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Price: EUR 4

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 997/2010

of 5 November 2010

suspending the introduction into the Union of specimens of certain species of wild fauna and flora

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein ⁽¹⁾, and in particular Article 19(2) thereof,

After consulting the Scientific Review Group,

Whereas:

- (1) Article 4(6) of Regulation (EC) No 338/97 provides that the Commission may establish restrictions to the introduction of certain species into the Union in accordance with the conditions laid down in points (a) to (d) thereof. Furthermore, implementing measures for such restrictions have been laid down in Commission Regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 of the protection of species of wild fauna and flora by regulating trade therein ⁽²⁾.
- (2) A list of species for which the introduction into the Union is suspended was established in Commission Regulation (EC) No 359/2009 of 30 April 2009 suspending the introduction into the Union of specimens of certain species of wild fauna and flora ⁽³⁾.
- (3) On the basis of recent information, the Scientific Review Group has concluded that the conservation status of certain species listed in Annexes A and B to Regulation (EC) No 338/97 will be seriously jeopardised if their introduction into the Union from certain countries of origin is not suspended. The introduction of the following species should therefore be suspended:
- *Cuora amboinensis* from Vietnam;
 - *Cuora galbinifrons* from Laos and Vietnam;
 - *Dendrobium nobile* from Laos.
- (4) The Scientific Review Group has also concluded that, on the basis of the most recent available information, the suspension of the introduction into the Union of the following species should no longer be required:
- *Ovis ammon nigrimontana* (Hunting trophies) from Kazakhstan;
 - *Leucopternis occidentalis* from Ecuador and Peru;
 - *Hexaprotodon liberiensis* from Côte d'Ivoire, Guinea Bissau and Sierra Leone;
 - *Hippopotamus amphibius* from Democratic Republic of the Congo and Malawi;
 - *Chrysocyon brachyurus* from Bolivia and Peru;
 - *Eupleres goudotii*, *Fossa fossana*, *Anas bernieri*, *Mantella baroni*, *Mantella aff. baroni*, *Mantella cowanii*, *Mantella haraldmeieri*, *Mantella laevigata*, *Mantella madagascariensis*, *Mantella manery*, *Mantella nigricans* and *Mantella pulchra* from Madagascar;
 - *Leopardus colocolo* and *Leopardus pajeros* from Chile;
 - *Leptailurus serval* from Algeria;
 - *Prionailurus bengalensis* from China (Macau);
 - *Cynogale bennettii* from Brunei, China, Indonesia, Malaysia and Thailand;
 - *Equus zebra hartmannae* from Angola;
 - *Myrmecophaga tridactyla* from Belize and Uruguay;
 - *Alouatta macconnelli* from Trinidad and Tobago;
 - *Ateles paniscus*, *Chalcostigma olivaceum*, *Heliodoxa rubinoides*, *Buteo albonotatus*, *Buteo platypterus*, *Forpus xanthops*, *Pionus chalcopterus*, *Otus roboratus*, *Pseudoscops clamator*, *Pulsatrix melanota* and *Podocnemis sextuberculata* from Peru;

⁽¹⁾ OJ L 61, 3.3.1997, p. 1.⁽²⁾ OJ L 166, 19.6.2006, p. 1.⁽³⁾ OJ L 110, 1.5.2009, p. 3.

- *Lagothrix cana* and *Varanus yemenensis* from all range States;
- *Cebus capucinus* from Belize;
- *Cercocebus atys* from Ghana;
- *Cercopithecus ascanius* from Burundi;
- *Cercopithecus cephus* from Central African Republic;
- *Cercopithecus dryas*, *Glaucidium capense* and *Phodilus prigoginei* from Democratic Republic of the Congo;
- *Cercopithecus pogonias* and *Cercopithecus preussi* from Cameroon and Equatorial Guinea;
- *Colobus polykomos* from Côte d'Ivoire;
- *Colobus vellerosus* from Côte d'Ivoire and Ghana;
- *Macaca arctoides* from India, Malaysia and Thailand;
- *Macaca assamensis* from Nepal;
- *Macaca fascicularis* from Bangladesh and India;
- *Macaca leonina*, *Ratufa bicolor*, *Psittacula roseata* and *Strix uralensis davidi* from China;
- *Macaca maura*, *Macaca nigra*, *Macaca nigrescens*, *Macaca ochreata*, *Macaca pagensis*, *Goura cristata*, *Goura scheepmakeri*, *Goura victoria*, *Spizaetus bartelsi*, *Cacatua sanguinea*, *Lorius domicella*, *Alisterus chloropterus chloropterus*, *Eclectus roratus*, *Psittacula alexandri*, *Tanygnathus gramineus*, *Ninox rudolfi*, *Otus angelinae*, *Tyto inexpectata*, *Tyto nigrobrunnea*, *Tyto sororcula*, *Ornithoptera tithonus*, *Troides andromache* (wild and ranched specimens) and *Tridacna gigas* from Indonesia;
- *Papio anubis* from Libya;
- *Papio papio* from Guinea Bissau
- *Procolobus verus* from Benin, Côte d'Ivoire, Ghana, Sierra Leone and Togo;
- *Trachypithecus phayrei* from Cambodia, China and India;
- *Trachypithecus vetulus* from Sri Lanka;
- *Galago demidoff* from Burkina Faso and Central African Republic;
- *Galago granti* from Malawi;
- *Arctocebus aureus* from Central African Republic and Gabon;
- *Nycticebus pygmaeus* from Cambodia and Laos;
- *Chiropotes chiropotes*, *Chiropotes israelita*, *Chiropotes satanas*, *Chiropotes utahickae*, *Nannopsittaca panychlora*, *Pyrrhura leucotis*, *Touit melanonotus*, *Touit surdus* and *Eunectes deschauenseei* from Brazil;
- *Ratufa affinis* and *Ketupa ketupu* from Singapore;
- *Balaeniceps rex* from Zambia;
- *Buceros rhinoceros* from Thailand;
- *Tauraco corythaix*, *Agapornis fischeri* (ranched specimens) and *Python sebae* from Mozambique;
- *Tauraco fischeri*, *Agapornis lilianae*, *Poicephalus cryptoxanthus*, *Poicephalus meyeri*, *Poicephalus rufiventris*, *Bubo vosseleri*, *Gongylophis colubrinus* and *Stigmochelys pardalis* from Tanzania;
- *Tauraco macrorhynchus*, *Terathopius ecaudatus* and *Strix woodfordii* from Guinea;
- *Tauraco porphyreolopha* from Uganda;
- *Accipiter brachyurus*, *Tyto aurantia*, *Tyto manusi*, *Varanus bogerti* and *Varanus telenesetes* from Papua New Guinea;
- *Accipiter gundlachi* and *Aratinga euops* from Cuba;
- *Accipiter imitator* and *Nesasio solomonensis* from Papua New Guinea and Solomon Islands;
- *Buteo galapagoensis*, *Pyrrhura albipectus*, *Pyrrhura orcesi*, *Conolophus pallidus* and *Conolophus subcristatus* from Ecuador;
- *Buteo ridgwayi* from Dominican Republic and Haiti;
- *Erythrorhynchus radiatus*, *Lophoictinia isura*, *Polytelis alexandrae* and *Varanus keithhornie* from Australia;
- *Gyps coprotheres* from Mozambique, Namibia and Swaziland;
- *Harpyopsis novaeguineae* from Indonesia and Papua New Guinea;
- *Falco deiroleucus* from Belize and Guatemala;
- *Falco fasciinucha* from Botswana, Ethiopia, Kenya, Malawi, Mozambique, South Africa, Sudan, Tanzania, Zambia and Zimbabwe;
- *Falco hypoleucos* from Australia and Papua New Guinea;
- *Micrastur plumbeus* from Colombia and Ecuador;
- *Polyplectron schleiermachersi* from Indonesia and Malaysia;
- *Anthropoides virgo* from Sudan;
- *Balearica regulorum* from Angola, Lesotho, Malawi, Mozambique, Namibia, Rwanda, Swaziland, Uganda;
- *Pitta nympha* from Brunei Darussalam, China, North Korea, Indonesia, Japan, Malaysia and South Korea;
- *Pycnonotus zeylanicus* from Malaysia;
- *Charmosyna aureicincta* from Fiji;

- *Trichoglossus johnstoniae*, *Prioniturus luconensis*, *Bubo philippensis*, *Otus fuliginosus*, *Otus longicornis*, *Otus mindorensis* and *Otus mirus* from Philippines;
- *Agapornis pullarius* from Angola and Kenya;
- *Amazona agilis* and *Amazona collaria* from Jamaica;
- *Amazona mercenaria* from Venezuela;
- *Amazona xanthops* from Bolivia and Paraguay;
- *Aratinga aurea* from Argentina;
- *Bolborhynchus ferrugineifrons*, *Hapalopsittaca fuertesi*, *Pyrhura calliptera* and *Pyrhura viridicata* from Colombia;
- *Poicephalus robustus* from Botswana, Gambia, Namibia, Senegal, South Africa and Swaziland;
- *Psittacula finschii* from Bangladesh and Cambodia;
- *Psittacus erithacus* from Burundi, Mali and Togo;
- *Bubo blakistoni* from China, Japan and Russia;
- *Ninox affinis* from India;
- *Otus capnodes* and *Otus paulani* from Comoros;
- *Otus insularis* from Seychelles;
- *Scotopelia ussheri* from Côte d'Ivoire, Ghana, Guinea, Liberia and Sierra Leone;
- *Heloderma horridum* from Guatemala and Mexico;
- *Podocnemis erythrocephala* from Colombia and Venezuela;
- *Podocnemis expansa* from Colombia, Ecuador, Guyana, Peru, Trinidad and Tobago and Venezuela;
- *Gopherus polyphemus* from United States;

— *Manouria emys* from Bangladesh, India, Myanmar and Thailand;

— *Testudo horsfieldii* from China and Pakistan;

— *Montipora caliculata* from Tonga.

- (5) The countries of origin of the species which are subject to new restrictions to introduction into the Union pursuant to this Regulation have all been consulted.
- (6) At the 15th Conference of the Parties to the Convention new nomenclatural references (splitting of species and renaming of genus) for animals were adopted and are reflected accordingly in this Regulation.
- (7) The list of species for which the introduction into the Union is suspended should therefore be amended and Regulation (EC) No 359/2009 should be, for reasons of clarity, replaced.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of Article 71 of Regulation (EC) No 865/2006, the introduction into the Union of specimens of the species of wild fauna and flora listed in the Annex to this Regulation is suspended.

Article 2

Regulation (EC) No 359/2009 is repealed.

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

Article 3

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

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

Done at Brussels, 5 November 2010.

For the Commission

The President

José Manuel BARROSO

ANNEX

Specimens of species included in Annex A to Regulation (EC) No 338/97 whose introduction into the Union is suspended

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
FAUNA				
CHORDATA				
MAMMALIA				
ARTIODACTYLA				
Bovidae				
<i>Capra falconeri</i>	Wild	Hunting trophies	Uzbekistan	(a)
CARNIVORA				
Canidae				
<i>Canis lupus</i>	Wild	Hunting trophies	Belarus, Kyrgyzstan, Turkey	(a)
Felidae				
<i>Lynx lynx</i>	Wild	Hunting trophies	Azerbaijan	(a)
Ursidae				
<i>Ursus arctos</i>	Wild	Hunting trophies	Canada (British Columbia)	(a)
<i>Ursus thibetanus</i>	Wild	Hunting trophies	Russia	(a)
AVES				
FALCONIFORMES				
Falconidae				
<i>Falco cherrug</i>	Wild	All	Armenia, Bahrain, Iraq, Mauritania, Tajikistan	(a)

Specimens of species included in Annex B to Regulation (EC) No 338/97 whose introduction into the Union is suspended

