Cukr použitý v jednom nebo v několika produktech uvedených v příloze VIII nařízení (ES) č. 318/2006.
- *in Danish:* Sukker anvendt i et eller flere produkter som omhandlet i bilag VIII til forordning (EF) nr. 318/2006.
- *in German:* Zucker, einem oder mehreren der in Anhang VIII der Verordnung (EG) Nr. 318/2006 genannten Erzeugnissen zugesetzt.
- *in Estonian:* Suhkur, mida on kasutatud ühes või mitmes määruse (EÜ) nr 318/2006 VIII lisas loetletud tootes.
- *in Greek:* Ζάχαρη χρησιμοποιούμενη σε ένα ή περισσότερα προϊόντα απαριθμούμενα στο παράρτημα VIII του κανονισμού (ΕΚ) αριθ. 318/2006.
- *in English:* Sugar used in one or more products listed in Annex VIII of Regulation (EC) No 318/2006.
- *in French:* Sucre mis en œuvre dans un ou plusieurs produits énumérés à l'annexe VIII du règlement (CE) n.º 318/2006.
- *in Italian:* Zucchero utilizzato in uno o più prodotti elencati nell'allegato VIII del regolamento (CE) n. 318/2006.
- *in Latvian:* Cukurs, ko izmanto vienā vai vairākos produktos, kas minēti Regulas (EK) Nr. 318/2006 VIII pielikumā.
- *in Lithuanian:* Cukrus, naudojamas vienam arba keliems Reglamento (EB) Nr. 318/2006 VIII priede išvardytiems produktams.
- *in Hungarian:* A 318/2006/EK rendelet VIII. mellékletében felsorolt egy vagy több termékben használt cukor.
- *in Maltese:* Zokkor użat f'wiehied jew aktar mill-prodotti elenkati fl-Anness VIII tar-Regolament (KE) Nru 318/2006.
- *in Dutch:* Suiker die wordt gebruikt in een of meer van de in bijlage VIII bij Verordening (EG) nr. 318/2006 opgenomen producten.
- *in Polish:* Cukier używany w co najmniej jednym z produktów wymienionych w załączniku VIII do rozporządzenia (WE) nr 318/2006.
- *in Portuguese:* Açúcar utilizado em um ou mais produtos constantes do anexo VIII do Regulamento (CE) n.º 318/2006.
- *in Romanian:* Zahăr folosit la prepararea unuiu sau a mai multor produse enumerate în anexa VIII la Regulamentul (CE) nr. 318/2006.
- *in Slovak:* Cukor použitý v jednom alebo vo viacerých výrobkoch uvedených v prílohe VIII k nariadeniu (ES) č. 318/2006.
- *in Slovenian:* Sladkor, uporabljen v enem ali več proizvodih, naštetih v Prilogi VIII k Uredbi (ES) št. 318/2006.
- *in Finnish:* Yhdessä tai useammassa asetuksen (EY) N:o 318/2006 liitteessä VIII luetellussa tuotteessa käytetty sokeri.
- *in Swedish:* Socker som används i en eller flera av de produkter som förtecknas i bilaga VIII till förordning (EG) nr 318/2006.'

COMMISSION REGULATION (EC) No 1569/2007**of 21 December 2007****establishing a mechanism for the determination of equivalence of accounting standards applied by third country issuers of securities pursuant to Directives 2003/71/EC and 2004/109/EC of the European Parliament and of the Council**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC ⁽¹⁾, and in particular Article 7(1) thereof,

Having regard to Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC ⁽²⁾, and in particular Article 23(4)(i) thereof,

Whereas:

- (1) Article 23(4) of Directive 2004/109/EC requires the Commission to set up a mechanism for the determination of the equivalence of the information required under this Directive, including financial statements and the corresponding requirements under the law, regulations or administrative provisions of third countries. This Article also requires the Commission to take decisions in relation to the equivalence of accounting standards used by third country issuers, and enables the Commission to allow the use of third country accounting standards during an appropriate transitional period. Given the close interconnection of the information required under Directive 2004/109/EC with the information required under Directive 2003/71/EC, it is appropriate that the same criteria for determination of equivalence apply in the framework of both Directives.
- (2) Given the objectives of Directive 2003/71/EC to ensure that investors are able to make an informed assessment of the assets and liabilities, financial position, profit and losses and prospects of an issuer, and the objectives of Directive 2004/109/EC to enable investors to make an

informed assessment of the financial situation of issuers with securities admitted to trading on a regulated market, it is appropriate that equivalence should be defined by reference to the ability of investors to make a similar assessment of the issuer's financial position and prospects, irrespective of whether financial statements are drawn up in accordance with the accounting standards of a third country or with International Financial Reporting Standards (hereinafter IFRS).

- (3) In order to ensure that a determination of the equivalence of third country accounting standards is made in all cases that are relevant to Community markets, the Commission should assess the equivalence of third country accounting standards either upon a request from the competent authority of a Member State or an authority responsible for accounting standards or market supervision of a third country, or on its own initiative. The Commission will first consult the Committee of the European Securities Regulators (CESR) with regard to the assessment of equivalence of the accounting standards in question. In addition, the Commission will actively monitor ongoing progress in the work by the relevant third country authorities to eliminate any requirement for Community issuers accessing the financial markets of a third country to reconcile financial statements prepared using IFRS adopted pursuant to Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards ⁽³⁾. The decision of the Commission will have to be such that Community issuers are permitted to use IFRS adopted pursuant to Regulation (EC) No 1606/2002 in the third country concerned.
- (4) The President of the European Council, the President of the Commission and the President of the United States have agreed in April 2007 to promote and secure conditions for US Generally Accepted Accounting Principles (GAAP) and IFRS to be recognised in both jurisdictions without the need for reconciliation by 2009 or sooner. The Commission and the US Securities and Exchange Commission (SEC) have pursued their dialogue towards the acceptance of IFRS adopted pursuant to Regulation (EC) No 1606/2002 in the United States, which would relieve issuers using IFRS from costly reconciliation requirements. Steps should be taken to achieve similar arrangements with other

⁽¹⁾ OJ L 345, 31.12.2003, p. 64.

⁽²⁾ OJ L 390, 31.12.2004, p. 38.

⁽³⁾ OJ L 243, 11.9.2002, p. 1.

countries on whose exchanges EU companies list their securities before the end of 2008. The Accounting Standards Board of Japan (ASBJ) is pursuing the implementation of its joint work programme with the International Accounting Standards Board (IASB) towards the convergence of Japanese GAAP with IFRS. The Accounting Standards Board of Canada (AcSB) published an Implementation Plan for incorporating IFRS into Canadian GAAP as from 1 January 2011.

- (5) In order to promote the objectives of Regulation (EC) No 1606/2002 and to encourage the use of IFRS throughout the global financial markets, and to minimise disruption to markets in the Community, it is appropriate to take account of any convergence programme with IFRS or commitment on the part of the relevant authority of the third country to adopt IFRS. Therefore it is necessary to further specify under which conditions convergence programmes can be considered as providing a sufficient basis for allowing third country issuers to apply their national accounting standards for a transitional period. The Commission will first consult CESR on the convergence programme or the progress towards adoption of IFRS, as the case may be.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the European Securities Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down the conditions under which the Generally Accepted Accounting Principles of a third country may be considered equivalent to International Financial Reporting Standards (hereinafter IFRS) and introduces a mechanism for the determination of such equivalence.

Article 2

Equivalence

The Generally Accepted Accounting Principles of a third country may be considered equivalent to IFRS adopted pursuant to Regulation (EC) No 1606/2002 if the financial statements drawn up in accordance with Generally Accepted Accounting Principles of the third country concerned enable investors to make a similar assessment of the assets and liabilities, financial position, profit and losses and prospects of the issuer as financial statements drawn up in accordance with IFRS, with the result that investors are likely to make the same decisions about the acquisition, retention or disposal of securities of an issuer.

Article 3

Equivalence mechanism

The decision on the determination of the equivalence of the Generally Accepted Accounting Principles of a third country

may be taken on the initiative of the Commission, upon application submitted by the competent authority of a Member State or upon application of an authority responsible for accounting standards or market supervision of a third country.

Where the Commission decides to make a determination of equivalence, whether on an application or on its own initiative, it shall make that decision public.

Article 4

Conditions for the acceptance of third country accounting standards for a limited period

1. Third country issuers may be permitted to use financial statements drawn up in accordance with the accounting standards of a third country in order to comply with obligations under Directive 2004/109/EC and, by derogation from Article 35(5) of Regulation (EC) No 809/2004, to provide historical financial information under that Regulation for a period commencing any time after 31 December 2008 and expiring no later than 31 December 2011 in the following cases:

1. the third country authority responsible for the national accounting standards concerned has made a public commitment before 30 June 2008 to converge these standards with International Financial Reporting Standards before 31 December 2011 and both the following conditions are met:

(a) the third country authority responsible for the national accounting standards concerned has established a convergence programme before 31 December 2008 that is comprehensive and capable of being completed before 31 December 2011;

(b) the convergence programme is effectively implemented, without delay, and the resources necessary for its completion are allocated to its implementation;

2. the third country authority responsible for the national accounting standards concerned has made a public commitment before 30 June 2008 to adopt International Financial Reporting Standards before 31 December 2011 and effective measures are taken in the third country to secure the timely and complete transition to International Financial Reporting Standards by that date, or has reached a mutual recognition agreement with the EU before 31 December 2008.

2. Any decision under paragraph 1 to permit the continued acceptance of financial statements drawn up in accordance with the accounting standards of a third country shall be made in accordance with the procedure referred to in Article 24 of Directive 2003/71/EC and Article 27(2) of Directive 2004/109/EC.

3. Where the Commission permits the continued acceptance of financial statements drawn up in accordance with the accounting standards of a third country in accordance with paragraph 1, it shall review regularly whether the conditions specified in point (a) or (b) (as the case may be) continue to be met, and shall report accordingly to the European Securities Committee and to the European Parliament.

4. If the conditions in point (a) or (b) of paragraph 1 are no longer met, the Commission shall take a decision in accordance with the procedure referred to in Article 24 of Directive 2003/71/EC and Article 27(2) of Directive 2004/109/EC

amending its decision under paragraph 1 in respect of these accounting standards.