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
FAUNA				
CHORDATA				
MAMMALIA				
ARTIODACTYLA				
Bovidae				
<i>Ovis vignei boharensis</i>	Wild	All	Uzbekistan	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Saiga borealis</i>	Wild	All	Russia	(b)
<i>Saiga tatarica</i>	Wild	All	Kazakhstan, Russia	(b)
Cervidae				
<i>Cervus elaphus bactrianus</i>	Wild	All	Uzbekistan	(b)
Hippopotamidae				
<i>Hexaprotodon liberiensis</i> (synonym <i>Choeropsis liberiensis</i>)	Wild	All	Guinea, Nigeria	(b)
<i>Hippopotamus amphibius</i>	Wild	All	Gambia, Niger, Nigeria, Sierra Leone, Togo	(b)
Moschidae				
<i>Moschus anhuiensis</i>	Wild	All	China	(b)
<i>Moschus berezovskii</i>	Wild	All	China	(b)
<i>Moschus chrysogaster</i>	Wild	All	China	(b)
<i>Moschus fuscus</i>	Wild	All	China	(b)
<i>Moschus moschiferus</i>	Wild	All	China, Russia	(b)
CARNIVORA				
Eupleridae				
<i>Cryptoprocta ferox</i>	Wild	All	Madagascar	(b)
Felidae				
<i>Panthera leo</i>	Wild	All	Ethiopia	(b)
<i>Profelis aurata</i>	Wild	All	Togo	(b)
Mustelidae				
<i>Hydrictis maculicollis</i>	Wild	All	Tanzania	(b)
Odobenidae				
<i>Odobenus rosmarus</i>	Wild	All	Greenland	(b)
MONOTREMATA				
Tachyglossidae				
<i>Zaglossus bartoni</i>	Wild	All	Indonesia, Papua New Guinea	
<i>Zaglossus bruijini</i>	Wild	All	Indonesia	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
PHOLIDOTA				
Manidae				
<i>Manis temminckii</i>	Wild	All	Democratic Republic of the Congo	(b)
PRIMATES				
Atelidae				
<i>Alouatta guariba</i>	Wild	All	All	(b)
<i>Ateles belzebuth</i>	Wild	All	All	(b)
<i>Ateles fusciceps</i>	Wild	All	All	(b)
<i>Ateles geoffroyi</i>	Wild	All	All	(b)
<i>Ateles hybridus</i>	Wild	All	All	(b)
<i>Lagothrix lagotricha</i>	Wild	All	All	(b)
<i>Lagothrix lugens</i>	Wild	All	All	(b)
<i>Lagothrix poeppigii</i>	Wild	All	All	(b)
Cebidae				
<i>Callithrix geoffroyi</i> (synonym <i>C. jacchus geoffroyi</i>)	Wild	All	Brazil	(b)
Cercopithecidae				
<i>Cercopithecus erythrogaster</i>	Wild	All	All	(b)
<i>Cercopithecus erythrotis</i>	Wild	All	All	(b)
<i>Cercopithecus hamlyni</i>	Wild	All	All	(b)
<i>Cercopithecus mona</i>	Wild	All	Togo	(b)
<i>Cercopithecus petaurista</i>	Wild	All	Togo	(b)
<i>Cercopithecus pogonias</i>	Wild	All	Nigeria	(b)
<i>Cercopithecus preussi</i> (synonym <i>C. lhoesti preussi</i>)	Wild	All	Nigeria	(b)
<i>Colobus vellerosus</i>	Wild	All	Nigeria, Togo	(b)
<i>Lophocebus albigena</i> (synonym <i>Cercocebus albigena</i>)	Wild	All	Nigeria	(b)
<i>Macaca cyclopis</i>	Wild	All	All	(b)
<i>Macaca sylvanus</i>	Wild	All	Algeria, Morocco	(b)
<i>Ptilocolobus badius</i> (synonym <i>Colobus badius</i>)	Wild	All	All	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
Galagidae				
<i>Euticus pallidus</i> (synonym <i>Galago elegantulus pallidus</i>)	Wild	All	Nigeria	(b)
<i>Galago matschiei</i> (synonym <i>G. inustus</i>)	Wild	All	Rwanda	(b)
Lorisidae				
<i>Arctocebus calabarensis</i>	Wild	All	Nigeria	(b)
<i>Perodicticus potto</i>	Wild	All	Togo	(b)
Pitheciidae				
<i>Chiropotes chiropotes</i>	Wild	All	Guyana	(b)
<i>Pithecia pithecia</i>	Wild	All	Guyana	(b)
AVES				
ANSERIFORMES				
Anatidae				
<i>Oxyura jamaicensis</i>	All	Live	All	(d)
CICONIIFORMES				
Balaenicipitidae				
<i>Balaeniceps rex</i>	Wild	All	Tanzania	(b)
FALCONIFORMES				
Accipitridae				
<i>Accipiter erythropus</i>	Wild	All	Guinea	(b)
<i>Accipiter melanoleucus</i>	Wild	All	Guinea	(b)
<i>Accipiter ovampensis</i>	Wild	All	Guinea	(b)
<i>Aquila rapax</i>	Wild	All	Guinea	(b)
<i>Aviceda cuculoides</i>	Wild	All	Guinea	(b)
<i>Gyps africanus</i>	Wild	All	Guinea	(b)
<i>Gyps bengalensis</i>	Wild	All	All	(b)
<i>Gyps indicus</i>	Wild	All	All	(b)
<i>Gyps rueppellii</i>	Wild	All	Guinea	(b)
<i>Gyps tenuirostris</i>	Wild	All	All	(b)
<i>Hieraaetus ayresii</i>	Wild	All	Cameroon, Guinea, Togo	(b)
<i>Hieraaetus spilogaster</i>	Wild	All	Guinea, Togo	(b)
<i>Leucopternis lacernulatus</i>	Wild	All	Brazil	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Lophaetus occipitalis</i>	Wild	All	Guinea	(b)
<i>Macheiramphus alcinus</i>	Wild	All	Guinea	(b)
<i>Polemaetus bellicosus</i>	Wild	All	Cameroon, Guinea, Togo	(b)
<i>Spizaetus africanus</i>	Wild	All	Guinea	(b)
<i>Stephanoaetus coronatus</i>	Wild	All	Côte d'Ivoire, Guinea, Togo	(b)
<i>Torgos tracheliotus</i>	Wild	All	Cameroon, Sudan	(b)
<i>Trigonoceps occipitalis</i>	Wild	All	Côte d'Ivoire, Guinea	(b)
<i>Urotriorchis macrourus</i>	Wild	All	Guinea	(b)
Falconidae				
<i>Falco chicquera</i>	Wild	All	Guinea, Togo	(b)
Sagittariidae				
<i>Sagittarius serpentarius</i>	Wild	All	Cameroon, Guinea, Togo	(b)
GRUIFORMES				
Gruidae				
<i>Balearica pavonina</i>	Wild	All	Guinea, Mali	(b)
<i>Balearica regulorum</i>	Wild	All	Botswana, Burundi, Democratic Republic of the Congo, Kenya, South Africa, Zambia, Zimbabwe	(b)
<i>Bugeranus carunculatus</i>	Wild	All	South Africa, Tanzania	(b)
PSITTACIFORMES				
Loriidae				
<i>Chamosyna diadema</i>	Wild	All	All	(b)
Psittacidae				
<i>Agapornis fischeri</i>	Wild	All	Tanzania	(b)
<i>Agapornis nigrigenis</i>	Wild	All	All	(b)
<i>Agapornis pullarius</i>	Wild	All	Democratic Republic of the Congo, Côte d'Ivoire, Guinea, Mali, Togo	(b)
<i>Amazona autumnalis</i>	Wild	All	Ecuador	(b)
<i>Ara chloropterus</i>	Wild	All	Argentina, Panama	(b)
<i>Ara severus</i>	Wild	All	Guyana	(b)
<i>Aratinga acuticaudata</i>	Wild	All	Uruguay	(b)
<i>Aratinga auricapillus</i>	Wild	All	All	(b)
<i>Coracopsis vasa</i>	Wild	All	Madagascar	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Cyanoliseus patagonus</i>	Wild	All	Chile, Uruguay	(b)
<i>Deropterus accipitrinus</i>	Wild	All	Peru, Surinam	(b)
<i>Hapalopsittaca amazonina</i>	Wild	All	All	(b)
<i>Hapalopsittaca pyrrhops</i>	Wild	All	All	(b)
<i>Leptosittaca branickii</i>	Wild	All	All	(b)
<i>Poicephalus gularis</i>	Wild	All	Cameroon, Côte d'Ivoire, Congo, Guinea	(b)
<i>Poicephalus robustus</i>	Wild	All	Democratic Republic of the Congo, Côte d'Ivoire, Guinea, Mali, Nigeria, Togo, Uganda	(b)
<i>Psittacus erithacus</i>	Wild	All	Benin, Equatorial Guinea, Liberia, Nigeria	(b)
<i>Psittacus erithacus timneh</i>	Wild	All	Guinea, Guinea-Bissau	(b)
<i>Psittacus fulgidus</i>	Wild	All	All	(b)
<i>Pyrrhura caeruleiceps</i>	Wild	All	Colombia	(b)
<i>Pyrrhura frontalis</i>	Wild	All	Brazil	(b)
<i>Pyrrhura subandina</i>	Wild	All	Colombia	(b)
<i>Tricharia malachitacea</i>	Wild	All	Argentina, Brazil	(b)
STRIGIFORMES				
Strigidae				
<i>Asio capensis</i>	Wild	All	Guinea	(b)
<i>Bubo lacteus</i>	Wild	All	Guinea	(b)
<i>Bubo poensis</i>	Wild	All	Guinea	(b)
<i>Glaucidium capense</i>	Wild	All	Rwanda	(b)
<i>Glaucidium perlatum</i>	Wild	All	Cameroon, Guinea	(b)
<i>Ptilopsis leucotis</i>	Wild	All	Guinea	(b)
<i>Scotopelia bouvieri</i>	Wild	All	Cameroon	(b)
<i>Scotopelia peli</i>	Wild	All	Guinea	(b)
REPTILIA				
CROCODYLIA				
Alligatoridae				
<i>Caiman crocodilus</i>	Wild	All	El Salvador, Guatemala, Mexico	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Palaeosuchus trigonatus</i>	Wild	All	Guyana	(b)
Crocodylidae				
<i>Crocodylus niloticus</i>	Wild	All	Madagascar	(b)
SAURIA				
Agamidae				
<i>Uromastix aegyptia</i>	Source 'F' ⁽¹⁾	All	Egypt	(b)
<i>Uromastix dispar</i>	Wild	All	Algeria, Mali, Sudan	(b)
<i>Uromastix geyri</i>	Wild	All	Mali, Niger	(b)
Chamaeleonidae				
<i>Brookesia decaryi</i>	Wild	All	Madagascar	(b)
<i>Calumma ambreense</i>	Wild	All	Madagascar	(b)
<i>Calumma andringitraense</i>	Wild	All	Madagascar	(b)
<i>Calumma boettgeri</i>	Wild	All	Madagascar	(b)
<i>Calumma brevicorne</i>	Wild	All	Madagascar	(b)
<i>Calumma capuroni</i>	Wild	All	Madagascar	(b)
<i>Calumma cucullatum</i>	Wild	All	Madagascar	(b)
<i>Calumma fallax</i>	Wild	All	Madagascar	(b)
<i>Calumma furcifer</i>	Wild	All	Madagascar	(b)
<i>Calumma gallus</i>	Wild	All	Madagascar	(b)
<i>Calumma gastrotaenia</i>	Wild	All	Madagascar	(b)
<i>Calumma glawi</i>	Wild	All	Madagascar	(b)
<i>Calumma globifer</i>	Wild	All	Madagascar	(b)
<i>Calumma guibei</i>	Wild	All	Madagascar	(b)
<i>Calumma guillaumeti</i>	Wild	All	Madagascar	(b)
<i>Calumma hilleniusi</i>	Wild	All	Madagascar	(b)
<i>Calumma linota</i>	Wild	All	Madagascar	(b)
<i>Calumma malthe</i>	Wild	All	Madagascar	(b)
<i>Calumma marojezense</i>	Wild	All	Madagascar	(b)
<i>Calumma nasutum</i>	Wild	All	Madagascar	(b)
<i>Calumma oshaughnessyi</i>	Wild	All	Madagascar	(b)
<i>Calumma parsonii</i>	Wild	All	Madagascar	(b)
<i>Calumma peyrierasi</i>	Wild	All	Madagascar	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Calumma tsaratananense</i>	Wild	All	Madagascar	(b)
<i>Calumma vatosoa</i>	Wild	All	Madagascar	(b)
<i>Calumma vencesi</i>	Wild	All	Madagascar	(b)
<i>Chamaeleo camerunensis</i>	Wild	All	Cameroon	(b)
<i>Chamaeleo deremensis</i>	Wild	All	Tanzania	(b)
<i>Chamaeleo eisentrauti</i>	Wild	All	Cameroon	(b)
<i>Chamaeleo ellioti</i>	Wild	All	Burundi	(b)
<i>Chamaeleo feae</i>	Wild	All	Equatorial Guinea	(b)
<i>Chamaeleo fuelleborni</i>	Wild	All	Tanzania	(b)
<i>Chamaeleo gracilis</i>	Wild	All	Benin	(b)
	Ranched	All	Benin	(b)
	Ranched	Snout to vent length greater than 8 cm	Togo	(b)
<i>Chamaeleo montium</i>	Wild	All	Cameroon	(b)
<i>Chamaeleo pfefferi</i>	Wild	All	Cameroon	(b)
<i>Chamaeleo senegalensis</i>	Ranched	Snout to vent length greater than 6 cm	Togo	(b)
<i>Chamaeleo werneri</i>	Wild	All	Tanzania	(b)
<i>Chamaeleo wiedersheimi</i>	Wild	All	Cameroon	(b)
<i>Furcifer angeli</i>	Wild	All	Madagascar	(b)
<i>Furcifer antimena</i>	Wild	All	Madagascar	(b)
<i>Furcifer balteatus</i>	Wild	All	Madagascar	(b)
<i>Furcifer belalandaensis</i>	Wild	All	Madagascar	(b)
<i>Furcifer bifidus</i>	Wild	All	Madagascar	(b)
<i>Furcifer campani</i>	Wild	All	Madagascar	(b)
<i>Furcifer labordi</i>	Wild	All	Madagascar	(b)
<i>Furcifer minor</i>	Wild	All	Madagascar	(b)
<i>Furcifer monoceras</i>	Wild	All	Madagascar	(b)
<i>Furcifer nicosiai</i>	Wild	All	Madagascar	(b)
<i>Furcifer petteri</i>	Wild	All	Madagascar	(b)
<i>Furcifer rhinocerotus</i>	Wild	All	Madagascar	(b)
<i>Furcifer tuzetae</i>	Wild	All	Madagascar	(b)
<i>Furcifer willsii</i>	Wild	All	Madagascar	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
Cordylidae				
<i>Cordylus mossambicus</i>	Wild	All	Mozambique	(b)
<i>Cordylus tropidosternum</i>	Wild	All	Mozambique	(b)
<i>Cordylus vittifer</i>	Wild	All	Mozambique	(b)
Gekkonidae				
<i>Phelsuma abbotti</i>	Wild	All	Madagascar	(b)
<i>Phelsuma antanosy</i>	Wild	All	Madagascar	(b)
<i>Phelsuma barbouri</i>	Wild	All	Madagascar	(b)
<i>Phelsuma berghofi</i>	Wild	All	Madagascar	(b)
<i>Phelsuma breviceps</i>	Wild	All	Madagascar	(b)
<i>Phelsuma comorensis</i>	Wild	All	Comoros	(b)
<i>Phelsuma dubia</i>	Wild	All	Comoros, Madagascar	(b)
<i>Phelsuma flavigularis</i>	Wild	All	Madagascar	(b)
<i>Phelsuma guttata</i>	Wild	All	Madagascar	(b)
<i>Phelsuma hielscheri</i>	Wild	All	Madagascar	(b)
<i>Phelsuma klemmeri</i>	Wild	All	Madagascar	(b)
<i>Phelsuma laticauda</i>	Wild	All	Comoros	(b)
<i>Phelsuma malamakibo</i>	Wild	All	Madagascar	(b)
<i>Phelsuma masohoala</i>	Wild	All	Madagascar	(b)
<i>Phelsuma modesta</i>	Wild	All	Madagascar	(b)
<i>Phelsuma mutabilis</i>	Wild	All	Madagascar	(b)
<i>Phelsuma pronki</i>	Wild	All	Madagascar	(b)
<i>Phelsuma pusilla</i>	Wild	All	Madagascar	(b)
<i>Phelsuma seippi</i>	Wild	All	Madagascar	(b)
<i>Phelsuma serraticauda</i>	Wild	All	Madagascar	(b)
<i>Phelsuma standingi</i>	Wild	All	Madagascar	(b)
<i>Phelsuma v-nigra</i>	Wild	All	Comoros	(b)
<i>Uroplatus eburnei</i>	Wild	All	Madagascar	(b)
<i>Uroplatus fimbriatus</i>	Wild	All	Madagascar	(b)
<i>Uroplatus guentheri</i>	Wild	All	Madagascar	(b)
<i>Uroplatus henkeli</i>	Wild	All	Madagascar	(b)
<i>Uroplatus lineatus</i>	Wild	All	Madagascar	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Uroplatus malama</i>	Wild	All	Madagascar	(b)
<i>Uroplatus phantasticus</i>	Wild	All	Madagascar	(b)
<i>Uroplatus pietschmanni</i>	Wild	All	Madagascar	(b)
<i>Uroplatus sikorae</i>	Wild	All	Madagascar	(b)
Helodermatidae				
<i>Heloderma suspectum</i>	Wild	All	Mexico, United States	(b)
Iguanidae				
<i>Iguana iguana</i>	Wild	All	El Salvador	(b)
Scincidae				
<i>Corucia zebrata</i>	Wild	All	Solomon Islands	(b)
Varanidae				
<i>Varanus beccarii</i>	Wild	All	Indonesia	(b)
<i>Varanus dumerilii</i>	Wild	All	Indonesia	(b)
<i>Varanus exanthematicus</i>	Wild	All	Benin, Togo	(b)
	Ranched	All	Benin	(b)
	Ranched	Greater than 35 cm in length	Togo	(b)
<i>Varanus jobiensis</i> (synonym <i>V. karlschmidti</i>)	Wild	All	Indonesia	(b)
<i>Varanus niloticus</i>	Wild	All	Benin, Burundi, Mozambique, Togo	(b)
	Ranched	All	Benin, Togo	(b)
<i>Varanus ornatus</i>	Wild	All	Togo	(b)
	Ranched	All	Togo	(b)
<i>Varanus salvadorii</i>	Wild	All	Indonesia	(b)
<i>Varanus salvator</i>	Wild	All	China, India, Singapore	(b)
SERPENTES				
Boidae				
<i>Boa constrictor</i>	Wild	All	El Salvador, Honduras	(b)
<i>Calabaria reinhardtii</i>	Wild	All	Togo	(b)
	Ranched	All	Benin, Togo	(b)
<i>Eunectes murinus</i>	Wild	All	Paraguay	(b)
Elapidae				
<i>Naja atra</i>	Wild	All	Laos	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Naja kaouthia</i>	Wild	All	Laos	(b)
<i>Naja siamensis</i>	Wild	All	Laos	(b)
Pythonidae				
<i>Liasis fuscus</i>	Wild	All	Indonesia	(b)
<i>Morelia boeleni</i>	Wild	All	Indonesia	(b)
<i>Python molurus</i>	Wild	All	China	(b)
<i>Python natalensis</i>	Ranched	All	Mozambique	(b)
<i>Python regius</i>	Wild	All	Benin, Guinea	(b)
<i>Python reticulatus</i>	Wild	All	India, Malaysia (Peninsular), Singapore	(b)
<i>Python sebae</i>	Wild	All	Mauritania	(b)
TESTUDINES				
Emydidae				
<i>Chrysemys picta</i>	All	Live	All	(d)
<i>Trachemys scripta elegans</i>	All	Live	All	(d)
Geoemydidae				
<i>Batagur borneoensis</i>	Wild	All	All	(b)
<i>Cuora amboinensis</i>	Wild	All	Indonesia, Malaysia, Vietnam	(b)
<i>Cuora galbinifrons</i>	Wild	All	China, Laos, Vietnam	(b)
<i>Heosemys spinosa</i>	Wild	All	Indonesia	(b)
<i>Leucocephalon yuwonoi</i>	Wild	All	Indonesia	(b)
<i>Malayemys subtrijuga</i>	Wild	All	Indonesia	(b)
<i>Notochelys platynota</i>	Wild	All	Indonesia	(b)
<i>Siebenrockiella crassicollis</i>	Wild	All	Indonesia	(b)
Podocnemididae				
<i>Erymnochelys madagascariensis</i>	Wild	All	Madagascar	(b)
<i>Peltecephalus dumerilianus</i>	Wild	All	Guyana	(b)
<i>Podocnemis lewyana</i>	Wild	All	All	(b)
<i>Podocnemis unifilis</i>	Wild	All	Suriname	(b)
Testudinidae				
<i>Aldabrachelys gigantea</i>	Wild	All	Seychelles	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Chelonoidis denticulata</i>	Wild	All	Bolivia, Ecuador	(b)
<i>Geochelone elegans</i>	Wild	All	Pakistan	(b)
<i>Geochelone platynota</i>	Wild	All	Myanmar	(b)
<i>Geochelone sulcata</i>	Ranched	All	Benin, Togo	(b)
<i>Gopherus agassizii</i>	Wild	All	All	(b)
<i>Gopherus berlandieri</i>	Wild	All	All	(b)
<i>Indotestudo elongata</i>	Wild	All	Bangladesh, China, India	(b)
<i>Indotestudo forstenii</i>	Wild	All	All	(b)
<i>Indotestudo travancorica</i>	Wild	All	All	(b)
<i>Kinixys belliana</i>	Wild	All	Mozambique	(b)
	Ranched	All	Benin	(b)
<i>Kinixys homeana</i>	Wild	All	Benin, Togo	(b)
	Ranched	All	Benin	(b)
<i>Kinixys spekii</i>	Wild	All	Mozambique	(b)
<i>Manouria emys</i>	Wild	All	Indonesia	(b)
<i>Manouria impressa</i>	Wild	All	Vietnam	(b)
<i>Stigmochelys pardalis</i>	Wild	All	Democratic Republic of the Congo, Mozambique, Uganda	(b)
	Ranched	All	Mozambique, Zambia	(b)
	Source 'F' (1)	All	Zambia	(b)
<i>Testudo horsfieldii</i>	Wild	All	Kazakhstan	(b)
Trionychidae				
<i>Amyda cartilaginea</i>	Wild	All	Indonesia	(b)
<i>Chitra chitra</i>	Wild	All	Malaysia	(b)
<i>Pelochelys cantorii</i>	Wild	All	Indonesia	(b)
AMPHIBIA				
ANURA				
Dendrobatidae				
<i>Cryptophyllobates azureiventris</i>	Wild	All	Peru	(b)
<i>Dendrobates variabilis</i>	Wild	All	Peru	(b)
<i>Dendrobates ventrimaculatus</i>	Wild	All	Peru	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
Mantellidae				
<i>Mantella aurantiaca</i>	Wild	All	Madagascar	(b)
<i>Mantella bernhardi</i>	Wild	All	Madagascar	(b)
<i>Mantella crocea</i>	Wild	All	Madagascar	(b)
<i>Mantella expectata</i>	Wild	All	Madagascar	(b)
<i>Mantella milotympanum</i> (syn. <i>M. aurantiaca</i> <i>milotympanum</i>)	Wild	All	Madagascar	(b)
<i>Mantella viridis</i>	Wild	All	Madagascar	(b)
Microhylidae				
<i>Scaphiophryne gottlei</i>	Wild	All	Madagascar	(b)
Ranidae				
<i>Conraua goliath</i>	Wild	All	Cameroon	(b)
<i>Rana catesbeiana</i>	All	Live	All	(d)
ACTINOPTERYGII				
PERCIFORMES				
Labridae				
<i>Cheilinus undulatus</i>	Wild	All	Indonesia	(b)
SYNGNATHIFORMES				
Syngnathidae				
<i>Hippocampus barbouri</i>	Wild	All	Indonesia	(b)
<i>Hippocampus comes</i>	Wild	All	Indonesia	(b)
<i>Hippocampus histrix</i>	Wild	All	Indonesia	(b)
<i>Hippocampus kelloggi</i>	Wild	All	Indonesia	(b)
<i>Hippocampus kuda</i>	Wild	All	Indonesia, Vietnam	(b)
<i>Hippocampus spinosissimus</i>	Wild	All	Indonesia	(b)
ARTHROPODA				
ARACHNIDA				
ARANEAE				
Theraphosidae				
<i>Brachypelma albopilosum</i>	Wild	All	Nicaragua	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
SCORPIONES				
Scorpionidae				
<i>Pandinus imperator</i>	Ranched	All	Benin	(b)
INSECTA				
LEPIDOPTERA				
Papilionidae				
<i>Ornithoptera croesus</i>	Wild	All	Indonesia	(b)
<i>Ornithoptera urvillianus</i>	Wild	All	Solomon Islands	(b)
	Ranched	All	Solomon Islands	(b)
<i>Ornithoptera victoriae</i>	Wild	All	Solomon Islands	(b)
	Ranched	All	Solomon Islands	(b)
MOLLUSCA				
BIVALVIA				
MESOGASTROPODA				
Strombidae				
<i>Strombus gigas</i>	Wild	All	Grenada, Haiti	(b)
VENEROIDA				
Tridacnidae				
<i>Hippopus hippopus</i>	Wild	All	New Caledonia, Tonga, Vanuatu, Vietnam	(b)
<i>Tridacna crocea</i>	Wild	All	Fiji, Tonga, Vanuatu, Vietnam	(b)
<i>Tridacna derasa</i>	Wild	All	Fiji, New Caledonia, Philippines, Palau, Tonga, Vanuatu, Vietnam	(b)
<i>Tridacna gigas</i>	Wild	All	Fiji, Marshall Islands, Micronesia, Palau, Papua New Guinea, Solomon Islands, Tonga, Vanuatu, Vietnam	(b)
<i>Tridacna maxima</i>	Wild	All	Micronesia, Fiji, Marshall Islands, Mozambique, New Caledonia, Tonga, Vanuatu, Vietnam	(b)
<i>Tridacna rosewateri</i>	Wild	All	Mozambique	(b)
<i>Tridacna squamosa</i>	Wild	All	Fiji, Mozambique, New Caledonia, Tonga, Vanuatu, Vietnam	(b)
<i>Tridacna tevoroa</i>	Wild	All	Tonga	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
CNIDARIA				
<i>HELIOPORACEA</i>				
Helioporidae				
<i>Heliopora coerulea</i>	Wild	All	Solomon Islands	(b)
SCLERACTINIA				
Agariciidae				
<i>Agaricia agaricites</i>	Wild	All	Haiti	(b)
Caryophylliidae				
<i>Catalaphyllia jardinei</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
<i>Catalaphyllia jardinei</i>	Wild	All	Solomon Islands	(b)
<i>Euphyllia cristata</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
<i>Euphyllia divisa</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
<i>Euphyllia fimbriata</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
<i>Plerogyra</i> spp.	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
Faviidae				
<i>Favites halicora</i>	Wild	All	Tonga	(b)
<i>Platygyra sinensis</i>	Wild	All	Tonga	(b)
Merulinidae				
<i>Hydnophora microconos</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
Mussidae				
<i>Acanthastrea hemprichii</i>	Wild	All	Tonga	(b)
<i>Blastomussa</i> spp.	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
<i>Cynarina lacrymalis</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
<i>Scolymia vitiensis</i>	Wild	All	Tonga	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Scolymia vitiensis</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
Pocilloporidae				
<i>Seriatopora stellata</i>	Wild	All	Indonesia	(b)
Trachyphylliidae				
<i>Trachyphyllia geoffroyi</i>	Wild	All	Fiji	(b)
<i>Trachyphyllia geoffroyi</i>	Wild	All except maricultured specimens attached to artificial substrates	Indonesia	(b)
FLORA				
Amaryllidaceae				
<i>Galanthus nivalis</i>	Wild	All	Bosnia and Herzegovina, Switzerland, Ukraine	(b)
Apocynaceae				
<i>Pachypodium inopinatum</i>	Wild	All	Madagascar	(b)
<i>Pachypodium rosulatum</i>	Wild	All	Madagascar	(b)
<i>Pachypodium rutenbergianum</i> ssp. <i>sofiense</i>	Wild	All	Madagascar	(b)
Cycadaceae				
<i>Cycadaceae</i> spp.	Wild	All	Madagascar, Mozambique, Vietnam	(b)
Euphorbiaceae				
<i>Euphorbia ankarensis</i>	Wild	All	Madagascar	(b)
<i>Euphorbia banae</i>	Wild	All	Madagascar	(b)
<i>Euphorbia berorohae</i>	Wild	All	Madagascar	(b)
<i>Euphorbia bongolavensis</i>	Wild	All	Madagascar	(b)
<i>Euphorbia bulbispina</i>	Wild	All	Madagascar	(b)
<i>Euphorbia duranii</i>	Wild	All	Madagascar	(b)
<i>Euphorbia fiananantsoae</i>	Wild	All	Madagascar	(b)
<i>Euphorbia guillauminiana</i>	Wild	All	Madagascar	(b)
<i>Euphorbia iharanae</i>	Wild	All	Madagascar	(b)
<i>Euphorbia kondoi</i>	Wild	All	Madagascar	(b)
<i>Euphorbia labatii</i>	Wild	All	Madagascar	(b)
<i>Euphorbia lophogona</i>	Wild	All	Madagascar	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Euphorbia millotii</i>	Wild	All	Madagascar	(b)
<i>Euphorbia neohumbertii</i>	Wild	All	Madagascar	(b)
<i>Euphorbia pachypodoides</i>	Wild	All	Madagascar	(b)
<i>Euphorbia razafindratsirae</i>	Wild	All	Madagascar	(b)
<i>Euphorbia suzannae-manieri</i>	Wild	All	Madagascar	(b)
<i>Euphorbia waringiae</i>	Wild	All	Madagascar	(b)
Orchidaceae				
<i>Anacamptis pyramidalis</i>	Wild	All	Switzerland, Turkey	(b)
<i>Barlia robertiana</i>	Wild	All	Turkey	(b)
<i>Cephalanthera rubra</i>	Wild	All	Norway	(b)
<i>Cypripedium japonicum</i>	Wild	All	China, North Korea, Japan, South Korea	(b)
<i>Cypripedium macranthos</i>	Wild	All	South Korea, Russia	(b)
<i>Cypripedium margaritaceum</i>	Wild	All	China	(b)
<i>Cypripedium micranthum</i>	Wild	All	China	(b)
<i>Dactylorhiza latifolia</i>	Wild	All	Norway	(b)
<i>Dactylorhiza romana</i>	Wild	All	Turkey	(b)
<i>Dactylorhiza russowii</i>	Wild	All	Norway	(b)
<i>Dactylorhiza traunsteineri</i>	Wild	All	Liechtenstein	(b)
<i>Dendrobium bellatulum</i>	Wild	All	Vietnam	(b)
<i>Dendrobium nobile</i>	Wild	All	Laos	(b)
<i>Dendrobium wardianum</i>	Wild	All	Vietnam	(b)
<i>Himantoglossum hircinum</i>	Wild	All	Switzerland	(b)
<i>Nigritella nigra</i>	Wild	All	Norway	(b)
<i>Ophrys holoserica</i>	Wild	All	Turkey	(b)
<i>Ophrys insectifera</i>	Wild	All	Liechtenstein, Norway	(b)
<i>Ophrys pallida</i>	Wild	All	Algeria	(b)
<i>Ophrys sphegodes</i>	Wild	All	Switzerland	(b)
<i>Ophrys tenthredinifera</i>	Wild	All	Turkey	(b)
<i>Ophrys umbilicata</i>	Wild	All	Turkey	(b)

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Orchis coriophora</i>	Wild	All	Russia, Switzerland	(b)
<i>Orchis italica</i>	Wild	All	Turkey	(b)
<i>Orchis laxiflora</i>	Wild	All	Switzerland	(b)
<i>Orchis mascula</i>	Wild/Ranched	All	Albania	(b)
<i>Orchis morio</i>	Wild	All	Turkey	(b)
<i>Orchis pallens</i>	Wild	All	Russia	(b)
<i>Orchis provincialis</i>	Wild	All	Switzerland	(b)
<i>Orchis punctulata</i>	Wild	All	Turkey	(b)
<i>Orchis purpurea</i>	Wild	All	Switzerland, Turkey	(b)
<i>Orchis simia</i>	Wild	All	Bosnia and Herzegovina, Croatia, former Yugoslav Republic of Macedonia, Switzerland, Turkey	(b)
<i>Orchis tridentata</i>	Wild	All	Turkey	(b)
<i>Orchis ustulata</i>	Wild	All	Russia	(b)
<i>Phalaenopsis parishii</i>	Wild	All	Vietnam	(b)
<i>Serapias cordigera</i>	Wild	All	Turkey	(b)
<i>Serapias parviflora</i>	Wild	All	Turkey	(b)
<i>Serapias vomeracea</i>	Wild	All	Switzerland, Turkey	(b)
<i>Spiranthes spiralis</i>	Wild	All	Liechtenstein, Switzerland	(b)
Primulaceae				
<i>Cyclamen intaminatum</i>	Wild	All	Turkey	(b)
<i>Cyclamen mirabile</i>	Wild	All	Turkey	(b)
<i>Cyclamen pseudibericum</i>	Wild	All	Turkey	(b)
<i>Cyclamen trochopteranthum</i>	Wild	All	Turkey	(b)
Stangeriaceae				
<i>Stangeriaceae</i> spp.	Wild	All	Madagascar, Mozambique, Vietnam	(b)
Zamiaceae				
<i>Zamiaceae</i> spp.	Wild	All	Madagascar, Mozambique, Vietnam	(b)