5. When complying with this Article, the Commission shall first consult CESR on the convergence programme or the progress towards adoption of IFRS, as the case may be.

Article 5

This Regulation shall enter into force on the third 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, 21 December 2007.

For the Commission

Charlie McCREEVY

Member of the Commission

COMMISSION REGULATION (EC) No 1570/2007**of 21 December 2007****fixing the Community withdrawal and selling prices for the fishery products listed in Annex I to Council Regulation (EC) No 104/2000 for the 2008 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 104/2000 provides that the Community withdrawal and selling prices for each of the products listed in Annex I thereto are to be fixed on the basis of the freshness, size or weight and presentation of the product by applying the conversion factor for the product category concerned to an amount not more than 90 % of the relevant guide price.
- (2) The withdrawal prices may be multiplied by adjustment factors in landing areas which are very distant from the main centres of consumption in the Community. The guide prices for the 2008 fishing year were fixed for all the products concerned by Council Regulation (EC) No 1447/2007 ⁽²⁾.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

Article 1

The conversion factors used for calculating the Community withdrawal and selling prices, as referred to in Article 20 and 22 of Regulation (EC) No 104/2000, for the 2008 fishing year for the products listed in Annex I to that Regulation, are set out in Annex I to this Regulation.

Article 2

The Community withdrawal and selling prices applicable for the 2008 fishing year and the products to which they relate are set out in Annex II.

Article 3

The withdrawal prices applicable for the 2008 fishing year in landing areas which are very distant from the main centres of consumption in the Community and the products to which those prices relate are set out in Annex III.

Article 4

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

It shall apply from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 17, 21.1.2000, p. 22. Regulation as amended by Regulation (EC) No 1759/2006 (OJ L 335, 1.12.2006, p. 3).

⁽²⁾ OJ L 323, 8.12.2007, p. 1.

ANNEX I

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

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	1	0,00	0,47
	2	0,00	0,72
	3	0,00	0,68
	4a	0,00	0,43
	4b	0,00	0,43
	4c	0,00	0,90
	5	0,00	0,80
	6	0,00	0,40
	7a	0,00	0,40
	7b	0,00	0,36
	8	0,00	0,30
Sardines of the species <i>Sardina pilchardus</i>	1	0,00	0,51
	2	0,00	0,64
	3	0,00	0,72
	4	0,00	0,47
Dogfish <i>Squalus acanthias</i>	1	0,60	0,60
	2	0,51	0,51
	3	0,28	0,28
Dogfish <i>Scyliorhinus</i> spp.	1	0,64	0,60
	2	0,64	0,56
	3	0,44	0,36
Redfish <i>Sebastes</i> spp.	1	0,00	0,81
	2	0,00	0,81
	3	0,00	0,68
Cod of the species <i>Gadus morhua</i>	1	0,72	0,52
	2	0,72	0,52
	3	0,68	0,40
	4	0,54	0,30
	5	0,38	0,22
Coalfish <i>Pollachius virens</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,71	0,55
	4	0,61	0,30
Haddock <i>Melanogrammus aeglefinus</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,62	0,43
	4	0,52	0,36

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Whiting <i>Merlangius merlangus</i>	1	0,66	0,50
	2	0,64	0,48
	3	0,60	0,44
	4	0,41	0,30
Ling <i>Molva</i> spp.	1	0,68	0,56
	2	0,66	0,54
	3	0,60	0,48
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,72
	2	0,00	0,71
	3	0,00	0,69
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,77
	2	0,00	0,77
	3	0,00	0,63
	4	0,00	0,47
Anchovies <i>Engraulis</i> spp.	1	0,00	0,68
	2	0,00	0,72
	3	0,00	0,60
	4	0,00	0,25
Plaice <i>Pleuronectes platessa</i>	1	0,75	0,41
	2	0,75	0,41
	3	0,72	0,41
	4	0,52	0,34
Hake of the species <i>Merluccius merluccius</i>	1	0,90	0,71
	2	0,68	0,53
	3	0,68	0,52
	4	0,56	0,43
	5	0,52	0,41
Megrims <i>Lepidorhombus</i> spp.	1	0,68	0,64
	2	0,60	0,56
	3	0,54	0,49
	4	0,34	0,29
Dab <i>Limanda limanda</i>	1	0,71	0,58
	2	0,54	0,42
Flounder <i>Platichthys flesus</i>	1	0,66	0,58
	2	0,50	0,42
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	0,90	0,81
	2	0,90	0,77
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0,00	0,64
	2	0,00	0,64
	3	0,00	0,40

Species	Size (*)	Conversion factor		
		Whole fish Gutted fish, with head (*)	Fish without head (*)	
		Extra, A (*)	Extra, A (*)	
Monkfish <i>Lophius</i> spp.	1	0,61	0,77	
	2	0,78	0,72	
	3	0,78	0,68	
	4	0,65	0,60	
	5	0,36	0,43	
		All presentations		
		Extra, A (*)		
Shrimps of the species <i>Crangon crangon</i>	1	0,59		
	2	0,27		
		Cooked in water	Fresh or chilled	
		Extra, A (*)	Extra, A (*)	
Deep-water prawns <i>Pandalus borealis</i>	1	0,77	0,68	
	2	0,27	—	
		Whole (*)		
Edible crabs <i>Cancer pagurus</i>	1	0,72		
	2	0,54		
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	0,86	0,86	0,81
	2	0,86	0,59	0,68
	3	0,77	0,59	0,50
	4	0,50	0,41	0,41
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea</i> spp.	1	0,75	0,58	
	2	0,75	0,58	
	3	0,71	0,54	
	4	0,58	0,42	
	5	0,50	0,33	

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

ANNEX II

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

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	1	0	130
	2	0	199
	3	0	188
	4a	0	119
	4b	0	119
	4c	0	249
	5	0	222
	6	0	111
	7a	0	111
	7b	0	100
	8	0	83
Sardines of the species <i>Sardina pilchardus</i>	1	0	287
	2	0	360
	3	0	405
	4	0	265
Dogfish <i>Squalus acanthias</i>	1	667	667
	2	567	567
	3	311	311
Dogfish <i>Scyliorhinus</i> spp.	1	464	435
	2	464	406
	3	319	261
Redfish <i>Sebastes</i> spp.	1	0	953
	2	0	953
	3	0	800
Cod of the species <i>Gadus morhua</i>	1	1 186	856
	2	1 186	856
	3	1 120	659
	4	889	494
	5	626	362
Coalfish <i>Pollachius virens</i>	1	564	439
	2	564	439
	3	557	431
	4	478	235
Haddock <i>Melanogrammus aeglefinus</i>	1	747	581
	2	747	581
	3	644	446
	4	540	374

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Whiting <i>Merlangius merlangus</i>	1	637	483
	2	618	463
	3	579	425
	4	396	290
Ling <i>Molva</i> spp.	1	826	680
	2	801	656
	3	728	583
Mackerel of the species <i>Scomber scombrus</i>	1	0	235
	2	0	231
	3	0	225
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	226
	2	0	226
	3	0	185
	4	0	138
Anchovies <i>Engraulis</i> spp.	1	0	880
	2	0	932
	3	0	776
	4	0	324
Plaice <i>Pleuronectes platessa</i> — 1 January to 30 April 2008 — 1 May to 31 December 2008	1	809	442
	2	809	442
	3	777	442
	4	561	367
	1	1 124	615
	2	1 124	615
	3	1 079	615
	4	779	510
Hake of the species <i>Merluccius merluccius</i>	1	3 274	2 583
	2	2 474	1 928
	3	2 474	1 892
	4	2 037	1 564
	5	1 892	1 492
Megrims <i>Lepidorhombus</i> spp.	1	1 728	1 626
	2	1 525	1 423
	3	1 372	1 245
	4	864	737
Dab <i>Limanda limanda</i>	1	613	501
	2	466	362
Flounder <i>Platichthys flesus</i>	1	348	306
	2	264	221

Species	Size (*)	Withdrawal price (EUR/t)		
		Gutted fish, with head (*)		Whole fish (*)
		Extra, A (*)		Extra, A (*)
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	2 152	1 754	
	2	2 152	1 667	
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0	1 080	
	2	0	1 080	
	3	0	675	
		Whole fish Gutted fish, with head (*)	Fish without head (*)	
		Extra, A (*)		Extra, A (*)
Monkfish <i>Lophius</i> spp.	1	1 810	4 702	
	2	2 315	4 397	
	3	2 315	4 153	
	4	1 929	3 664	
	5	1 068	2 626	
		All presentations		
		Extra, A (*)		
Shrimps of the species <i>Crangon crangon</i>	1	1 431		
	2	655		
		Cooked in water	Fresh or chilled	
		Extra, A (*)	Extra, A (*)	
Deep-water prawns <i>Pandalus borealis</i>	1	5 010	1 092	
	2	1 757	—	
		Selling prices (EUR/t)		
		Whole (*)		
Edible crabs <i>Cancer pagurus</i>	1	1 297		
	2	973		
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	4 727	4 727	3 553
	2	4 727	3 243	2 982
	3	4 233	3 243	2 193
	4	2 749	2 254	1 798
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea</i> spp.	1	5 212	4 030	
	2	5 212	4 030	
	3	4 934	3 752	
	4	4 030	2 919	
	5	3 475	2 293	

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

ANNEX III

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

Species	Landing area	Conversion Factor	Size (*)	Withdrawal price (in EUR/tonne)	
				Gutted fish, with head (*)	Whole fish (*)
				Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	Coastal regions and islands of Ireland	0,90	1	0	117
			2	0	179
			3	0	170
			4a	0	107
	Coastal regions of eastern England from Berwick to Dover Coastal regions of Scotland from Portpatrick to Eyemouth and the islands located west and north of those regions Coastal regions of County Down (Northern Ireland)	0,90	1	0	117
			2	0	179
			3	0	170
			4a	0	107
	Coastal regions and islands of Ireland	0,96	1	0	225
			2	0	222
			3	0	216
Mackerel of the species <i>Scomber scombrus</i>	Coastal regions and islands of Cornwall and Devon in the United Kingdom	0,95	1	0	223
			2	0	220
			3	0	214
	Coastal regions from Troon (in south-western Scotland) to Wick (in North-Eastern Scotland) and the Islands located west and north of those regions	0,75	1	2 456	1 937
			2	1 855	1 446
			3	1 855	1 419
Hake of the species <i>Merluccius merluccius</i>	Islands of the Azores and Madeira	0,48	4	1 528	1 173
			5	1 419	1 119
			1	1 033	842
			2	1 033	800
Albacore or longfinned tuna <i>Thunnus alalunga</i>	Canary Islands	0,48	1	0	138
			2	0	173
			3	0	195
			4	0	127
	Coastal regions and islands of Cornwall and Devon in the United Kingdom	0,74	1	0	212
			2	0	267
			3	0	300
			4	0	196
	Atlantic coastal regions of Portugal	0,93	2	0	335
		0,81	3	0	328

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

COMMISSION REGULATION (EC) No 1571/2007**of 21 December 2007****fixing the Community selling prices for the fishery products listed in Annex II to Council Regulation (EC) No 104/2000 for the 2008 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) A Community selling price is to be fixed for each of the products listed in Annex II to Regulation (EC) No 104/2000 before the beginning of the fishing year, at a level at least equal to 70 % and not exceeding 90 % of the guide price.
- (2) Council Regulation (EC) No 1447/2007 ⁽²⁾ fixes the guide prices for the 2008 fishing year for all the products concerned.
- (3) Market prices vary considerably depending on the species and how the products are presented, particularly in the case of squid and hake.

(4) Conversion factors should therefore be fixed for the different species and presentations of frozen products landed in the Community in order to determine the price level that trigger the intervention measure provided for in Article 25(2) of Regulation (EC) No 104/2000.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Community selling prices, as referred to in Article 25(1) of Regulation (EC) No 104/2000, applicable during the 2008 fishing year for the products listed in Annex II to that Regulation and the presentations and conversion factors to which they relate are set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 17, 21.1.2000, p. 22. Regulation as last amended by Regulation (EC) No 1759/2006 (OJ L 335, 1.12.2006, p. 3).

⁽²⁾ OJ L 323, 8.12.2007, p. 1.

ANNEX

Selling prices and conversion factors

Species	Presentation	Conversion factor	Intervention level	Selling price (EUR/tonne)
Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Whole or gutted, with or without head	1,0	0,85	1 679
Hake (<i>Merluccius</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 032
	Individual fillets			
	— with skin	1,0	0,85	1 280
	— skinless	1,1	0,85	1 408
Sea-bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 355
Swordfish (<i>Xiphias gladius</i>)	Whole or gutted, with or without head	1,0	0,85	3 432
Shrimps and prawns <i>Penaeidae</i>	Frozen			
(a) <i>Parapenaeus Longirostris</i>		1,0	0,85	3 427
(b) Other <i>Penaeidae</i>		1,0	0,85	6 646
Cuttlefishes (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> and <i>Sepiola rondeletti</i>)	Frozen	1,0	0,85	1 629
Squid (<i>Loligo</i> spp.)				
(a) <i>Loligo patagonica</i>	— whole, not cleaned	1,00	0,85	993
	— cleaned	1,20	0,85	1 191
(b) <i>Loligo vulgaris</i>	— whole, not cleaned	2,50	0,85	2 482
	— cleaned	2,90	0,85	2 879
Octopus (<i>Octopus</i> spp.)	Frozen	1,00	0,85	1 801
<i>Illex argentinus</i>	— whole, not cleaned	1,00	0,80	695
	— tube	1,70	0,80	1 182

Forms of commercial presentation:

- whole, not cleaned: product which has not undergone any treatment
- cleaned: product which has at least been gutted
- tube: squid body which has at least been gutted and had the head removed.

COMMISSION REGULATION (EC) No 1572/2007**of 21 December 2007****fixing the reference prices for certain fishery products for the 2008 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 104/2000 provides that reference prices valid for the Community may be fixed each year, by product category, for products that are the subject of a tariff suspension under Article 28(1). The same holds for products which, by virtue of being either the subject of a binding tariff reduction under the WTO or some other preferential arrangements, must comply with a reference price.
- (2) For the products listed in Annex I, (A) and (B) to Regulation (EC) No 104/2000, the reference price is the same as the withdrawal price fixed in accordance with Article 20(1) of that Regulation.
- (3) The Community withdrawal and selling prices for the products concerned are fixed for the 2008 fishing year by Commission Regulation (EC) No 1570/2007 ⁽²⁾.

- (4) The reference price for products other than those listed in Annexes I and II to Regulation (EC) No 104/2000 is established on the basis of the weighted average of customs values recorded on the import markets or in the ports of import in the three years immediately preceding the date on which the reference price is fixed.
- (5) There is no need to fix reference prices for all the species covered by the criteria laid down in Regulation (EC) No 104/2000, and particularly not for those imported from third countries in insignificant volumes.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 2008 fishing year of fishery products, as referred to in Article 29 of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 17, 21.1.2000, p. 22. Regulation as last amended by Regulation (EC) No 1759/2006 (OJ L 335, 1.12.2006, p. 3).

⁽²⁾ See page 69 of this Official Journal.

ANNEX ⁽¹⁾

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

Species	Size ⁽¹⁾	Reference price (EUR/tonne)			
		Gutted with head ⁽¹⁾		Whole fish ⁽¹⁾	
		Additional TARIC code	Extra, A ⁽¹⁾	Additional TARIC code	Extra, A ⁽¹⁾
Herring of the species <i>Clupea harengus</i> ex 0302 40 00	1		—	F011	130
	2		—	F012	199
	3		—	F013	188
	4a		—	F016	119
	4b		—	F017	119
	4c		—	F018	249
	5		—	F015	222
	6		—	F019	111
	7a		—	F025	111
	7b		—	F026	100
	8		—	F027	83
Redfish (<i>Sebastes</i> spp.) ex 0302 69 31 and ex 0302 69 33	1		—	F067	953
	2		—	F068	953
	3		—	F069	800
Cod of the species <i>Gadus morhua</i> ex 0302 50 10	1	F073	1 186	F083	856
	2	F074	1 186	F084	856
	3	F075	1 120	F085	659
	4	F076	889	F086	494
	5	F077	626	F087	362
		Boiled in water		Fresh or refrigerated	
		Additional TARIC code	Extra, A ⁽¹⁾	Additional TARIC code	Extra, A ⁽¹⁾
Deepwater prawns (<i>Pandalus borealis</i>) ex 0306 23 10	1	F317	5 010	F321	1 092
	2	F318	1 757	—	—

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

⁽¹⁾ The additional code to be mentioned for all categories other than those explicitly referred to in points 1 and 2 of the Annex is 'F499: Other'.

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

Product	Additional TARIC code	Presentation	Reference price (EUR/tonne)
1. Redfish (<i>Sebastes spp.</i>)			
ex 0303 79 35 ex 0303 79 37	F411	Whole: — with or without head	960
{ ex 0304 29 35 ex 0304 29 39	F412	Fillets: — with bones ('standard')	1 953
	F413	— without bones	2 159
	F414	— blocks in immediate packing weighing not more than 4 kg	2 285
2. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i>			
ex 0303 52 10, ex 0303 52 30, ex 0303 52 90, ex 0303 79 41	F416	Whole, with or without head	1 084
{ ex 0304 29 29	F417	Fillets: — interleaved or in industrial blocks, with bones (standard)	2 452
	F418	— interleaved or in industrial blocks, without bones	2 717
	F419	— individual or fully interleaved fillets, with skin	2 550
	F420	— individual or fully interleaved fillets, without skin	2 943
	F421	— blocks in immediate packing weighing not more than 4 kg	2 903
ex 0304 99 33	F422	Pieces and other meat, except minced blocks	1 463
3. Coalfish (<i>Pollachius virens</i>)			
{ ex 0304 29 31	F424	Fillets: — interleaved or in industrial blocks, with bones (standard)	1 518
	F425	— interleaved or in industrial blocks, without bones	1 705
	F426	— individual or fully interleaved fillets, with skin	1 476
	F427	— individual or fully interleaved fillets, without skin	1 680
	F428	— blocks in immediate packing weighing not more than 4 kg	1 768
ex 0304 99 41	F429	Pieces and other meat, except minced blocks	986

Product	Additional TARIC code	Presentation	Reference price (EUR/tonne)
4. Haddock (<i>Melanogrammus aeglefinus</i>)		Fillets:	
ex 0304 29 33	F431	— interleaved or in industrial blocks, with bones (standard)	2 264
	F432	— interleaved or in industrial blocks, without bones	2 606
	F433	— individual or fully interleaved fillets, without skin	2 537
	F434	— individual or fully interleaved fillets, without skin	2 710
	F435	— blocks in immediate packing weighing not more than 4 kg	2 960
5. Alaska pollack (<i>Theragra chalcogramma</i>)		Fillets:	
ex 0304 29 85	F441	— interleaved or in industrial blocks, with bones (standard)	1 147
	F442	— interleaved or in industrial blocks, without bones	1 324
6. Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		Herring flaps	
ex 0304 19 97	F450	— exceeding 80 g. a piece	510
ex 0304 99 23	F450	— exceeding 80 g. a piece	464

COMMISSION REGULATION (EC) No 1573/2007**of 21 December 2007****fixing the amount of the carry-over aid and the flat-rate aid for certain fishery products for the 2008 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas:

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

products withdrawn from the market so that their destruction can be avoided.

- (3) The aid level should not be such as to disturb the balance of the market for the products in question or distort competition.
- (4) The aid level should not exceed the technical and financial costs associated with the operations essential to stabilising and storage recorded in the Community during the fishing year proceeding the year in question.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2008 fishing year, the amounts of the carry-over aid referred to in Article 23 of Regulation (EC) No 104/2000, and the amounts of the flat-rate aid referred to in Article 24(4) of that Regulation, are set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 17, 21.1.2000, p. 22. Regulation as amended by Regulation (EC) No 1759/2006 (OJ L 335, 1.12.2006, p. 3).

⁽²⁾ OJ L 326, 22.12.2000, p. 34.

⁽³⁾ OJ L 132, 15.5.2001, p. 10.