(¹) Animals born in captivity but for which the criteria of Chapter XIII of Regulation (EC) No 865/2006 are not met, as well as parts and derivatives thereof.

COMMISSION REGULATION (EU) No 998/2010

of 5 November 2010

concerning the authorisation of *Enterococcus faecium* DSM 7134 as a feed additive for chickens for fattening (holder of the authorisation Lactosan GmbH & Co KG)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex to this Regulation. The application was accompanied by the particulars and documents required pursuant to Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of *Enterococcus faecium* DSM 7134 as a feed additive for chickens for fattening, to be classified in the additive category 'zootechnical additives'.
- (4) The use of *Enterococcus faecium* DSM 7134 has been authorised for weaned piglets and pigs for fattening by Commission Regulation (EC) No 538/2007⁽²⁾, for sows by Commission Regulation (EC) No 1521/2007⁽³⁾ and was provisionally authorised for 4 years for chickens for fattening by Commission Regulation (EC) No 521/2005⁽⁴⁾.
- (5) New data were submitted in support of the application for the authorisation of the preparation for chickens for

fattening. The European Food Safety Authority ('the Authority') concluded in its opinion of 27 May 2010⁽⁵⁾ that *Enterococcus faecium* DSM 7134, under the proposed conditions of use, does not have an adverse effect on animal health, human health or the environment, and that it has the potential to be efficacious, when fed to the target species, by improving zootechnical parameters. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (6) The assessment of *Enterococcus faecium* DSM 7134 shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this preparation should be authorised as specified in the Annex to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

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, 5 November 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 128, 16.5.2007, p. 16.

⁽³⁾ OJ L 335, 20.12.2007, p. 24.

⁽⁴⁾ OJ L 84, 2.4.2005, p. 3.

⁽⁵⁾ EFSA Journal (2010); 8(6):1636.

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers									
4b1841	Lactosan GmbH & Co KG	Enterococcus faecium DSM 7134	Additive composition Preparation of Enterococcus faecium DSM 7134 containing a minimum of: Powder: 1 × 10 ¹⁰ CFU/g of additive Granulated (microencapsulated): 1 × 10 ¹⁰ CFU/g of additive Characterisation of the active substance Enterococcus faecium DSM 7134 Analytical method ⁽¹⁾ Enumeration: spread plate method using bile esculin azide agar. Identification: Pulsed Field Gel Electrophoresis (PFGE).	Chickens for fattening	—	5 × 10 ⁸	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. The use is permitted in feed containing the authorised coccidiostats: diclazuril, halofuginone hydrobromide, robenidine hydrochloride, decoquinate, lasalocid A sodium, maduramicin ammonium or monensin sodium.	26 November 2020

⁽¹⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/crl-feed-additives

COMMISSION REGULATION (EU) No 999/2010

of 5 November 2010

concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* (DSM 17594) as a feed additive for sows (holder of authorisation DSM Nutritional Products Ltd)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex to this Regulation. That application was accompanied by the particulars and documents required pursuant to Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a new use of the enzyme preparation 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* (DSM 17594) as a feed additive for sows, to be classified in the additive category 'zootechnical additives'.
- (4) The use of 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* (DSM 17594) has been authorised for weaned piglets, pigs for fattening, poultry for fattening and poultry for laying by Commission Regulation (EC) No 1088/2009⁽²⁾.

- (5) New data were submitted to support the application. The European Food Safety Authority ('the Authority') concluded in its opinion of 25 May 2010⁽³⁾ that 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* (DSM 17594), under the proposed conditions of use, does not have an adverse effect on animal health, human health or the environment, and that its use can improve the digestibility of phosphorus. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (6) The assessment of 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* (DSM 17594) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this preparation should be authorised as specified in the Annex to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'digestibility enhancers', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

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, 5 November 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 297, 13.11.2009, p. 6.

⁽³⁾ *The EFSA Journal* 2010; 8(6):1634.

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Units of activity/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: digestibility enhancers									
4a6	DSM Nutritional Products Ltd represented by DSM Nutritional products Sp. Z o.o	6-phytase EC 3.1.3.26	<i>Additive composition</i> Preparation of 6-phytase produced by <i>Aspergillus oryzae</i> (DSM 17594) having a minimum activity of: Coated form: 10 000 FYT ⁽¹⁾ /g Other solid form: 50 000 FYT/g Liquid form: 20 000 FYT/g <i>Characterisation of the active substance</i> 6-phytase produced by <i>Aspergillus oryzae</i> (DSM 17594) <i>Analytical method ⁽²⁾</i> Colorimetric method based on reaction of vanadomolybdate on inorganic phosphate produced by action of 6-phytase on a phytate-containing substrate (sodium phytate) at pH 5,5 and 37 °C, quantified against a standard curve from inorganic phosphate.	Sows	—	1 500 FYT	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. For use in feed containing more than 0,23 % phytin-bound phosphorus. 3. For safety: breathing protection, glasses and gloves shall be used during handling.	26 November 2020

⁽¹⁾ One FYT is the amount of enzyme that releases 1 µmol of inorganic phosphate from sodium phytate per minute under reaction conditions with a phytate concentration of 5,0 mM at pH 5,5 and a temperature of 37 °C during 30 minutes incubation.

⁽²⁾ Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/crl-feed-additives

COMMISSION REGULATION (EU) No 1000/2010

of 3 November 2010

derogating from Regulations (EC) No 2402/96, (EC) No 2058/96, (EC) No 2305/2003, (EC) No 969/2006, (EC) No 1918/2006, (EC) No 1964/2006, (EC) No 27/2008, (EC) No 1067/2008 and (EC) No 828/2009 as regards the dates for lodging import licence applications and issuing import licences in 2011 under tariff quotas for sweet potatoes, manioc starch, manioc, cereals, rice, sugar and olive oil and derogating from Regulations (EC) No 382/2008, (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004 and (EC) No 951/2006 as regards the dates for issuing export licences in 2011 in the beef and veal, pigmeat, eggs, poultrymeat and out-of-quota sugar and isoglucose sectors

THE EUROPEAN COMMISSION,

Whereas:

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

Having regard to Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII ⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽²⁾, and in particular Article 1(1) thereof,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽³⁾, and in particular Articles 61, 144(1), 148, 156 and 161(3), in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 1528/2007 of 20 December 2007 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements ⁽⁴⁾, and in particular Article 9(5) thereof,

Having regard to Council Regulation (EC) No 732/2008 of 22 July 2008 applying a scheme of generalised tariff preferences for the period from 1 January 2009 to 31 December 2011 and amending Regulations (EC) No 552/97, (EC) No 1933/2006 and Commission Regulations (EC) No 1100/2006 and (EC) No 964/2007 ⁽⁵⁾, and in particular Article 11(7) thereof,

- (1) Commission Regulation (EC) No 2402/96 of 17 December 1996 opening and setting administrative rules for certain annual tariff quotas for sweet potatoes and manioc starch ⁽⁶⁾ lays down specific provisions for lodging import licence applications and issuing import licences for sweet potatoes under quotas 09.4013 and 09.4014 and for manioc starch under quotas 09.4064 and 09.4065.
- (2) Commission Regulation (EC) No 27/2008 of 15 January 2008 opening and providing for the administration of certain annual tariff quotas for products covered by CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in certain third countries other than Thailand ⁽⁷⁾ lays down specific provisions for lodging import licence applications and issuing import licences, for the products concerned, under quotas 09.4009, 09.4010, 09.4011, 09.4012 and 09.4021.
- (3) Commission Regulation (EC) No 1067/2008 of 30 October 2008 opening and providing for the administration of Community tariff quotas for common wheat of a quality other than high quality from third countries and derogating from Council Regulation (EC) No 1234/2007 ⁽⁸⁾, Commission Regulation (EC) No 2305/2003 of 29 December 2003 opening and providing for the administration of a Community tariff quota for imports of barley from third countries ⁽⁹⁾ and Commission Regulation (EC) No 969/2006 of 29 June 2006 opening and providing for the administration of a Community tariff quota for imports of maize from third countries ⁽¹⁰⁾ lay down specific provisions for lodging import licence applications and issuing import licences for common wheat of a quality other than high quality under quotas 09.4123, 09.4124 and 09.4125, for barley under quota 09.4126 and for maize under quota 09.4131.
- (4) Commission Regulation (EC) No 2058/96 of 28 October 1996 opening and providing for the management of a tariff quota for broken rice of CN code 1006 40 00 for

⁽¹⁾ OJ L 122, 22.5.1996, p. 15.

⁽²⁾ OJ L 146, 20.6.1996, p. 1.

⁽³⁾ OJ L 299, 16.11.2007, p. 1.

⁽⁴⁾ OJ L 348, 31.12.2007, p. 1.

⁽⁵⁾ OJ L 211, 6.8.2008, p. 1.

⁽⁶⁾ OJ L 327, 18.12.1996, p. 14.

⁽⁷⁾ OJ L 13, 16.1.2008, p. 3.

⁽⁸⁾ OJ L 290, 31.10.2008, p. 3.

⁽⁹⁾ OJ L 342, 30.12.2003, p. 7.

⁽¹⁰⁾ OJ L 176, 30.6.2006, p. 44.

production of food preparations of CN code 1901 10 ⁽¹⁾ and Commission Regulation (EC) No 1964/2006 of 22 December 2006 laying down detailed rules for the opening and administration of an import quota for rice originating in Bangladesh, pursuant to Council Regulation (EEC) No 3491/90 ⁽²⁾ lay down specific provisions for lodging import licence applications and issuing import licences for broken rice under quota 09.4079 and for rice originating in Bangladesh under quota 09.4517.

(5) Commission Regulation (EC) No 828/2009 of 10 September 2009 laying down detailed rules of application for the marketing years 2009/2010 to 2014/2015 for the import and refining of sugar products of tariff heading 1701 under preferential agreements ⁽³⁾ lays down specific provisions for lodging import licence applications and issuing import licences under quotas 09.4221, 09.4231 and 09.4241 to 09.4247.