ANNEX

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

Processing methods listed in Article 23 of Regulation (EC) No 104/2000	Aid (EUR/tonne)
1	2
I. Freezing and storage of whole products, gutted and with head, or cut-up products — Sardines of the species <i>Sardina pilchardus</i> — Other species	345 280
II. Filleting, freezing and storage	375
III. Salting and/or drying and storage of whole products, gutted and with head, or cut-up or filleted products	270
IV. Marinating and storage	250

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

Processing and/or preservation methods listed in Article 23 of Regulation (EC) No 104/2000	Products	Aid (EUR/tonne)
1	2	3
I. Freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>) Norway lobster tails (<i>Nephrops norvegicus</i>)	310 235
II. Removing the head, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	285
III. Cooking, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>) Edible crabs (<i>Cancer pagurus</i>)	310 235
IV. Pasteurisation and storage	Edible crabs (<i>Cancer pagurus</i>)	375
V. Live storage in fixed tanks or cages	Edible crabs (<i>Cancer pagurus</i>)	210

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

Processing methods	Aid (EUR/tonne)
I. Freezing and storage of whole products, gutted and with head, or cut-up products	280
II. Filleting, freezing and storage	375

COMMISSION REGULATION (EC) No 1574/2007**of 21 December 2007****fixing the amount of private storage aid for certain fishery products in the 2008 fishing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 2008 fishing year the amount of private storage aid, referred to in Article 25 of Regulation (EC) No 104/2000, for the products listed in Annex II to that Regulation shall be as follows:

— first month: EUR 210 per tonne,

— second month: EUR 0 per tonne.

Article 2

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

It shall apply from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 17, 21.1.2000, p. 22. Regulation as amended by Regulation (EC) No 1759/2006 (OJ L 335, 1.12.2006, p. 3).

⁽²⁾ OJ L 326, 22.12.2000, p. 30.

COMMISSION REGULATION (EC) No 1575/2007

of 21 December 2007

fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 2008 fishing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 2008 fishing year, the standard values to be used in calculating financial compensation and associated advances for fishery products withdrawn from the market by producer organisations and intended for purposes other than human consumption, as referred to in Article 21(5) of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

Article 2

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

Article 3

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

⁽¹⁾ OJ L 17, 21.1.2000, p. 22. Regulation as amended by Regulation (EC) No 1759/2006 (OJ L 335, 1.12.2006, p. 3).

⁽²⁾ OJ L 337, 20.12.2001, p. 20.

⁽³⁾ OJ L 289, 16.11.2000, p. 11.

It shall apply from 1 January 2008.

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

Done at Brussels, 21 December 2007.

For the Commission
Joe BORG
Member of the Commission

ANNEX

Standard values

Use of products withdrawn from the market	EUR/tonne
1. Use following processing into meal (animal feed):	
(a) Herring of the species <i>Clupea harengus</i> and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :	
— Denmark and Sweden	55
— United Kingdom	50
— other Member States	17
— France	2
(b) Shrimps of the species <i>Crangon crangon</i> and deep-water prawns (<i>Pandalus borealis</i>):	
— Denmark and Sweden	0
— other Member States	10
(c) Other products:	
— Denmark	40
— Sweden, Portugal and Ireland	20
— United Kingdom	28
— other Member States	1
2. Use fresh or preserved (animal feed)	
(a) Sardines of the species <i>Sardina pilchardus</i> and anchovies (<i>Engraulis</i> spp.):	
— all Member States	8
(b) Other products:	
— Sweden	0
— France	50
— other Member States	30
3. Use as bait	
— France	60
— other Member States	20
4. Use for purposes other than animal feed	0

COMMISSION REGULATION (EC) No 1576/2007

of 21 December 2007

amending Regulation (EC) No 92/2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and the Council as regards means of disposal or uses of animal by-products

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽¹⁾, and in particular Article 4(2)(e), Article 5(2)(g) and Article 6(2)(i) thereof,

Whereas:

(1) Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats ⁽²⁾ lays down implementing rules for certain alternative methods of disposal or use of animal by-products (alternative methods).

(2) In particular, Article 4 of Regulation (EC) No 92/2005 requires the marking of certain material arising from the use of alternative methods and determines the permitted end uses of such material. Regulation (EC) No 1774/2002, as amended by Commission Regulation (EC) No 1432/2007 ⁽³⁾, lays down harmonised rules for the marking of animal by-products which contribute to their proper identification and improve their traceability of animal by-products. The reference to Annex VI of Regulation (EC) No 1774/2002 in Article 4(1) of Regulation (EC) No 92/2005 should be amended accordingly.

(3) On the basis of the opinion of the Scientific Panel on biological hazards of the European Food Safety Authority on the 'Biodiesel Process as a method for safe disposal of Category 1 animal by-products (ABP)' adopted on 2 June 2004 ⁽⁴⁾, it is appropriate to permit additional end uses

of Category 1, Category 2 and Category 3 materials, in accordance with the general principles laid down in Regulation (EC) No 1774/2002. The combustion of biodiesel produced in accordance with Annex IV of Regulation (EC) No 92/2005 in stationary or mobile engines should also be permitted.

(4) In particular, the landfill of material arising from the processing of Category 1 material on sites for which a permit has been issued in accordance with Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste ⁽⁵⁾ should now be permitted.

(5) Article 5 of Regulation (EC) No 92/2005 lays down certain special surveillance measures to be carried out in the first two years of implementation of certain alternative methods within a particular Member State. The requirements related to these surveillance measures should take into account experience with the practical application of a process developed in another Member State and should be adjusted to the objective to ensure a high level of protection of public and animal health. The designation and supervision of a pilot plant for the first use of an alternative method in each Member State concerned should therefore be subject to simplified conditions.

(6) The tests which have to be carried out during the initial stage of implementation of an alternative method should be based on the tests which were carried out for the assessment of the particular alternative method by the appropriate scientific body.

(7) The results of the additional surveillance in a particular Member State should be made available to other Member States for the evaluation of new applications for the use of one of the alternative methods concerned on their respective territories. Information should be provided to the contact points for alternative methods which are indicated on the list which is published electronically by the Commission.

(8) Regulation (EC) No 92/2005 should therefore be amended accordingly.

⁽¹⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 829/2007 (OJ L 191, 21.7.2007, p. 1).

⁽²⁾ OJ L 19, 21.1.2005, p. 27. Regulation as last amended by Regulation (EC) No 1678/2006 (OJ L 314, 15.11.2006, p. 4).

⁽³⁾ OJ L 320, 6.12.2007, p. 13.

⁽⁴⁾ Question No EFSA-Q-2004-028.

⁽⁵⁾ OJ L 182, 16.7.1999, 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).

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

- (d) in the case of materials other than biodiesel resulting from the biodiesel production process as defined in Annex IV, used for the production of technical products; or

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 92/2005 is amended as follows:

1. In Article 4, paragraphs 1, 2 and 3 are replaced by the following:

‘1. Materials resulting from the processing of Category 1 and 2 materials, except biodiesel produced in accordance with Annex IV, shall be permanently marked in accordance with points 10 to 13 of Chapter I of Annex VI to Regulation (EC) No 1774/2002.

2. Materials resulting from the treatment of Category 1 material shall be disposed of by at least one of the following methods:

- (a) incineration or co-incineration in accordance with the provisions of Directive 2000/76/EC;
- (b) burial in a landfill for which a permit has been issued in accordance with Council Directive 1999/31/EC;
- (c) further transformation in a biogas plant and disposal of the digestion residues as provided for in points (a) or (b); or
- (d) in the case of biodiesel produced in accordance with Annex IV, combustion as a fuel.

3. Materials resulting from the treatment of Category 2 or 3 materials shall be:

- (a) disposed of as provided for in paragraph 2 (a) or (b);
- (b) further processed into fat derivatives for the uses referred to in Article 5(2)(b)(ii) of Regulation (EC) No 1774/2002, without the prior use of processing methods 1 to 5;
- (c) used, transformed or disposed of directly as provided for in Article 5(2)(c)(i), (ii) and (iii) of Regulation (EC) No 1774/2002, without the prior use of processing method 1;

2. Article 5 is replaced by the following:

‘Article 5

Additional surveillance on initial implementation

1. The following provisions shall apply for the first two years of implementation of the following processes for the treatment of Category 1 material:

- (a) alkaline hydrolysis as defined in Annex I;
- (b) high pressure hydrolysis biogas as defined in Annex III;
- (c) biodiesel production process as defined in Annex IV.

2. The operator or supplier of the process shall designate a plant in at least one Member State where, at least annually, tests shall be undertaken to reconfirm the efficacy of the process with regard to animal and public health.

3. The competent authority of the Member State referred to in paragraph 2 shall ensure that:

- (a) suitable tests are applied in the plant to the materials derived from the treatment steps, such as the liquid and solid residues, and any gas generated during the process;
- (b) the official control of the plant includes a monthly inspection of the plant and a verification of the processing parameters and conditions applied; and
- (c) the results of the official controls which have been carried out are made available to other Member States.’

Article 2

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

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

Done at Brussels, 21 December 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 6 December 2007

amending Part 1 of the Schengen consultation network (technical specifications)

(2007/866/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications ⁽¹⁾, and in particular Article 1(2) thereof,

Having regard to the initiative by the Republic of Portugal,

Whereas:

- (1) The Vision network has been established to allow consultation between the central authorities of the partner States for visa applications made by nationals from sensitive countries.
- (2) Formerly, the Vision network operated using the X400 communication system. In order to remain in line with modern techniques for electronic mail transfer, the mail transport protocol of the Vision network had to be migrated from the X400 to the SMTP system.
- (3) In order to allow for the participation in the system of the nine Member States which became Members of the EU in 2004 and which are due to apply the provisions of

the Schengen *acquis* in full from 21 December 2007, the Member States that joined the EU before 2004 migrated on 15 October 2007 from the X400 to the SMTP mail protocol. This protocol has a particular configuration that now needs to be specified.

- (4) It is necessary to update the technical specifications of the Schengen Consultation Network to ensure that they reflect these changes.
- (5) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application. As this Decision builds upon the Schengen *acquis* under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark is to decide, in accordance with Article 5 of that Protocol, within a period of six months after the Council has adopted this Decision, whether it will implement the Decision in its national law.
- (6) As regards Iceland and Norway, this Decision constitutes a development of provisions of the Schengen *acquis*, within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ⁽²⁾, which fall within the area referred to in Article 1(A) of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement ⁽³⁾.

⁽¹⁾ OJ L 116, 26.4.2001, p. 2.

⁽²⁾ OJ L 176, 10.7.1999, p. 36.

⁽³⁾ OJ L 176, 10.7.1999, p. 31.

(7) As regards Switzerland, this Decision constitutes a development of provisions of the Schengen *acquis*, within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, which fall within the area referred to in Article 1(A) of Decision 1999/437/EC in conjunction with Article 4(1) of the Council Decisions of 25 October 2004 on the signing, on behalf of the European Union and the European Community respectively, and on the provisional application of certain provisions of that Agreement.

(8) This Decision constitutes a development of provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽¹⁾; the United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.

(9) This Decision constitutes a development of provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽²⁾; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.

(10) This Decision constitutes an act building upon the Schengen *acquis* or otherwise related to it, within the meaning of Article 3(2) and Article 4(2) of the 2003 and 2005 Acts of Accession respectively,

HAS ADOPTED THIS DECISION:

Article 1

In Part 1, point 1.1., of the Schengen Consultation Network (Technical Specifications), a new point 1.1.4. is hereby inserted, as shown in the Annex.

Article 2

This Decision shall apply from 21 December 2007.

Article 3

This Decision is addressed to the Member States in accordance with the Treaty establishing the European Community.

Done at Brussels, 6 December 2007.

For the Council

The President

A. COSTA

⁽¹⁾ OJ L 131, 1.6.2000, p. 43.

⁽²⁾ OJ L 64, 7.3.2002, p. 20.

ANNEX

The following text is inserted in Part 1, point 1.1. — General characteristics of the communication system of the Schengen Consultation Network (Technical Specifications):

‘1.1.4. OPERATIONAL MAILBOX CONFIGURATION REQUIREMENTS

Each Schengen State must configure its VISION OPERATIONAL MAIL SYSTEM according to:

— NETWORK ENVIRONMENT

— DNS/HOST FILE: Since there is no common Domain Name Service, it is necessary to add records concerning every remote SMTP server

— Firewall: Open incoming and outgoing packets on port 25.

— MIME CONTENT

The mail server encoding for messages will be configured to these values:

— Content-Type: text/plain RFC 2046

— Charset: iso-8859-15 (Western Europe)

— Content-Transfer-Encoding: quoted-printable.

— The SMTP domain used is visionmail.eu, where every Schengen State has its own third-level domain “xx”. This means that each Schengen State must configure its own mail server in order to manage the xx.visionmail.eu SMTP subdomain name (xx is the two-character Schengen State code).

— The recipient mailbox address will be in the format: operxx@xx.visionmail.eu

For Schengen States with a second mailbox (for sending), the sending mailbox address will be in the format:

operxx-out@xx.visionmail.eu (Note: this is an optional address).’

COUNCIL DECISION

of 20 December 2007

on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and New Zealand pursuant to Article XXVIII of the GATT 1994 relating to the modification of the WTO tariff quota for New Zealand butter provided for in EC Schedule CXL annexed to the GATT 1994

(2007/867/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof, in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 14 May 2007, the Council authorised the Commission to open negotiations under Article XXVIII of the GATT 1994 with a view to modifying the WTO tariff quota for New Zealand butter. Accordingly, the European Community notified the WTO on 3 August 2007 of its intention to modify the WTO tariff quota for New Zealand butter in EC Schedule CXL.
- (2) Negotiations have been conducted by the Commission in consultation with the Committee established by Article 133 of the Treaty and within the framework of the negotiating directives issued by the Council.
- (3) The Commission has successfully negotiated an agreement with New Zealand. The Agreement in the form of an Exchange of Letters between the European Community and New Zealand should therefore be approved,

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and New Zealand pursuant to Article XXVIII of the GATT 1994 relating to the modification of the WTO tariff quota for New Zealand butter provided for in EC Schedule CXL annexed to the GATT 1994 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Community.

Article 3

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

Done at Brussels, 20 December 2007.

For the Council
The President

F. NUNES CORREIA

AGREEMENT

in the form of an exchange of letters between the European Community and New Zealand pursuant to Article XXVIII of the GATT 1994 relating to the modification of the WTO tariff quota for New Zealand butter provided for in EC Schedule CXL annexed to the GATT 1994

A. *Letter from the European Community*

Brussels,

Sir,

Following negotiations between the European Community (EC) and New Zealand under Article XXVIII of the GATT 1994 for the modification of the WTO tariff quota for New Zealand butter provided for in EC Schedule CXL annexed to the General Agreement on Tariffs and Trade 1994 (GATT 1994), the EC agrees to the conclusions as outlined below.

Final provisions for the WTO tariff quota for New Zealand butter

The tariff quota shall apply to butter of New Zealand origin for the following tariff items:

CN code	Description
ex 0405 10 11 ex 0405 10 19	Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 % manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process
ex 0405 10 30	Butter, at least six weeks old, of a fat content by weight of not less than 80 % but less than 85 %, manufactured directly from milk or cream without the use of stored materials, in a single, self-contained and uninterrupted process which may involve the cream passing through a stage where the butterfat is concentrated and/or fractionated (the processes referred to as 'Ammix' and 'Spreadable')

The in-quota tariff rate shall be EUR 70/100 kg.

The quota quantity shall be 74 693 tonnes.

Qualification for the quota is subject to conditions laid down in the relevant Community provisions.

General

The provisions of this Agreement shall apply from 1 January 2008.

I would be grateful if you could confirm the agreement of your Government to the above.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the European Community

B. *Letter from New Zealand*

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date, worded as follows:

'Following negotiations between the European Community (EC) and New Zealand under Article XXVIII of the GATT 1994 for the modification of the WTO tariff quota for New Zealand butter provided for in EC Schedule CXL annexed to the General Agreement on Tariffs and Trade 1994 (GATT 1994), the EC agrees to the conclusions as outlined below.

Final provisions for the WTO tariff quota for New Zealand butter

The tariff quota shall apply to butter of New Zealand origin for the following tariff items:

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The in-quota tariff rate shall be EUR 70/100 kg.

The quota quantity shall be 74 693 tonnes.

Qualification for the quota is subject to conditions laid down in the relevant Community provisions.

General

The provisions of this Agreement shall apply from 1 January 2008.

I would be grateful if you could confirm the agreement of your Government to the above.'

New Zealand has the honour of confirming its agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of New Zealand

Съставено в Брюксел
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
Done at Brussels
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Briselë,
Priimta Briuselyje.
Kelt Brüsselben,
Magħmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Întocmit la Bruxelles
Feito em Bruxelas
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfördat i Bryssel den

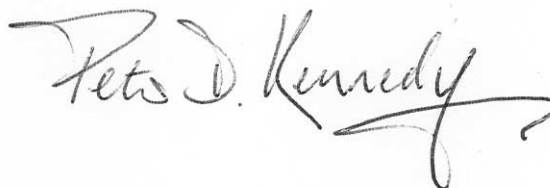
20 -12- 2007

От името на Европейската общност
Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
az Európai Közösség részéről
Ghall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
În numele Comunitatii Europene
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapen

Съставено в Брюксел
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
Done at Brussels
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Briselē,
Priimta Briuselyje.
Kelt Brüsszelben,
Maghmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Întocmit la Bruxelles
Feito em Bruxelas
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfördat i Bryssel den

20 -12- 2007

For New Zealand
От името на Нова Зеландия
Por Nueva Zelanda
Za Nový Zéland
For New Zealand
Für Neuseeland
Uus-Meremaa nimel
Για τη Νέα Ζηλανδία
Pour la Nouvelle-Zélande
Per la Nuova Zelanda
Jaunzēlandes vārdā
Naujosios Zelandijos vardu
Új-Zéland részéről
Ghan-New Zealand
Voor Nieuw-Zeeland
W imieniu Nowej Zelandii
Pela Nova Zelândia
În numele Noii Zeelande
Za Nový Zéland
Za Novo Zelandijo
Uuden-Seelannin puolesta
För Nya Zeeland



COUNCIL DECISION

of 20 December 2007

implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2007/445/EC

(2007/868/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) On 28 June 2007, the Council adopted Decision 2007/445/EC implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽²⁾, and establishing an updated list of persons and entities to which that Regulation applies.
- (2) The Council has provided all the persons, groups and entities for which this was practically possible with statements of reasons explaining the reasons why they have been listed in Decision 2007/445/EC.
- (3) By way of a notice published in the *Official Journal of the European Union* on 29 June 2007 ⁽³⁾, the Council informed the persons, groups and entities listed in Decision 2007/445/EC that it had decided to maintain them on the list. The Council also informed the persons, groups and entities concerned that it was possible to request the Council's statement of reasons for including them on the list (where this had not already been communicated to them).
- (4) The Council has carried out a complete review of the list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies, as required by Article 2(3) of that Regulation. In this regard, it has taken account of observations submitted to the Council by those concerned.
- (5) Following this review, the Council has concluded that the persons, groups and entities listed in the Annex to this Decision have been involved in terrorist acts within the

meaning of Article 1(2) and (3) of Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism ⁽⁴⁾, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for in Regulation (EC) No 2580/2001.

- (6) The list of the persons, groups and entities to which Regulation (EC) No 2580/2001 applies should be updated accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The list provided for in Article 2(3) of Regulation (EC) No 2580/2001 shall be replaced by the list contained in the Annex hereto.

Article 2

Decision 2007/445/EC is hereby repealed.

Article 3

This Decision shall take effect on the day of its publication.

Article 4

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

Done at Brussels, 20 December 2007.

For the Council
The President

F. NUNES CORREIA

⁽¹⁾ OJ L 344, 28.12.2001, p. 70. Regulation as last amended by Decision 2007/445/EC (OJ L 169, 29.6.2007, p. 58).

⁽²⁾ OJ L 169, 29.6.2007, p. 58.

⁽³⁾ OJ C 144, 29.6.2007, p. 1.

⁽⁴⁾ OJ L 344, 28.12.2001, p. 93.