(6) Commission Regulation (EC) No 1918/2006 of 20 December 2006 opening and providing for the administration of tariff quota for olive oil originating in Tunisia ⁽⁴⁾ lays down specific provisions for lodging import licence applications and issuing import licences for olive oil under quota 09.4032.

(7) In view of the public holidays in 2011, derogations should be made, at certain times, from Regulations (EC) Nos 2402/96, 2058/96, 2305/2003, 969/2006, 1918/2006, 1964/2006, 1067/2008 and 828/2009 as regards the dates for lodging import licence applications and issuing import licences in order to ensure compliance with the quota volumes in question.

(8) The second subparagraph of Article 12(1) of Commission Regulation (EC) No 382/2008 of 21 April 2008 on rules of application for import and export licences in the beef and veal sector ⁽⁵⁾, Article 3(3) of Commission Regulation (EC) No 1518/2003 of 28 August 2003 laying down detailed rules for implementing the system of export licences in the pigmeat sector ⁽⁶⁾, Article 3(3) of Commission Regulation (EC) No 596/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licences in the egg sector ⁽⁷⁾ and Article 3(3) of Commission Regulation (EC) No 633/2004 of 30 March 2004 laying down detailed rules for implementing the system of export licences in the poultrymeat sector ⁽⁸⁾ provide that export licences are to be issued on the Wednesday following the week in

which the licence applications were lodged, unless the Commission has taken any particular measures in the meantime.

(9) Article 7d(1) 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 ⁽⁹⁾ lays down that export licences for out-of-quota sugar and isoglucose are to be issued from the Friday following the week during which the licence applications were lodged, unless the Commission has taken any particular measures in the meantime.

(10) In view of the public holidays in 2011 and the resulting impact on the publication of the *Official Journal of the European Union*, the period between the lodging of applications and the day on which the licences are to be issued will be too short to ensure proper management of the market. That period should therefore be extended.

(11) Commission Regulation (EC) No 1157/2009 ⁽¹⁰⁾ derogating from certain Regulations as regards the dates for lodging applications and issuing import and export licences in 2010 should therefore be repealed.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Sweet potatoes

1. By way of derogation from Article 3 of Regulation (EC) No 2402/96, for 2011, import licence applications for sweet potatoes under quotas 09.4013 and 09.4014 may not be lodged before Tuesday 4 January 2011 or after Tuesday 13 December 2011.

2. By way of derogation from Article 8(1) of Regulation (EC) No 2402/96, import licences for sweet potatoes applied for on the date indicated in Annex I to this Regulation under quotas 09.4013 and 09.4014 shall be issued on the date indicated therein, subject to measures adopted pursuant to Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽¹¹⁾.

⁽¹⁾ OJ L 276, 29.10.1996, p. 7.

⁽²⁾ OJ L 408, 30.12.2006, p. 19.

⁽³⁾ OJ L 240, 11.9.2009, p. 14.

⁽⁴⁾ OJ L 365, 21.12.2006, p. 84.

⁽⁵⁾ OJ L 115, 29.4.2008, p. 10.

⁽⁶⁾ OJ L 217, 29.8.2003, p. 35.

⁽⁷⁾ OJ L 94, 31.3.2004, p. 33.

⁽⁸⁾ OJ L 100, 6.4.2004, p. 8.

⁽⁹⁾ OJ L 178, 1.7.2006, p. 24.

⁽¹⁰⁾ OJ L 313, 28.11.2009, p. 60.

⁽¹¹⁾ OJ L 238, 1.9.2006, p. 13.

*Article 2***Manioc starch**

1. By way of derogation from the first paragraph of Article 9 of Regulation (EC) No 2402/96, for 2011, import licence applications for manioc starch under quotas 09.4064 and 09.4065 may not be lodged before Tuesday 4 January 2011 or after Tuesday 13 December 2011.

2. By way of derogation from Article 13(1) of Regulation (EC) No 2402/96, import licences for manioc starch applied for on the date indicated in Annex II to this Regulation under quotas 09.4064 and 09.4065 shall be issued on the date indicated therein, subject to measures adopted pursuant to Article 7(2) of Commission Regulation (EC) No 1301/2006.

*Article 3***Manioc**

1. By way of derogation from Article 8(1) of Regulation (EC) No 27/2008, for 2011, import licence applications for manioc under quotas 09.4009, 09.4010, 09.4011, 09.4012 and 09.4021 may not be lodged before Monday 3 January 2011 or after 13:00 (Brussels time) on Wednesday 14 December 2011.

2. By way of derogation from Article 8(4) of Regulation (EC) No 27/2008, import licences for manioc applied for on the dates indicated in Annex III to this Regulation under quotas 09.4009, 09.4010, 09.4011, 09.4012 and 09.4021 shall be issued on the dates indicated therein, subject to measures adopted pursuant to Article 7(2) of Regulation (EC) No 1301/2006.

*Article 4***Cereals**

1. By way of derogation from the second subparagraph of Article 4(1) of Regulation (EC) No 1067/2008, for 2011, import licence applications for common wheat of a quality other than high quality under quotas 09.4123, 09.4124 and 09.4125 may no longer be lodged after 13:00 (Brussels time) on Friday 16 December 2011.

2. By way of derogation from the second subparagraph of Article 3(1) of Regulation (EC) No 2305/2003, for 2011, import licence applications for barley under quota 09.4126 may no longer be lodged after 13:00 (Brussels time) on Friday 16 December 2011.

3. By way of derogation from the second subparagraph of Article 4(1) of Regulation (EC) No 969/2006, for 2011, import licence applications for maize under quota 09.4131 may no longer be lodged after 13:00 (Brussels time) on Friday 16 December 2011.

*Article 5***Rice**

1. By way of derogation from the third subparagraph of Article 2(1) of Regulation (EC) No 2058/96, for 2011, import licence applications for broken rice under quota 09.4079 may no longer be lodged after 13:00 (Brussels time) on Friday 9 December 2011.

2. By way of derogation from the first subparagraph of Article 4(3) of Regulation (EC) No 1964/2006, for 2011, import licence applications for rice originating in Bangladesh under quota 09.4517 may no longer be lodged after 13:00 (Brussels time) on Friday 9 December 2011.

*Article 6***Sugar**

By way of derogation from Article 4(1) of Regulation (EC) No 828/2009, import licence applications for sugar sector products under quotas 09.4221, 09.4231 and 09.4241 to 09.4247 may no longer be lodged after 13:00 (Brussels time) on Friday 16 December 2011 until 13:00 (Brussels time) on Friday 30 December 2011.

*Article 7***Olive oil**

By way of derogation from Article 3(3) of Regulation (EC) No 1918/2006, import licences for olive oil applied for during the periods referred to in Annex IV to this Regulation shall be issued on the corresponding dates specified therein, subject to measures adopted pursuant to Article 7(2) of Regulation (EC) No 1301/2006.

*Article 8***Licences for exports of beef and veal, pigmeat, eggs and poultrymeat attracting refunds**

By way of derogation from the second subparagraph of Article 12(1) of Regulation (EC) No 382/2008, Article 3(3) of Regulation (EC) No 1518/2003, Article 3(3) of Regulation (EC) No 596/2004 and Article 3(3) of Regulation (EC) No 633/2004, export licences applied for during the periods referred to in Annex V to this Regulation shall be issued on the corresponding dates set out therein.

The derogation provided for in the first paragraph shall apply only where none of the particular measures provided for in Article 12(2) and (3) of Regulation (EC) No 382/2008, Article 3(4) and (4a) of Regulation (EC) No 1518/2003, Article 3(4) and (4a) of Regulation (EC) No 596/2004 and Article 3(4) and (4a) of Regulation (EC) No 633/2004 has been taken before the said dates of issue.

*Article 9***Out-of-quota sugar and isoglucose**

By way of derogation from Article 7d(1) of Regulation (EC) No 951/2006, export licences for out-of-quota sugar and isoglucose for which applications are lodged during the periods referred to in Annex VI to this Regulation shall be issued on the corresponding dates set out therein.

The derogation provided for in the first paragraph shall apply only where none of the particular measures provided for in Article 9(1) and (2) of Regulation (EC) No 951/2006 has been taken before the said dates of issue.

Article 10

Regulation (EC) No 1157/2009 is repealed with effect from 31 December 2010.

*Article 11***Entry into force**

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

It shall expire on 31 December 2011.

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

Done at Brussels, 3 November 2010.

*For the Commission,
On behalf of the President,
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*

ANNEX I

Issue of import licences for sweet potatoes under quotas 09.4013 and 09.4014 for certain periods of 2011

Dates for lodging applications	Dates of issue of licences
Tuesday 19 April 2011	Friday 29 April 2011
Tuesday 3 May 2011	Wednesday 11 May 2011
Tuesday 31 May 2011	Thursday 9 June 2011
Tuesday 19 July 2011	Wednesday 27 July 2011
Tuesday 9 August 2011	Wednesday 17 August 2011
Tuesday 25 October 2011	Thursday 3 November 2011

ANNEX II

Issue of import licences for manioc starch under quotas 09.4064 and 09.4065 for certain periods of 2011

Dates for lodging applications	Dates of issue of licences
Tuesday 19 April 2011	Friday 29 April 2011
Tuesday 3 May 2011	Wednesday 11 May 2011
Tuesday 31 May 2011	Thursday 9 June 2011
Tuesday 19 July 2011	Wednesday 27 July 2011
Tuesday 9 August 2011	Wednesday 17 August 2011
Tuesday 25 October 2011	Thursday 3 November 2011

ANNEX III

Issue of import licences for manioc under quotas 09.4009, 09.4010, 09.4011, 09.4012 and 09.4021 for certain periods of 2011

Dates for lodging applications	Dates of issue of licences
Monday 18, Tuesday 19 and Wednesday 20 April 2011	Friday 29 April 2011
Monday 2, Tuesday 3 and Wednesday 4 May 2011	Wednesday 11 May 2011
Monday 30, Tuesday 31 May and Wednesday 1 June 2011	Thursday 9 June 2011
Monday 18, Tuesday 19 and Wednesday 20 July 2011	Wednesday 27 July 2011
Monday 8, Tuesday 9 and Wednesday 10 August 2011	Wednesday 17 August 2011
Monday 24, Tuesday 25 and Wednesday 26 October 2011	Thursday 3 November 2011

ANNEX IV

Periods for lodging olive oil import licence applications	Dates of issue
Monday 18 or Tuesday 19 April 2011	Friday 29 April 2011
Monday 2 or Tuesday 3 May 2011	Wednesday 11 May 2011
Monday 30 or Tuesday 31 May 2011	Thursday 9 June 2011
Monday 18 or Tuesday 19 July 2011	Wednesday 27 July 2011
Monday 8 or Tuesday 9 August 2011	Wednesday 17 August 2011
Monday 24 or Tuesday 25 October 2011	Thursday 3 November 2011

ANNEX V

Periods for lodging export licence applications for beef and veal, pigmeat, eggs and poultrymeat	Dates of issue
From 18 April to 22 April 2011	28 April 2011
From 2 to 6 May 2011	12 May 2011
From 6 to 10 June 2011	16 June 2011
From 8 to 12 August 2011	18 August 2011
From 24 to 28 October 2011	4 November 2011
From 19 to 30 December 2011	5 January 2012

ANNEX VI

Periods for lodging export licence applications for out-of-quota sugar and isoglucose	Dates of issue
From 24 to 28 October 2011	8 November 2011
From 19 to 23 December 2011	6 January 2012

COMMISSION REGULATION (EU) No 1001/2010**of 5 November 2010****amending for the 138th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, ⁽¹⁾ and in particular Article 7(1)(a) and 7a(1) and 7a(5) ⁽²⁾ thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 20 October 2010 the Sanctions Committee of the United Nations Security Council decided to add two

natural persons to its list of persons, groups and entities to whom the freezing of funds and economic resources should apply and to amend eleven entries on the list.

- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is hereby amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 5 November 2010.

*For the Commission,
On behalf of the President,*

Karel KOVANDA

Acting Director-General for External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

⁽²⁾ Article 7a was inserted by Regulation (EU) No 1286/2009 (OJ L 346, 23.12.2009, p. 42).

ANNEX

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

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

(a) 'Hakimullah **Mehsud** (*alias* (a) Hakeemullah Mehsud, (b) Zulfiqar). Date of birth: Approximately 1979. Place of birth: Pakistan. Nationality: Pakistani. Other information: (a) Reportedly born in South Waziristan, Pakistan; (b) Believed to be residing in Pakistan; (c) Leader of Tehrik-i-Taliban Pakistan, an organization based in the tribal areas along the Afghanistan-Pakistan border. Date of designation referred to in Article 2a(4)(b): 21.10.2010.'

(b) 'Wali **Ur Rehman**. Date of birth: Approximately 1970. Place of birth: Pakistan. Nationality: Pakistani. Other information: (a) Reportedly born in South Waziristan, Pakistan; (b) Believed to be residing in Pakistan; (c) Emir of Tehrik-i-Taliban for Southwest Waziristan Agency, Federally Administered Tribal Areas, Pakistan. Date of designation referred to in Article 2a(4)(b): 21.10.2010.'