ANNEX

List of persons, groups and entities referred to in Article 1**1. PERSONS**

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fella Ahmed, a.k.a. Dafri Rème Lahdi), born 1.2.1966 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), – member of ‘al-Takfir’ and ‘al-Hijra’
3. AKHNIKH, Ismail (a.k.a. SUHAIB, a.k.a. SOHAIB), born 22.10.1982 in Amsterdam (The Netherlands), passport (The Netherlands) No. NB0322935, –member of the ‘Hofstadgroep’
4. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN, a.k.a. AL-MUGHASSIL, Ahmed Ibrahim), born 26.6.1967 in Qatif-Bab al Shamal (Saudi Arabia), citizen of Saudi Arabia
5. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
6. AL YACIOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
7. AOURAGHE, Zine Labidine (a.k.a. Halifi Laarbi MOHAMED, a.k.a. Abed, a.k.a. Abid, a.k.a. Abu ISMAIL), born 18.7.1978 in Nador (Morocco), passport (Spain) No. ESPP278036 – member of the ‘Hofstadgroep’
8. ARIOUA, Azzedine, born 20.11.1960 in Costantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
9. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Costantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
10. ASLI, Mohamed (a.k.a. Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
11. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
12. ATWA, Ali (a.k.a. BOUSLIM, Ammar Mansour, a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
13. BOUGHABA, Mohamed Fahmi (a.k.a. Mohammed Fahmi BOURABA, a.k.a. Mohammed Fahmi BURADA, a.k.a. Abu MOSAB), born 6.12.1981 in Al Hoceima (Morocco) – member of the ‘Hofstadgroep’
14. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the ‘Hofstadgroep’
15. DARIB, Nouredine (a.k.a. Carreto, a.k.a. Zitoun Mourad), born 1.2.1972 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
16. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
17. EL FATMI, Nouredine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Nouredine EL FATMI, a.k.a. Abu AL KA'E KA'E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 – member of the ‘Hofstadgroep’
18. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali, a.k.a. EL-HOURI, Ali Saed Bin Ali), born 10.7.1965 or 11.7.1965 in El Dibabiya (Saudi Arabia), citizen of Saudi Arabia

19. EL MORABIT, Mohamed, born 24.1.1981 in Al Hoceima (Morocco), passport (Morocco) No. K789742 – member of the ‘Hofstadgroep’
20. ETTOUMI, Youssef (a.k.a. Youssef TOUMI), born 20.10.1977 in Amsterdam (The Netherlands), ID-card (The Netherlands) No. LNB4576246 – member of the ‘Hofstadgroep’
21. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
22. HAMDY, Ahmed (a.k.a. Abu IBRAHIM), born 5.9.1978 in Beni Said (Morocco), passport (Morocco) No. K728658 – member of the ‘Hofstadgroep’
23. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
24. LASSASSI, Saber (a.k.a. Mimiche), born 30.11.1970 in Constantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
25. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
26. MOKTARI, Fateh (a.k.a. Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
27. MUGHNIYAH, Imad Fa’iz (a.k.a. MUGHNIYAH, Imad Fayiz), born 7.12.1962 in Tayr Dibba (Lebanon), passport (Lebanon) No 432298 – Senior Intelligence Officer of ‘HIZBALLAH’
28. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
29. RESSOUS, Hoari (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
30. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
31. SELMANI, Abdelghani (a.k.a. Gano), born 14.6.1974 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
32. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
33. SISON, Jose Maria (a.k.a. Armando Liwanag, a.k.a. Joma), born 8.2.1939 in Cabugao (Philippines) – person in charge of the ‘Communist Party of the Philippines’, including ‘NPA’
34. TINGUALI, Mohammed (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
35. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No. NE8146378 – member of the ‘Hofstadgroep’

2. GROUPS AND ENTITIES

1. ‘Abu Nidal Organisation’ – ‘ANO’ (a.k.a. ‘Fatah Revolutionary Council’, a.k.a. ‘Arab Revolutionary Brigades’, a.k.a. ‘Black September’, a.k.a. ‘Revolutionary Organisation of Socialist Muslims’)
2. ‘Al-Aqsa Martyrs’ Brigade’
3. ‘Al-Aqsa e.V.’
4. ‘Al-Takfir’ and ‘Al-Hijra’
5. ‘Aum Shinrikyo’ (a.k.a. ‘AUM’, a.k.a. ‘Aum Supreme Truth’, a.k.a. ‘Aleph’)

6. 'Babbar Khalsa'
 7. 'Communist Party of the Philippines', including 'New Peoples Army' – 'NPA', Philippines, linked to Sison Jose Maria (a.k.a. Armando Liwanag, a.k.a. Joma, the person in charge of the 'Communist Party of the Philippines', including 'NPA')
 8. 'Gama'a al-Islamiyya' (a.k.a. 'Al-Gama'a al-Islamiyya') ('Islamic Group' – 'IG')
 9. 'İslami Büyük Doğu Akıncılar Cephesi' – 'İBDA-C' ('Great Islamic Eastern Warriors Front')
 10. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
 11. 'Hizbul Mujahideen' – 'HM'
 12. 'Hofstadgroep'
 13. 'Holy Land Foundation for Relief and Development'
 14. 'International Sikh Youth Federation' – 'ISYF'
 15. 'Kahane Chai' (a.k.a. 'Kach')
 16. 'Khalistan Zindabad Force' – 'KZF'
 17. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 18. 'Liberation Tigers of Tamil Eelam' – 'LTTE'
 19. 'Mujahedin-e Khalq Organisation' – 'MEK' or 'MKO', excluding the 'National Council of Resistance of Iran' – 'NCRI' (a.k.a. 'The National Liberation Army of Iran' – 'NLA' (the militant wing of the 'MEK'), a.k.a. the 'People's Mujahidin of Iran' – 'PMOI', a.k.a. 'Muslim Iranian Student's Society')
 20. 'Ejército de Liberación Nacional' ('National Liberation Army')
 21. 'Palestine Liberation Front' – 'PLF'
 22. 'Palestinian Islamic Jihad' – 'PIJ'
 23. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 24. 'Popular Front for the Liberation of Palestine – General Command' (a.k.a. 'PFLP – General Command')
 25. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 26. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol' ('Revolutionary People's Liberation Army/Front/Party'))
 27. 'Sendero Luminoso' – 'SL' ('Shining Path')
 28. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 29. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
 30. 'Autodefensas Unidas de Colombia' – 'AUC' ('United Self-Defense Forces/Group of Colombia')
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COMMISSION

COMMISSION DECISION

21 December 2007

amending Decision 2005/692/EC concerning certain protection measures in relation to avian influenza in several third countries

(notified under document number C(2007) 6693)

(Text with EEA relevance)

(2007/869/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(6) thereof,

Whereas:

- (1) Following the outbreak of avian influenza, caused by a highly pathogenic H5N1 virus strain, in south-eastern Asia starting in December 2003, the Commission adopted several protection measures in relation to avian influenza. Those measures include in particular Commission Decision 2005/692/EC of 6 October 2005 concerning certain protection measures in relation to avian influenza in several third countries ⁽³⁾.
- (2) Decision 2005/692/EC applies until 31 December 2007. However, as outbreaks of the Asian lineage of the avian influenza virus continue to be detected in south-east Asia and China, it is appropriate to extend the period of application of that Decision until 31 December 2008.

(3) Decision 2005/692/EC should therefore be amended accordingly.

(4) 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

In Article 7 of Decision 2005/692/EC, the date '31 December 2007' is replaced by '31 December 2008'.

Article 2

The Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 December 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 56. Directive as last amended by Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

⁽²⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Directive 2006/104/EC.

⁽³⁾ OJ L 263, 8.10.2005, p. 20. Decision as last amended by Decision 2007/99/EC (OJ L 43, 15.2.2007, p. 35).

COMMISSION DECISION

of 21 December 2007

approving the plans for 2008 for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs and of pigs in holdings against that disease in Romania*(notified under document number C(2007) 6699)***(Only the Romanian text is authentic)**

(2007/870/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 42 thereof,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽¹⁾, and in particular the second subparagraph of Article 16(1), the second subparagraph of Article 19(3) and the fourth subparagraph of Article 20(2) thereof,

Whereas:

- (1) Directive 2001/89/EC introduces minimum Community measures for the control of classical swine fever. Those measures include the provision that Member States are to submit to the Commission, following the confirmation of a primary case of classical swine fever in feral pigs, a plan of the measures to eradicate that disease. Those measures also provide for the emergency vaccination of feral pigs and pigs in pig holdings.
- (2) Romania has put in place a programme to survey and control classical swine fever in the whole territory of that Member State. That programme is still ongoing.
- (3) Commission Decision 2006/802/EC of 23 November 2006 approving the plans for the eradication of classical swine fever in feral pigs and the emergency

vaccination of those pigs and of pigs in holdings against that disease in Romania ⁽²⁾ was adopted as one of a number of measures to combat classical swine fever. Decision 2006/802/EC applies until 31 December 2007.

- (4) Classical swine fever is present in feral pigs and pigs in pig holdings in Romania.
- (5) Romania submitted to the Commission for approval on 29 November 2007 an amended plan for 2008 for the eradication of classical swine fever in feral pigs and a plan for 2008 for the emergency vaccination of feral pigs against classical swine fever in the whole territory of Romania.
- (6) In addition, Romania also submitted to the Commission on 29 November 2007 an amended plan for 2008 for the emergency vaccination for the vaccination of pigs in large pig holdings with a marker vaccine and an emergency vaccination plan for the vaccination of pigs in smaller pig holdings with a live attenuated conventional vaccine.
- (7) Those plans submitted by Romania have been examined by the Commission and found to comply with Directive 2001/89/EC. Accordingly, they should be approved.
- (8) In the interests of animal health, Romania must ensure the effective implementation of the measures set out in those plans.
- (9) Commission Decision 2006/779/EC of 14 November 2006 concerning transitional animal health control measures relating to classical swine fever in Romania ⁽³⁾ was adopted due to the endemic presence of classical swine fever in the territory of Romania.

⁽¹⁾ OJ L 316, 1.12.2001, p. 5. Directive as last amended by Commission Decision 2007/729/EC (OJ L 294, 13.11.2007, p. 26).