(2) The entry 'Ahmed Khalfan Ghailani (*alias* (a) Ahmad, Abu Bakr, (b) Ahmed, Abubakar, (c) Ahmed, Abubakar K., (d) Ahmed, Abubakar Khalfan, (e) Ahmed, Abubakary K., (f) Ahmed, Ahmed Khalfan, (g) Ali, Ahmed Khalfan, (h) Ghailani, Abubakary Khalfan Ahmed, (i) Ghailani, Ahmed, (j) Ghilani, Ahmad Khalafan, (k) Hussein, Mahafudh Abubakar Ahmed Abdallah, (l) Khalfan, Ahmed, (m) Mohammed, Shariff Omar, (n) Haytham al-Kini, (o) Ahmed The Tanzanian, (p) Foopie, (q) Fupi, (r) Ahmed, A, (s) Al Tanzani, Ahmad, (t) Bakr, Abu, (u) Khabar, Abu). Date of birth: (a) 14.3.1974, (b) 13.4.1974, (c) 14.4.1974, (d) 1.8.1970. Place of birth: Zanzibar, Tanzania. Nationality: Tanzania. Other information: apprehended in July 2004 and in custody of the United States of America, as of July 2007.' under the heading 'Natural persons' shall be replaced by the following:

'Ahmed Khalfan Ghailani (*alias* (a) Ahmad, Abu Bakr, (b) Ahmed, Abubakar, (c) Ahmed, Abubakar K., (d) Ahmed, Abubakar Khalfan, (e) Ahmed, Abubakary K., (f) Ahmed, Ahmed Khalfan, (g) Ali, Ahmed Khalfan, (h) Ghailani, Abubakary Khalfan Ahmed, (i) Ghailani, Ahmed, (j) Ghilani, Ahmad Khalafan, (k) Hussein, Mahafudh Abubakar Ahmed Abdallah, (l) Khalfan, Ahmed, (m) Mohammed, Shariff Omar, (n) Haytham al-Kini, (o) Ahmed The Tanzanian, (p) Foopie, (q) Fupi, (r) Ahmed, A, (s) Al Tanzani, Ahmad, (t) Bakr, Abu, (u) Khabar, Abu). Address: United States of America. Date of birth: (a) 14.3.1974, (b) 13.4.1974, (c) 14.4.1974, (d) 1.8.1970. Place of birth: Zanzibar, Tanzania. Nationality: Tanzania. Date of designation referred to in Article 2a(4)(b): 17.10.2001.'

(3) The entry 'Khalid Abd Al-Rahman Hamd Al-Fawaz (*alias* (a) Al-Fauwaz, Khaled, (b) Al-Fauwaz, Khaled A., (c) Al-Fawwaz, Khalid, (d) Al Fawwaz, Khalik; (e) Al-Fawwaz, Khaled, (f) Al Fawwaz, Khaled, (g) Khalid Abdulrahman H. Al Fawaz). Address: 55 Hawarden Hill, Brooke Road, London NW2 7BR, United Kingdom. Date of birth: (a) 25.8.1962, (b) 24.8.1962. Place of birth: Kuwait. Nationality: Saudi Arabian. Passport No: 456682 (issued on 6.11.1990, expired on 13.9.1995). Other information: Resides in London.' under the heading 'Natural persons' shall be replaced by the following:

'Khalid Abd Al-Rahman Hamd **Al-Fawaz** (*alias* (a) Al-Fauwaz, Khaled, (b) Al-Fauwaz, Khaled A., (c) Al-Fawwaz, Khalid, (d) Al Fawwaz, Khalik; (e) Al-Fawwaz, Khaled, (f) Al Fawwaz, Khaled, (g) Khalid Abdulrahman H. Al Fawaz). Address: London, United Kingdom. Date of birth: 24.8.1962. Place of birth: Kuwait. Nationality: Saudi Arabian. Passport No: 456682 (issued on 6.11.1990, expired on 13.9.1995). Date of designation referred to in Article 2a(4)(b): 24.4.2002.'

(4) The entry 'Mostafa Kamel Mostafa Ibrahim (*alias* (a) Mustafa Kamel Mustafa, (b) Adam Ramsey Eaman, (c) Kamel Mustapha Mustapha, (d) Mustapha Kamel Mustapha, (e) Abu Hamza, (f) Mostafa Kamel Mostafa, (g) Abu Hamza Al-Masri, (h) Al-Masri, Abu Hamza, (i) Al-Misri, Abu Hamza). Address: (a) 9 Aldbourne Road, Shepherds Bush, London W12 0LW, United Kingdom; (b) 8 Adie Road, Hammersmith, London W6 0PW, United Kingdom. Date of birth: 15.4.1958. Place of birth: Alexandria, Egypt. Nationality: British. Other information: Currently in custody in the United Kingdom.' under the heading 'Natural persons' shall be replaced by the following:

'Mostafa Kamel Mostafa **Ibrahim** (*alias* (a) Mustafa Kamel Mustafa, (b) Adam Ramsey Eaman, (c) Kamel Mustapha Mustapha, (d) Mustapha Kamel Mustapha, (e) Abu Hamza, (f) Mostafa Kamel Mostafa, (g) Abu Hamza Al-Masri, (h) Al-Masri, Abu Hamza, (i) Al-Misri, Abu Hamza). Address: (a) 9 Aldbourne Road, Shepherds Bush, London W12 0LW, United Kingdom; (b) 8 Adie Road, Hammersmith, London W6 0PW, United Kingdom. Date of birth: 15.4.1958. Place of birth: Alexandria, Egypt. Nationality: British. Date of designation referred to in Article 2a(4)(b): 24.4.2002.'

- (5) The entry 'Fethi Ben Al-Rabei Ben Absha Mnasri (*alias* (a) Fethi Alic, (b) Amor, (c) Omar Abu). Address: Birmingham, United Kingdom. Date of birth: 6.3.1969. Place of birth: Baja, Tunisia. Nationality: Tunisian. Passport No: L497470 (Tunisian passport issued on 3.6.1997, expired on 2.6.2002). Date of designation referred to in Article 2a (4) (b): 25.6.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Fethi Ben Al-Rabei Ben Absha **Mnasri** (*alias* (a) Mnasri Fethi ben Rebai, (b) Mnasri Fethi ben Rebaj, (c) Mnasri Fethi ben al-Rabai, (d) Mnasri Fethi ben Rabaj, (e) Fethi Alic, (f) Amor, (g) Omar Abu, (h) Omar Tounsi, (i) Amar). Address: Birmingham, United Kingdom. Date of birth: (a) 6.3.1969, (b) 6.3.1963, (b) 3.6.1963. Place of birth: (a) Al-Sanadil Farm, Nafzah, Governorate of Baja, Tunisia; (b) Tunisia; (c) Algeria. Nationality: Tunisian. Passport No: L497470 (Tunisian passport issued on 3.6.1997, expired on 2.6.2002). Other information: Mother's name is Fatima Balayish. Date of designation referred to in Article 2a(4)(b): 25.6.2003.'

- (6) The entry 'Ahmed Hosni Rarrbo (*alias* (a) Rarrbo Abdallah, (b) Rarrbo Abdullah). Address: Algeria. Date of birth: 12.9.1974. Place of birth: Bologhine, Algeria. Nationality: Algerian. Other information: (a) In January 2003 sentenced in Italy to 2 years 4 months imprisonment. On 17 May 2004 sentenced in Italy by the Appeal Court to 8 months imprisonment, (b) Resides in Algeria as of 31 May 2006.' under the heading 'Natural persons' shall be replaced by the following:

'Ahmed Hosni **Rarrbo** (*alias* (a) Rarrbo Abdallah, (b) Rarrbo Abdullah, (c) Rarrbo Ahmed Hosni). Address: Algeria. Date of birth: 12.9.1974. Place of birth: (a) Bologhine, Algeria; (b) France. Nationality: Algerian. Date of designation referred to in Article 2a(4)(b): 25.6.2003.'

- (7) The entry 'Maxamed Cabdullaah Ciise, (*alias* (a) Maxamed Cabdullaahi Ciise, (b) Maxammed Cabdullaahi, (c) Cabdullah Mayamed Ciise. Address: (a) London, United Kingdom (as at November 2008); (b) Via Quaranta, Milan, Italy (previous address). Date of birth: 8.10.1974. Place of birth: Kismaayo, Somalia. Nationality: Somali. National identification: PX910063D (United Kingdom identification number). Other information: Present in the United Kingdom. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Maxamed Cabdullaah **Ciise**, (*alias* (a) Maxamed Cabdullaahi Ciise, (b) Maxammed Cabdullaahi, (c) Cabdullah Mayamed Ciise. Address: Somalia. Date of birth: 8.10.1974. Place of birth: Kismaayo, Somalia. Nationality: Somali. National identification: PX910063D (United Kingdom identification number). Other information: Present in Somalia as of April 2009 following transfer from United Kingdom. Date of designation referred to in Article 2a(4)(b): 12.11.2003.'

- (8) The entry 'Barakat Telecommunications Company Limited (aka BTELCO), Bakara Market, Dar Salaam Buildings, Mogadishu, Somalia; Kievitlaan 16, 't Veld, Noord-Holland, Netherlands' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'**Barakat Telecommunications Company Limited** (*alias* BTELCO). Address: Bakara Market, Dar Salaam Buildings, Mogadishu, Somalia. Other information: Office closed and defunct in the Netherlands as at August 2009. Date of designation referred to in Article 2a(4)(b): 9.11.2001.'

- (9) The entry 'Ansar al-Islam (*alias* (a) Devotees of Islam, (b) Jund al-Islam, (c) Soldiers of Islam, (d) Kurdistan Supporters of Islam, (e) Supporters of Islam in Kurdistan, (f) Followers of Islam in Kurdistan, (g) Kurdish Taliban, (h) Soldiers of God, (i) Ansar al-Sunna Army, (j) Jaish Ansar al-Sunna, (k) Ansar al-Sunna). Other information: Location Northern Iraq. Date of designation referred to in Article 2a (4) (b): 24.2.2003.' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'**Ansar al-Islam** (*alias* (a) Devotees of Islam, (b) Jund al-Islam, (c) Soldiers of Islam, (d) Kurdistan Supporters of Islam, (e) Supporters of Islam in Kurdistan, (f) Followers of Islam in Kurdistan, (g) Kurdish Taliban, (h) Soldiers of God, (i) Ansar al-Sunna Army, (j) Jaish Ansar al-Sunna, (k) Ansar al-Sunna). Other information: Located and primarily active in northern Iraq but maintains a presence in western and central Iraq. Date of designation referred to in Article 2a(4)(b): 24.2.2003.'

- (10) The entry 'Meadowbrook Investments Limited. Address: 44 Upper Belgrave Road, Clifton, Bristol, BS8 2XN, United Kingdom. Other information: Registration number: 05059698.' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

Meadowbrook Investments Limited. Address: 44 Upper Belgrave Road, Clifton, Bristol, BS8 2XN, United Kingdom. Other information: (a) Registration number: 05059698; (b) Associated with Mohammed Benhammedi. Date of designation referred to in Article 2a(4)(b): 7.2.2006.'

- (11) The entry 'Ozlam Properties Limited. Address: 88 Smithdown Road, Liverpool L7 4JQ, United Kingdom. Other information: Registration number: 05258730.' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'Ozlam Properties Limited. Address: 88 Smithdown Road, Liverpool L7 4JQ, United Kingdom. Other information: (a) Registration number: 05258730; (b) Associated with Mohammed Benhammedi. Date of designation referred to in Article 2a(4)(b): 7.2.2006.'

- (12) The entry 'Sara Properties Limited (*alias* Sara Properties). Address: (a) 104 Smithdown Road, Liverpool, Merseyside L7 4JQ, United Kingdom (b) 2a Hartington Road, Liverpool L8 OSG, United Kingdom. Other information: (a) website: <http://www.saraproperties.co.uk>, (b) registration number: 4636613.' shall be replaced by the following:

'Sara Properties Limited (*alias* Sara Properties). Address: (a) 104 Smithdown Road, Liverpool, Merseyside L7 4JQ, United Kingdom (b) 2a Hartington Road, Liverpool L8 OSG, United Kingdom. Other information: (a) Registration number: 4636613; (b) Associated with Mohammed Benhammedi. Date of designation referred to in Article 2a(4)(b): 7.2.2006.'

COMMISSION REGULATION (EU) No 1002/2010**of 5 November 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 November 2010.

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

Done at Brussels, 5 November 2010.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	57,0
	MA	77,3
	MK	42,0
	TR	95,0
	ZZ	67,8
0707 00 05	EG	161,4
	MK	59,4
	TR	129,6
	ZA	121,6
	ZZ	118,0
0709 90 70	MA	60,3
	TR	150,5
	ZZ	105,4
0805 20 10	MA	67,8
	ZA	154,0
	ZZ	110,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	100,3
	HR	59,6
	TR	64,7
	UY	58,7
	ZA	60,7
	ZZ	68,8
0805 50 10	AR	70,6
	BR	83,8
	CL	81,9
	TR	73,6
	UY	41,2
	ZA	76,8
	ZZ	71,3
0806 10 10	BR	220,7
	TR	146,6
	US	239,4
	ZA	79,2
	ZZ	171,5
0808 10 80	AR	75,7
	AU	149,8
	CL	84,2
	CN	68,6
	NZ	115,6
	US	118,9
	ZA	86,7
0808 20 50	ZZ	99,9
	CN	50,6
	US	48,2
	ZZ	49,4

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

DECISIONS

COMMISSION DECISION

of 3 November 2010

laying down criteria and measures for the financing of commercial demonstration projects that aim at the environmentally safe capture and geological storage of CO₂ as well as demonstration projects of innovative renewable energy technologies under the scheme for greenhouse gas emission allowance trading within the Community established by Directive 2003/87/EC of the European Parliament and of the Council

(notified under document C(2010) 7499)

(2010/670/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC⁽¹⁾, and in particular the third subparagraph of Article 10a(8) thereof,

Whereas:

- (1) The European Council of June 2008 called on the Commission to bring forward as soon as possible a mechanism to incentivise Member State and private sector investments to ensure the construction and operation by 2015 of up to 12 carbon capture and storage ('CCS') demonstration plants.
- (2) Article 10a(8) of Directive 2003/87/EC establishes a mechanism for the financing of commercial demonstration projects that aim at the environmentally safe capture and geological storage of CO₂ (hereinafter 'CCS demonstration projects') and demonstration projects of innovative renewable energy technologies (hereinafter 'RES demonstration projects'). With a view to ensuring a smooth functioning of this mechanism, it is necessary to lay down both the rules and criteria for the selection and implementation of those projects and the basic principles for the monetisation of allowances and for the management of revenues.
- (3) The Commission adopted the Communication entitled 'Investing in the Development of Low Carbon Technologies'⁽²⁾ on 7 October 2009, which emphasises the role of funding under this Decision in implementing the European Strategic Energy Technology Plan (SET-Plan) in respect of the needed demonstration projects.