⁽²⁾ OJ L 329, 25.11.2006, p. 34. Decision as last amended by Decision 2007/625/EC (OJ L 253, 28.9.2007, p. 44).

⁽³⁾ OJ L 314, 15.11.2006, p. 48. Decision as amended by Decision 2007/630/EC (OJ L 255, 29.9.2007, p. 44).

(10) The measures laid down in Decision 2006/779/EC prohibit, *inter alia*, the dispatch of pigmeat, pigmeat products and preparations containing pigmeat from Romania to the other Member States. For that purpose, that meat and those products must be marked with special marks. Accordingly, it is appropriate that the fresh meat of pigs vaccinated during the emergency vaccination in accordance with the present Decision is marked with the same mark and that provisions are laid down for placing such meat on the market.

(11) The measures provided for in this Decision should be approved as transitional measures applicable until 31 December 2008.

(12) 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

Plan for the eradication of classical swine fever in the feral pigs

The plan submitted by Romania to the Commission on 29 November 2007 for the eradication of classical swine fever in feral pigs, in the area as set out in point 1 of the Annex, is approved.

Article 2

Plan for the emergency vaccination against classical swine fever of feral pigs

The plan submitted by Romania to the Commission on 29 November 2007 for the emergency vaccination against classical swine fever of feral pigs, in the area as set out in point 2 of the Annex, is approved.

Article 3

Plan for the emergency vaccination against classical swine fever of pigs in pig holdings with a marker vaccine

The plan submitted by Romania to the Commission on 29 November 2007 for the emergency vaccination against classical swine fever of pigs in pig holdings with a marker vaccine, in the area as set out in point 3 of the Annex, is approved.

Article 4

Plan for the emergency vaccination against classical swine fever of pigs in pig holdings with a live attenuated conventional vaccine

The plan submitted by Romania to the Commission on 29 November 2007 for the emergency vaccination against classical swine fever of pigs in pig holdings with a live attenuated conventional vaccine, in the area as set out in point 4 of the Annex, is approved.

Article 5

Obligations by Romania concerning pigmeat

Romania shall ensure that the pigmeat obtained from pigs:

- (a) which are vaccinated with a marker vaccine in accordance with Article 3 of this Decision is limited to the national market and shall not be dispatched to the other Member States;
- (b) which are vaccinated in accordance with Articles 3 and 4 of this Decision is marked with a special health or identification mark which cannot be confused with the Community stamp as referred to in Article 4 of Decision 2006/779/EC;
- (c) which are vaccinated with a live attenuated conventional vaccine in accordance with Article 4 of this Decision is limited for the private domestic consumption and shall not be dispatched to the other Member States.

Article 6

Information obligations on Romania

Romania shall ensure that the Commission and the Member States are provided on a monthly basis with a report concerning the implementation of the plans for the emergency vaccination of pigs, as provided for in Articles 3 and 4, containing at least the following information for each county:

- (a) the total number of holdings and the total number of pigs present per category as laid down in the eradication programme;
- (b) per category of holdings, the monthly and cumulative number of holdings and pigs where emergency vaccination has been implemented;
- (c) the monthly and cumulative number of doses of different vaccine that have been used;

- (d) the monthly and cumulative number of surveillance tests carried out and the results of such tests.

Article 7

Compliance measures by Romania

Romania shall take the necessary measures to comply with this Decision and publish those measures. It shall immediately inform the Commission thereof.

Article 8

Applicability

This Decision shall apply from 1 January 2008 until 31 December 2008.

Article 9

Addressee

This Decision is addressed to Romania.

Done at Brussels, 21 December 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX

1. Areas where the plan for the eradication of classical swine fever in feral pigs is to be implemented:

The whole territory of Romania.

2. Areas where the plan for the emergency vaccination against classical swine fever of feral pigs is to be implemented:

The whole territory of Romania.

3. Areas where the plan for the emergency vaccination against classical swine fever with marker vaccine of pigs in pig holdings is to be implemented:

The whole territory of Romania.

4. Areas where the plan for emergency vaccination against classical swine fever with a live attenuated conventional vaccine of pigs in pig holdings is to be implemented:

The whole territory of Romania.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL COMMON POSITION 2007/871/CFSP

of 20 December 2007

updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2007/448/CFSP

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 15 and 34 thereof,

Whereas:

- (1) On 27 December 2001, the Council adopted Common Position 2001/931/CFSP on the application of specific measures to combat terrorism ⁽¹⁾.
- (2) On 28 June 2007, the Council adopted Common Position 2007/448/CFSP updating Common Position 2001/931/CFSP ⁽²⁾.
- (3) The Council has carried out a complete review of the list of persons, groups and entities to which Common Position 2007/448/CFSP applies, in accordance with Article 1(6) of Common Position 2001/931/CFSP.
- (4) Following this review, the Council has concluded that the persons, groups and entities listed in the Annex to this Common Position have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Council Common Position 2001/931/CFSP, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that Common Position, and that they should continue to be subject to the specific restrictive measures provided for therein.
- (5) The list of the persons, groups and entities to which Common Position 2001/931/CFSP applies should be updated accordingly,

HAS ADOPTED THIS COMMON POSITION:

Article 1

The list of persons, groups and entities to which Common Position 2001/931/CFSP applies is contained in the Annex hereto.

Article 2

Common Position 2007/448/CFSP is hereby repealed.

Article 3

This Common Position shall take effect on the date of its adoption.

Article 4

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

Done at Brussels, 20 December 2007.

For the Council
The President

F. NUNES CORREIA

⁽¹⁾ OJ L 344, 28.12.2001, p. 93.

⁽²⁾ OJ L 169, 29.6.2007, p. 69.

ANNEX

List of persons, groups and entities referred to in Article 1 ⁽¹⁾**1. PERSONS**

1. ABOU, Rabah Naami (a.k.a. Naami Hamza, a.k.a. Mihoubi Faycal, a.k.a. Fellah Ahmed, a.k.a. Dafri Rêmi Lahdi), born 1.2.1966 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
2. ABOUD, Maisi (a.k.a. The Swiss Abderrahmane), born 17.10.1964 in Algiers (Algeria), – member of ‘al-Takfir’ and ‘al-Hijra’
3. AKHNIKH, Ismail (a.k.a. SUHAIB, a.k.a. SOHAIB), born 22.10.1982 in Amsterdam (The Netherlands), passport (The Netherlands) No. NB0322935, – member of the ‘Hofstadgroep’
4. * ALBERDI URANGA, Itziar, born 7.10.1963 in Durango, Biscay (Spain), identity card No 78.865.693 – ‘E.T.A.’ activist
5. * ALBISU IRIARTE, Miguel, born 7.6.1961 in San Sebastián, Guipúzcoa (Spain), identity card No 15.954.596 – ‘E.T.A.’ activist, member of ‘Gestoras Pro-amnistía’
6. AL-MUGHASSIL, Ahmad Ibrahim (a.k.a. ABU OMRAN, a.k.a. AL-MUGHASSIL, Ahmed Ibrahim), born 26.6.1967 in Qatif-Bab al Shamal (Saudi Arabia), citizen of Saudi Arabia
7. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
8. AL YACOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
9. AOURAGHE, Zine Labidine (a.k.a. Halifi Laarbi MOHAMED, a.k.a. Abed, a.k.a. Abid, a.k.a. Abu ISMAIL), born 18.7.1978 in Nador (Morocco), passport (Spain) No. ESPP278036 – member of the ‘Hofstadgroep’
10. * APAOLAZA SANCHO, Iván, born 10.11.1971 in Beasain, Guipúzcoa (Spain), identity card No 44.129.178 – ‘E.T.A.’ activist, member of ‘K. Madrid’
11. ARIOUA, Azzedine, born 20.11.1960 in Constantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
12. ARIOUA, Kamel (a.k.a. Lamine Kamel), born 18.8.1969 in Constantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
13. ASLI, Mohamed (a.k.a. Dahmane Mohamed), born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
14. ASLI, Rabah, born 13.5.1975 in Ain Taya (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
15. * ARZALLUS TAPIA, Eusebio, born 8.11.1957 in Regil, Guipúzcoa (Spain), identity card No 15.927.207 – ‘E.T.A.’ activist
16. ATWA, Ali (a.k.a. BOUSLIM, Ammar Mansour, a.k.a. SALIM, Hassan Rostom), Lebanon, born 1960 in Lebanon, citizen of Lebanon
17. BOUGHABA, Mohamed Fahmi (a.k.a. Mohammed Fahmi BOURABA, a.k.a. Mohammed Fahmi BURADA, a.k.a. Abu MOSAB), born 6.12.1981 in Al Hoceima (Morocco) – member of the ‘Hofstadgroep’
18. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the ‘Hofstadgroep’

⁽¹⁾ Persons, groups and entities marked with an * shall be the subject of Article 4 of Common Position 2001/931/CFSP only.