- (4) Funding under this Decision should be conditional on clearance by the Commission of any State aid component of the overall financial contribution from public sources pursuant to Articles 107 and 108 of the Treaty with a view to ensuring that funding is limited to the extent necessary for implementation and operation of the project, taking into account potential negative effects on competition. Member States should therefore notify the Commission of any financing involving State aid pursuant to Article 108(3) of the Treaty to allow coordination of the selection procedure under this Decision with the State aid assessment.

- (5) The financing provided under this Decision is not part of the general budget of the European Union. It can therefore be combined with financing from other instruments, including the Structural and Cohesion Funds and the European Energy Programme for Recovery (EEPR). It can also be combined with loan financing provided under the Risk-Sharing Finance Facility (RSFF) set up by the Union and the European Investment Bank (EIB).

- (6) In order to avoid a subsidy competition between Member States, financing under this Decision should be fixed at 50 % of the relevant costs, unless the total amount of funding under this Decision would exceed the limit of 15 % of the total available allowances as referred to in Directive 2003/87/EC, in which case funding should be limited to 15 % of the total available allowances. The funding should also be complementary to substantial co-financing by the operator. In order not to give preferential treatment to projects funded under the EEPR, financing under this Decision should be reduced by the amount of financing received from the EEPR.

- (7) The establishment of an EU demonstration programme comprising the best possible projects of a wide range of technologies in geographically balanced locations within the territory of Member States, their exclusive economic zones and their continental shelves, cannot be sufficiently achieved if projects are selected on a national level. The

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ COM(2009) 519 final.

selection should therefore take place at Union level. With a view to ensuring coherence with national selection and funding procedures, Member States should be responsible for collecting funding applications from the sponsors and for the evaluation of the projects on the basis of the eligibility criteria laid down in this Decision. Since projects financed under this Decision will in most cases be co-financed by Member States, Member States should have the possibility to decide which of the projects they wish to support, and whose applications they wish to submit to the Union selection process. Submission of these applications is not intended to replace a State aid notification for cases in which the funding contains a State aid component. The role of Member States should be further strengthened by reconsulting the relevant Member States to confirm, where appropriate, the value and structure of the total public funding contribution and by submitting the draft list of selected projects to the Climate Change Committee, including on the quality of projects, before the award decisions are taken.

- (8) In light of its expertise in project selection and financing, the Commission has sought to involve the EIB in the implementation of this Decision. The EIB has agreed that, acting on request of, on behalf of and for the account of the Commission, it should perform certain tasks in respect of the project selection, the monetisation of allowances and the management of the revenues. The specific terms and conditions of the cooperation, including remuneration of the EIB, should be laid down in an agreement between the Commission and the EIB, subject to the approval of the decision-making bodies of the EIB. The EIB should be reimbursed for the performance of those tasks from income generated from its management of the revenues.
- (9) The available revenues from the 300 million allowances should be awarded through two rounds of calls for proposals to allow, on the one hand, for mature projects to receive financing already in the first round, and on the other hand, to provide for the possibility to adjust any technical or geographical imbalance in the second round. Where there is insufficient competition in a particular subcategory of projects in the first round, award decisions in that subcategory should be postponed to the second round with a view to maximising the use of funds under this Decision.
- (10) The financing under this Decision should be reserved for projects which make use of technologies which are innovative in relation to the state-of-the-art in the key substreams for each technology. Those technologies should not yet be commercially available, but sufficiently mature to be ready for demonstration at pre-commercial scale. They should have reasonable prospects of successful demonstration, taking into account that technological risks are inevitable, and the proposed scale of

demonstration should be such that no significant additional problems are to be expected from further scaling up. They should also have a high replicability potential, and therefore offer significant prospects for cost-effective CO₂ reduction both in the Union and globally. Therefore, only projects which fall into specific categories of projects and which comply with specific requirements set out in this Decision should be eligible for funding.

- (11) With a view to ensuring technological diversity, eight CCS demonstration projects should be funded (with at least one and, at most, three projects in each project category, at least three with hydrocarbon reservoir storage, and at least three with saline aquifer storage) in the first round of calls for proposals, and one project should be funded in each of the RES project subcategories in the first round of calls for proposals. If there are sufficient resources, it should be possible to finance more projects while maintaining the balance between CCS and RES demonstration projects. Further, with a view to ensuring geographical balance, at least one and no more than three projects should be funded within any one Member State. The projects which are intended to take place on the territory of several Member States should not be, due to their nature, limited by that criteria.
- (12) In principle, projects which satisfy the requirements on project numbers per category in the most cost-effective way should be selected.
- (13) With a view to ensuring that the selected projects begin operation as planned and that funds are efficiently used, award decisions should be conditional on the issuing of all relevant national permits in accordance with relevant requirements under Union law and final investment decisions being reached by the sponsors, within a specified period of time upon adoption of the award decisions.
- (14) Member States should disburse the revenues to projects on the basis of legally binding instruments. As required by Directive 2003/87/EC, disbursement should take place annually, on the basis of the amount of CO₂ stored for CCS demonstration projects as reported, monitored and verified under Directive 2003/87/EC, and on the basis of the amount of energy produced for RES projects. However, where Member States guarantee that any excess funding will be returned, it should be possible to disburse part or all of the funding for a project prior to its entry into operation. In light of the particular

importance of knowledge-sharing in the context of a demonstration programme, funds should only be disbursed if knowledge-sharing requirements are met.

- (15) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision lays down rules and criteria for the following:

- (1) the selection of commercial demonstration projects that aim at the environmentally safe capture and geological storage of CO₂ ('CCS demonstration projects') and demonstration projects of innovative renewable energy technologies ('RES demonstration projects') referred to in Directive 2003/87/EC;
- (2) the monetisation of the allowances referred to in Directive 2003/87/EC for the support of CCS and RES demonstration projects, and the management of the related revenues;
- (3) the disbursement of revenues and the implementation of CCS and RES demonstration projects.

This Decision, including the provisions in relation to the monetisation of allowances, shall be without prejudice to other implementing acts adopted pursuant to Directive 2003/87/EC.

Article 2

Principles

1. The number of allowances in the new entrants' reserve referred to in Article 10a(8) of Directive 2003/87/EC shall be 300 million.
2. Selection of CCS and RES demonstration projects for funding under this Decision shall take place through two rounds of calls for proposals organised by the Commission and addressed to Member States, covering the equivalent of 200 million allowances for the first round of call for proposals, and the equivalent of 100 million allowances and the remaining allowances from the first round of calls for proposals for the second round of calls for proposals.
3. Subject to the fourth sentence in the fourth subparagraph of Article 10a(8) of Directive 2003/87/EC, financing under this Decision shall be 50 % of the relevant costs. Where the total request for public funding is less than 50 % of the relevant costs, the total request for public funding shall be financed under this Decision.

However, where financing under this Decision is combined with financing from the European Energy Programme for Recovery (EEPR), the financing under this Decision shall be reduced by the amount of financing received from the EEPR.

Article 3

Relevant costs

1. For the purposes of Article 2(3), the rules in paragraphs 2 to 5 of this Article shall apply.

2. The relevant costs of CCS demonstration projects shall be those investment costs which are borne by the project due to the application of CCS net of the net present value of the best estimate of operating benefits and costs arising due to the application of CCS during the first 10 years of operation.

3. Relevant costs of RES demonstration projects shall be those extra investment costs which are borne by the project as a result of the application of an innovative renewable energy technology net of the net present value of the best estimate of operating costs and benefits arising during the first 5 years compared to a conventional production with the same capacity in terms of effective production of energy.

4. The investment costs referred to in paragraphs 2 and 3 shall cover the cost of investment in land, plant and equipment.

Investment costs may also relate to investment in technology transfer and operating licenses of know-how (hereinafter 'intangible assets') where the following conditions are fulfilled:

- (a) the intangible asset can be considered as a depreciable asset;
- (b) the intangible asset is purchased on market terms at the lowest price possible;
- (c) the intangible asset remains in the establishment of the recipient for at least 5 years.

If the intangible asset is sold before the expiry of the 5-year period referred to in point (c) of the second subparagraph, the yield from the sale shall be deducted from the relevant costs.

5. The net operating costs and benefits referred to in paragraphs 2 and 3 shall be based on the best estimate of operating expenses borne by the project regarding production costs and take into account any additional benefits resulting from support schemes even if they do not constitute State aid within the meaning of Article 107(1) of the Treaty, avoided costs and existing tax incentive measures.

Article 4

Role of the EIB

The European Investment Bank (EIB) shall perform its tasks under this Decision on request of, on behalf of and for the account of the Commission. The Commission shall be responsible with regard to third parties.

The EIB shall be reimbursed for the performance of those tasks from income generated from its management of the revenues.

The Commission and the EIB shall enter into an agreement laying down the specific terms and conditions under which the EIB shall perform its tasks.

Article 5

Selection procedure

1. The calls for proposals shall be published in the *Official Journal of the European Union*.
2. Member States shall collect funding applications for projects that are intended to take place on their territory.

However, where a project is intended to take place on the territory of several Member States (hereinafter a 'transboundary project'), the Member State receiving the funding application shall inform the other Member States concerned thereof and shall cooperate with the other Member States with a view to reaching a common decision on the submission of the project by the Member State receiving the funding application.

3. Member States shall assess whether a project meets the eligibility criteria referred to in Article 6. Where this is the case and where the Member State supports the project, that Member State shall submit the proposal to the EIB and inform the Commission thereof.

When submitting proposals for funding, the Member State shall provide the following information for each project:

- (a) the relevant costs, in euro, referred to in Article 2(3);
- (b) the total request for public funding in euro, which is the relevant costs minus any contribution to those costs from the operator;
- (c) the best estimate of the net present value of additional benefits resulting from support schemes as calculated according to Article 3(5);
- (d) for CCS demonstration projects, the total projected amount of CO₂ stored in the first 10 years of operation, or, for RES demonstration projects, the total projected amount of energy produced in the first 5 years of operation.

Member States shall also notify the Commission of any financing for the project involving State aid pursuant to Article 108(3) of the Treaty so as to allow coordination of the selection procedure with the State aid assessment.

4. On the basis of the proposals submitted pursuant to paragraph 3 of this Article, the EIB shall perform an assessment of the financial and technical viability (financial and technical due diligence) of the project in accordance with Article 7.

Where that assessment has been concluded positively, the EIB shall, in accordance with Article 8, make recommendations for award decisions to the Commission.

5. On the basis of the recommendations referred to in paragraph 4, after reconsulting the Member States concerned to confirm, where appropriate, the value and structure of the total public funding contribution, and following an opinion from the Climate Change Committee pursuant to Article 3 of Council Decision 1999/468/EC⁽¹⁾, the Commission shall adopt award decisions addressed to the relevant Member States, indicating the awarded funding for the projects concerned in euro.

Article 6

Eligibility criteria

1. A project shall be eligible for funding where the following criteria are fulfilled:

- (a) the project must fall into one of the categories set out in Part A of Annex I;
- (b) the project must comply with the requirements set out in Part B of Annex I;
- (c) the projects listed in Part A.II of Annex I must be innovative in nature. Existing, proven technologies are ineligible.

2. Where a Member State is not in a position to submit proposals for projects falling under any of the subcategories specified in Part A.II of Annex I which meet the relevant thresholds to the EIB pursuant to Article 5(3), proposals for projects below the relevant thresholds for any of the subcategories concerned may be submitted by this Member State and shall be considered eligible for the award of financing by way of derogation from paragraph 1.

Article 7

Financial and technical due diligence

The EIB shall perform the due diligence assessment of any proposed project in accordance with specifications laid down in the calls for proposals referred to in Article 5(1) and shall cover at least the following aspects:

- (1) technical scope;
- (2) costs;
- (3) financing;
- (4) implementation;
- (5) operation;
- (6) environmental impact;
- (7) procurement procedures.

Article 8

Project selection

1. Eight projects falling under Part A.I of Annex I and one project in each project subcategory specified in Part A.II of Annex I shall be funded.

However, where resources allow, further projects may be funded while maintaining the balance between CCS and RES demonstration projects.

Where no more than two proposals are submitted in a given subcategory, the Commission shall assess the possible impact of the limited number of proposals on the competition for selection under this Decision, and may, where appropriate, decide to postpone award decisions in the relevant subcategory to the second round of calls for proposals.

2. Projects shall be ranked in order of increasing cost-per-unit performance. CCS demonstration projects shall be ranked as a single group. RES demonstration projects shall be ranked within each of the subcategories specified in Part A.II of Annex I.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

For the purposes of the first subparagraph, cost-per-unit performance shall be calculated as the sum of the amounts specified in Article 5(3)(b) and (c), divided by the total projected amount of CO₂ stored in the first 10 years of operation for CCS demonstration projects, or, the total projected amount of energy produced in the first 5 years of operation for the RES demonstration projects.

Where the relevant Member States confirm, pursuant to Article 5(5), that there is a sufficient public funding for CCS demonstration projects, the highest ranked projects shall be selected in order of their ranking, provided all the following criteria are met:

- (a) at least one project and at most three projects are selected in each project category;
- (b) at least three projects with hydrocarbon reservoir storage are selected;
- (c) at least three projects with saline aquifer storage are selected.

Where those criteria are not met, the project under consideration for selection shall not be selected, and the next highest ranked project shall be considered for selection. The procedure shall be repeated until eight projects are selected.

Where the relevant Member States confirm, pursuant to Article 5(5), that there is a sufficient public funding for RES demonstration projects, the highest ranked project in each subcategory shall be selected. Where, in either of the rounds for calls for proposals there are no eligible and financially and technically viable projects in one or more project subcategories, a corresponding number of additional projects shall be funded in other subcategories of the same project category. Details shall be specified in the call for proposals pursuant to Article 5(1).

The selected CCS demonstration projects shall collectively constitute 'the CCS group' and the selected RES demonstration projects shall collectively constitute 'the RES group'.