19. DARIB, Noureddine (a.k.a. Carreto, a.k.a. Zitoun Mourad) born 1.2.1972 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
20. DJABALI, Abderrahmane (a.k.a. Touil), born 1.6.1970 in Algeria – member of ‘al-Takfir’ and ‘al-Hijra’
21. * ECHEBERRIA SIMARRO, Leire, born 20.12.1977 in Basauri, Biscay, identity card No 45.625.646 – ‘E.T.A.’ activist
22. * ECHEGARAY ACHIRICA, Alfonso, born 10.1.1958 in Plencia, Biscay (Spain), identity card No 16.027.051 – ‘E.T.A.’ activist
23. EL FATMI, Noureddine (a.k.a. Nouriddin EL FATMI, a.k.a. Nouriddine EL FATMI, a.k.a. Noureddine EL FATMI, a.k.a. Abu AL KA'E KA'E, a.k.a. Abu QAE QAE, a.k.a. FOUAD, a.k.a. FZAD, a.k.a. Nabil EL FATMI, a.k.a. Ben MOHAMMED, a.k.a. Ben Mohand BEN LARBI, a.k.a. Ben Driss Muhand IBN LARBI, a.k.a. Abu TAHAR, a.k.a. EGGIE), born 15.8.1982 in Midar (Morocco), passport (Morocco) No. N829139 – member of the ‘Hofstadgroep’
24. EL-HOORIE, Ali Saed Bin Ali (a.k.a. AL-HOURI, Ali Saed Bin Ali, a.k.a. EL-HOURI, Ali Saed Bin Ali), born 10.7.1965 or 11.7.1965 in El Dibabiya (Saudi Arabia), citizen of Saudi Arabia
25. EL MORABIT, Mohamed, born 24.1.1981 in Al Hoceima (Morocco), passport (Morocco) No. K789742 – member of the ‘Hofstadgroep’
26. ETTOUMI, Youssef (a.k.a. Youssef TOUMI), born 20.10.1977 in Amsterdam (The Netherlands), ID-card (The Netherlands) No. LNB4576246 – member of the ‘Hofstadgroep’
27. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
28. * GOGASCOECHEA ARRONATEGUI, Eneko, born 29.4.1967 in Guernica, Biscay (Spain), identity card No 44.556.097 – ‘E.T.A.’ activist
29. HAMDİ, Ahmed (a.k.a. Abu IBRAHIM), born 5.9.1978 in Beni Said (Morocco), passport (Morocco) No. K728658 – member of the ‘Hofstadgroep’
30. * IPARRAGUIRRE GUENECHEA, Ma Soledad, born 25.4.1961 in Escoriaza (Navarra), identity card No 16.255.819 – ‘E.T.A.’ activist
31. * IZTUETA BARANDICA, Enrique, born 30.7.1955 in Santurce, Biscay (Spain), identity card No 14.929.950 – ‘E.T.A.’ activist
32. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
33. LASSASSI, Saber (a.k.a. Mimiche), born 30.11.1970 in Constantine (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
34. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
35. MOKTARI, Fateh (a.k.a. Ferdi Omar), born 26.12.1974 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
36. * MORCILLO TORRES, Gracia, born 15.3.1967 in San Sebastián, Guipúzcoa (Spain), identity card No 72.439.052 – ‘E.T.A.’ activist; member of ‘K.a.s./Ekin’
37. MUGHNIYAH, Imad Fa'iz (a.k.a. MUGHNIYAH, Imad Fayiz), born 7.12.1962 in Tayr Dibba (Lebanon), passport (Lebanon) No 432298 – Senior Intelligence Officer of ‘HIZBALLAH’
38. * NARVÁEZ GOÑI, Juan Jesús, born 23.2.1961 in Pamplona, Navarra (Spain), identity card No 15.841.101 – ‘E.T.A.’ activist

39. NOUARA, Farid, born 25.11.1973 in Algiers (Algeria), – member of ‘al-Takfir’ and ‘al-Hijra’
40. * ORBE SEVILLANO, Zigor, born 22.9.1975 in Basauri, Biscay (Spain), identity card No 45.622.851 – ‘E.T.A.’ activist, member of ‘Jarrai-Haika-Segi’
41. * PALACIOS ALDAY, Gorka, born 17.10.1974 in Baracaldo, Biscay (Spain), identity card No 30.654.356 – ‘E.T.A.’ activist, member of ‘K. Madrid’
42. * PEREZ ARAMBURU, Jon Iñaki, born 18.9.1964 in San Sebastián, Guipúzcoa (Spain), identity card No 15.976.521 – ‘E.T.A.’ activist, member of ‘Jarrai-Haika-Segi’
43. * QUINTANA ZORROZUA, Asier, born 27.2.1968 in Bilbao, Biscay (Spain), identity card No 30.609.430 – ‘E.T.A.’ activist, member of ‘K. Madrid’
44. RESSOUS, Hoari (a.k.a. Hallasa Farid), born 11.9.1968 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
45. * RUBENACH ROIG, Juan Luis, born 18.9.1963 in Bilbao, Biscay (Spain), identity card No 18.197.545 – ‘E.T.A.’ activist, member of ‘K. Madrid’
46. SEDKAOUI, Noureddine (a.k.a. Nounou), born 23.6.1963 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
47. SELMANI, Abdelghani (a.k.a. Gano), born 14.6.1974 in Algiers (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
48. SENOUCI, Sofiane, born 15.4.1971 in Hussein Dey (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
49. SISON, Jose Maria (a.k.a. Armando Liwanag, a.k.a. Joma), born 8.2.1939 in Cabugao (Philippines) – person in charge of the ‘Communist Party of the Philippines’, including ‘NPA’
50. TINGUALI, Mohammed (a.k.a. Mouh di Kouba), born 21.4.1964 in Blida (Algeria) – member of ‘al-Takfir’ and ‘al-Hijra’
51. * URANGA ARTOLA, Kemen, born 25.5.1969 in Ondarroa, Biscay (Spain), identity card No 30.627.290 – ‘E.T.A.’ activist, member of ‘Herri Batasuna’/‘Euskal Herritarrok’/‘Batasuna’)
52. * VALLEJO FRANCO, Iñigo, born 21.5.1976 in Bilbao, Biscay (Spain), identity card No 29.036.694 – ‘E.T.A.’ activist
53. * VILA MICHELENA, Fermín, born 12.3.1970 in Irún, Guipúzcoa (Spain), identity card No 15.254.214; ‘E.T.A.’ activist, member of Kas/Ekin
54. WALTERS, Jason Theodore James (a.k.a. Abdullah, a.k.a. David), born 6.3.1985 in Amersfoort (The Netherlands), passport (The Netherlands) No. NE8146378 – member of the ‘Hofstadgroep’

2. GROUPS AND ENTITIES

1. ‘Abu Nidal Organisation’ – ‘ANO’ (a.k.a. ‘Fatah Revolutionary Council’, a.k.a. ‘Arab Revolutionary Brigades’, a.k.a. ‘Black September’, a.k.a. ‘Revolutionary Organisation of Socialist Muslims’)
2. ‘Al-Aqsa Martyr’s Brigade’
3. ‘Al-Aqsa e.V.’
4. ‘Al-Takfir’ and ‘Al-Hijra’
5. * ‘Cooperativa Artigiana Fuoco ed Affini – Occasionalmente Spettacolare’ (‘Artisans’ Cooperative Fire and Similar – Occasionally Spectacular’)

6. * 'Nuclei Armati per il Comunismo' ('Armed Units for Communism')
7. 'Aum Shinrikyo' (a.k.a. 'AUM', a.k.a. 'Aum Supreme Truth', a.k.a. 'Aleph')
8. 'Babbar Khalsa'
9. * 'Cellula Contro Capitale, Carcere i suoi Carcerieri e le sue Celle' – 'CCCCC' ('Cell Against Capital, Prison, Prison Warders and Prison Cells')
10. 'Communist Party of the Philippines', including 'New Peoples Army' – 'NPA', Philippines, linked to Sison Jose Maria (a.k.a. Armando Liwanag, a.k.a. Joma, the person in charge of the 'Communist Party of the Philippines', including 'NPA')
11. * 'Continuity Irish Republican Army' – 'CIRA'
12. * 'EPANASTATIKOS AGONAS' ('Revolutionary Struggle')
13. * 'Euskadi Ta Askatasuna'/'Tierra Vasca y Libertad' – 'E.T.A.' ('Basque Fatherland and Liberty'; the following organisations are part of the terrorist group 'E.T.A.': 'K.a.s.', 'Xaki', 'Ekin', 'Jarrai-Haika-Segi', 'Gestoras pro-amnistía', 'Askatasuna', 'Batasuna' (a.k.a. 'Herri Batasuna', a.k.a. 'Euskal Herritarrok'))
14. 'Gama'a al-Islamiyya' (a.k.a. 'Al-Gama'a al-Islamiyya') ('Islamic Group' – 'IG')
15. 'İslami Büyük Doğu Akıncılar Cephesi' – 'IBDA-C' ('Great Islamic Eastern Warriors Front')
16. * 'Grupos de Resistencia Antifascista Primero de Octubre' – 'G.R.A.P.O.' ('Antifascist Resistance Groups First of October')
17. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
18. 'Hizbul Mujahideen' – 'HM'
19. 'Hofstadgroep'
20. 'Holy Land Foundation for Relief and Development'
21. 'International Sikh Youth Federation' – 'ISYF'
22. * 'Solidarietà Internazionale' ('International Solidarity')
23. 'Kahane Chai' (a.k.a. 'Kach')
24. 'Khalistan Zindabad Force' – 'KZF'
25. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
26. 'Liberation Tigers of Tamil Eelam' – 'LTTE'
27. * 'Loyalist Volunteer Force' – 'LVF'
28. 'Mujahedin-e Khalq Organisation' – 'MEK' or 'MKO', excluding the 'National Council of Resistance of Iran' – 'NCRI' (a.k.a. 'The National Liberation Army of Iran' – 'NLA' (the militant wing of the 'MEK'), a.k.a. the 'People's Mujahidin of Iran' – 'PMOI', a.k.a. 'Muslim Iranian Student's Society')
29. 'Ejército de Liberación Nacional' ('National Liberation Army')

30. * 'Orange Volunteers' – 'OV'
 31. 'Palestine Liberation Front' – 'PLF'
 32. 'Palestinian Islamic Jihad' – 'PIJ'
 33. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 34. 'Popular Front for the Liberation of Palestine-General Command' (a.k.a. 'PFLP – General Command')
 35. * 'Real IRA'
 36. * 'Brigate Rosse per la Costruzione del Partito Comunista Combattente' ('Red Brigades for the Construction of the Fighting Communist Party')
 37. * 'Red Hand Defenders' – 'RHD'
 38. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 39. * 'Epanastatiki Pirines' ('Revolutionary Nuclei')
 40. * 'Dekati Evdomi Noemvri' ('Revolutionary Organisation 17 November')
 41. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 42. 'Sendero Luminoso' – 'SL' ('Shining Path')
 43. 'Stichting Al Aqsa'(a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 44. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
 45. * 'Brigata XX Luglio' ('Twentieth of July Brigade')
 46. * 'Ulster Defence Association/Ulster Freedom Fighters' – 'UDA/UFF'
 47. 'Autodefensas Unidas de Colombia' – 'AUC' ('United Self-Defense Forces/Group of Colombia')
 48. * 'Federazione Anarchica Informale' – 'F.A.I.' ('Unofficial Anarchist Federation')
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