3. By way of derogation from paragraph 1, where the total request for funding under this Decision is higher than the available funds, the number of selected projects shall be reduced so that the request for funding is reduced in the same proportion in each of the groups referred to in the third and fifth subparagraphs of paragraph 2.

For each of the groups, the project representing the highest cost-per-unit performance shall be deselected first, the project representing the highest cost-per-unit performance in another category shall be deselected next. The procedure shall be repeated until the requested funding is covered by the available funds.

4. Subject to the availability of proposals submitted to the EIB pursuant to Article 5(3) and recommended by the EIB for award decisions to the Commission pursuant to Article 5(4), at least one and no more than three projects shall be funded within one Member State.

However, the first subparagraph shall not apply to trans-boundary projects.

Article 9

Award decisions

Award decisions shall be conditional upon all relevant national permits in accordance with relevant requirements under Union law being issued, approval by the Commission of any State aid in respect of a project being granted, and final investment decisions being reached by the sponsors, within 24 months of adoption of the award decisions.

With regard to CCS demonstration projects, with saline aquifer storage, award decisions shall be conditional upon all relevant national permits in accordance with relevant requirements under Union law being issued, approval by the Commission of any State aid in respect of a project being granted, and final investment decisions being reached by the sponsors, within 36 months of adoption of the award decisions.

Award decisions shall cease to have legal effect where the conditions referred to in the first or second paragraph are not met.

Article 10

Monetisation of allowances and management of revenues

1. For the purposes of monetisation of allowances and management of revenues, the Commission shall act on behalf of Member States.

2. The Member States and the Commission shall ensure that the 300 million allowances referred to in Article 2(1) shall be transferred to the EIB for monetisation and management of the revenues.

3. The EIB shall sell the allowances for the first round of calls for proposals before the award decisions are adopted by the Commission for each round of calls for proposals referred to in Article 5(1).

The EIB shall manage the revenues and shall pass them to Member States as required for disbursement pursuant to Article 11.

Article 11

Disbursement of revenues and use of non-disbursed revenues

1. Member States shall disburse the revenues to project sponsors on the basis of legally binding instruments which shall set out at least the following:

- (a) the project and the awarded funding in euro;
- (b) the date of entry into operation;
- (c) the requirements for knowledge-sharing pursuant to Article 12;
- (d) requirements regarding disbursement of the revenues pursuant to paragraphs 2 to 6 of this Article;
- (e) requirements for reporting pursuant to Article 13;

- (f) the information on conditions of applicability of the decision referred to in Article 9.

For the first round of calls for proposals referred to in Article 5(1), the date of entry into operation referred to in point (b) of the first subparagraph of this paragraph shall be 31 December 2015 at the latest except where the respective award decision is adopted after 31 December 2011, in which case the date of entry into operation shall be no later than 4 years from the date of the award decision.

2. Disbursement shall take place annually. The disbursed amount shall be, for CCS demonstration projects, the amount of CO₂ stored in the relevant year as monitored, reported and verified pursuant to Articles 14 and 15 of Directive 2003/87/EC multiplied by the funding rate, and for RES demonstration projects, the amount of energy produced multiplied by the funding rate.

The funding rate shall be calculated by dividing the awarded funding by 75 % of the projected total amount of stored CO₂ in the first 10 years of operation in case of CCS demonstration projects, or 75 % of the projected total amount of energy produced in the first 5 years of operation in the case of RES demonstration projects.

3. Disbursement for a given year shall take place only where the knowledge-sharing requirements are met for that year.

4. Disbursement shall be limited to a period of 10 years from the date referred to in paragraph (1)(b) in the case of CCS demonstration projects, and to a period of 5 years from that date in the case of RES demonstration projects. The total funds disbursed shall not exceed the awarded funding referred to in paragraph 1(a).

5. Where the Member State concerned guarantees that any funding which exceeds the funding determined pursuant to paragraphs 2, 3, and 4 will be returned to the EIB, part or all of the funding for a project may be disbursed prior to the entry into operation of that project in accordance with specifications set out in the award decision.

6. Without prejudice to the second paragraph of Article 4, revenues which are not disbursed to projects and income generated from the management of revenues shall be used to co-finance further demonstration projects under this Decision until 31 December 2015.

Member States shall return revenues which are not disbursed to the EIB.

After 31 December 2015, any remaining funds shall accrue to the Member States. At the end of disbursement, these funds shall be passed on to the Member States in accordance with the principles laid down in Article 10a(7) of Directive 2003/87/EC.

Article 12

Knowledge-sharing

Member States shall ensure that all project operators, consortium members, suppliers and subcontractors who receive substantial benefit regarding the development of their product or service from the public finance provided, share the information on the elements set out in Annex II with other project operators, public authorities, research institutes, non-governmental organisations and the public in accordance with the further specifications set out in the calls for proposals referred to in Article 5(1).

Information shall be shared on an annual basis and shall comprise all information generated and processed in a given year.

Article 13

Reporting by Member States

During the periods referred to in Article 11(4), Member States shall, by 31 December of each year, submit reports on the implementation of the projects to the Commission.

Those reports shall include at least the following information for each project:

- (1) the amount of CO₂ stored or clean energy produced;
- (2) the funds disbursed;
- (3) any significant problems with project implementation.

Article 14

Reporting by the Commission

After completion of the first round of calls for proposals, the Commission shall report to the Climate Change Committee on the implementation of that round of calls for proposals, indicating whether any amendment to this Decision is necessary with the view to ensuring geographical and technical balance in the second round of calls for proposals.

Article 15

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 3 November 2010.

For the Commission

Connie HEDEGAARD

Member of the Commission

ANNEX I

ELIGIBILITY CRITERIA

A. PROJECT CATEGORIES

I. CCS demonstration project categories (with minimum capacity thresholds ⁽¹⁾)

- power generation: pre-combustion 250 MW,
- power generation: post-combustion 250 MW,
- power generation: oxyfuel 250 MW,
- industrial applications implementing: (a) CCS on refineries with 500 kilotonnes per year (kt/y) stored CO₂ from one or more sources within the refinery; (b) CCS application to cement kiln with 500 kt/y stored CO₂; (c) CCS application for primary production routes in iron and steel production with 500 kt/y stored CO₂; or (d) CCS application for primary production routes in aluminium production with 500 kt/y stored CO₂.

II. Innovative RES demonstration project categories (with minimum size thresholds)

- Bioenergy – project subcategories:
 - Lignocellulose to intermediate solid, liquid or slurry bioenergy carriers via pyrolysis with capacity 40 kt/y of the final product.
 - Lignocellulose to intermediate solid, liquid or slurry bioenergy carriers via torrefaction with capacity 40 kt/y of the final product.
 - Lignocellulose to Synthetic Natural Gas or synthesis gas and/or to power via gasification with capacity 40 million normal cubic metres per year (MNm³/y) of the final product or 100 GWh/y of electricity.
 - Lignocellulose to biofuels or bioliquids and/or to power including via directly heated gasification with capacity 15 million litres per year (Ml/y) of the final product or 100 GWh/y of electricity. Production of Synthetic Natural Gas is excluded under this subcategory.
 - Lignocellulosic raw material, such as black liquor and/or products from pyrolysis or torrefaction, via entrained flow gasification to any biofuels with capacity 40 Ml/y of the final product.
 - Lignocellulose to electricity with 48 % efficiency based on lower heating value (50 % moisture) with capacity 40 MWe or higher.
 - Lignocellulose to ethanol and higher alcohols via chemical and biological processes with capacity 40 Ml/y of the final product.
 - Lignocellulose and/or household waste to biogas, biofuels or bioliquids via chemical and biological processes with capacity 6 MNm³/y of Methane or 10 Ml/y of the final product.
 - Algae and/or micro-organisms to biofuels or bioliquids via biological and/or chemical processes with capacity 40 Ml/y of the final product.

Note: sustainability criteria as provided in Directive 2009/28/EC of the European Parliament and of the Council ⁽²⁾ on the promotion of the use of energy from renewable sources shall be met for biofuels and bioliquids within the meaning of that Directive.

- Concentrated solar power – project subcategories:
 - Parabolic trough or Fresnel system using molten salts or other environmentally-benign heat transfer fluid with nominal capacity 30 MW.
 - Parabolic trough or Fresnel system based on Direct Steam Generation with nominal capacity 30 MW. Direct steam solar temperature to be above 500 °C.

⁽¹⁾ CCS power thresholds are expressed as gross electrical output before capture.

⁽²⁾ OJ L 140, 5.6.2009, p. 16.

- Tower system using superheated steam cycle (either multi-tower or combination liner collectors – tower) with nominal capacity 50 MW.
- Tower system using pressurised air with temperature above 750 °C and solar hybrid gas turbine with nominal capacity 30 MW.
- Large-scale Stirling dish power plants with solar to electric efficiency of over 20 % and nominal capacity of at least 25 MW.

Note: Dry cooling, hybridisation and (advanced) heat storage solution may be included in the demonstration plants.

— Photovoltaics – project subcategories:

- Large-scale concentrator photovoltaics power plants with nominal capacity 20 MW.
- Large-scale multi-junction Si-thin-film photovoltaics power plants with nominal capacity 40 MW.
- Large-scale Copper indium gallium (di)selenide (CIGS)-based photovoltaics power plants with nominal capacity 40 MW.

— Geothermal – project subcategories:

- Enhanced geothermal systems in tensional stress fields with nominal capacity 5 MWe.
- Enhanced geothermal systems in compressional stress fields with nominal capacity 5 MWe.
- Enhanced geothermal systems in areas with deep compact sedimentary and granite rocks and other crystalline structures with nominal capacity 5 MWe.
- Enhanced geothermal systems in deep limestone with nominal capacity 5 MWe.

Note: Combined Heat and Power (CHP) applications with the same electricity thresholds are equally eligible.

— Wind – project subcategories:

- Off-shore wind (minimum turbines size 6 MW) with nominal capacity 40 MW.
- Off-shore wind (minimum turbines size 8 MW) with nominal capacity 40 MW.
- Off-shore wind (minimum turbines size 10 MW) with nominal capacity 40 MW.
- Floating off-shore wind systems with nominal capacity 25 MW.
- On-shore wind turbines optimised for complex terrains (such as forested terrains or mountainous areas); with nominal capacity 25 MW.
- On-shore wind turbines optimised for cold climates (compatible with temperature lower than – 30 °C and severe icing conditions) with nominal capacity 25 MW.

— Ocean – project subcategories:

- Wave energy devices with nominal capacity 5 MW.
- Marine/tidal currents energy devices with nominal capacity 5 MW.
- Ocean thermal energy conversion (OTEC) with nominal capacity 10 MW.

— Hydropower – project subcategories:

- Power generation with High Temperature Superconducting Generators: 20 MW.

— Distributed Renewable Management (smart grids) – project subcategories:

- Renewable energy management and optimisation for small and medium-scale Distributed Generators in rural environment with predominant solar generation: 20 MW on Low Voltage (LV) network + 50 MW on Medium Voltage (MV) network.

- Renewable energy management and optimisation for small and medium-scale Distributed Generators in rural environment with predominant wind generation: 20 MW on LV network + 50 MW on MV network.
- Renewable energy management and optimisation for small and medium-scale Distributed Generators in urban environment: 20 MW on LV network + 50 MW on MV network.

Note: The use of active loads (electric heaters/heat pumps etc.) shall not be excluded.

B. PROJECT REQUIREMENTS

I. Common requirements

- The capacity thresholds laid down in Part A must be met.
- With regard to the first round of calls for proposals, projects must demonstrate a reasonable expectation of entry into operation by 31 December 2015 on the basis of the adoption of the respective award decision by 31 December 2011.
- All relevant national permits for the project must be in place and in line with relevant requirements under Union legislation or the relevant permit procedures under way and sufficiently advanced to ensure start-up of commercial operation could take place by 31 December 2015 for the first round on the basis of the adoption of the respective award decision by 31 December 2011.
- The project operator has to make a binding commitment to knowledge-sharing pursuant to the requirements laid down in Article 12.
- Projects shall be located in the territories of the Member States, their exclusive economic zones and their continental shelves.

II. CCS demonstration projects

- Each project has to implement the full chain (capture, transport and storage).
 - Each demonstration project must implement heat integration for the capture component of the process.
 - The capture rate has to be at least 85 % of CO₂ from the flue gases to which capture is applied.
 - Each project has to contain an independent research block related to safety of storage sites and improvement of monitoring technologies especially in the field of brine migration, its possible pathways and impacts.
-

ANNEX II

KNOWLEDGE-SHARING REQUIREMENTS

A. Technical set-up and performance

- reliability,
- CO₂ captured,
- performance at different levels, including differences between expected and real performance,
- increase in fuel demand; electricity, heat and cooling demand,
- key inputs and outputs and design,
- future identified Research and Development issues,

B. Cost level

- capital and operating costs,
- totals and costs per unit performance (tonne CO₂ stored, clean MWh produced),

C. Project management

- legislation/permitting,
- stakeholder management, including interaction with Governments,
- planning,
- project organisation,

D. Environmental impact

- effectiveness: reduction of CO₂ emissions per unit energy,
- other environmental impacts at undisturbed operation,

E. Health and safety

- incidents and near misses occurred (disturbed operation),
- monitoring and resolution systems to track safety,
- health issues in undisturbed operation,

F. CCS storage site performance

- models and simulations (development CO₂ plume – pressure front),
 - history match results and adjustments (assessment to be made: normal within a deviation range or significant irregularity that needs action),
 - behaviour of displaced brine through CO₂ injection.
-

COMMISSION DECISION
of 5 November 2010
allowing Member States to extend provisional authorisations granted for the new active substance
spirotetramat

(notified under document C(2010) 7437)

(Text with EEA relevance)

(2010/671/EU)

THE EUROPEAN COMMISSION,

rapporteur Member State submitted its respective draft assessment report to the Commission on 29 April 2008.

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular the fourth subparagraph of Article 8(1) thereof,

Whereas:

(1) In accordance with Article 6(2) of Directive 91/414/EEC, in October 2006 Austria received an application from Bayer CropScience AG for the inclusion of the active substance spirotetramat in Annex I to Directive 91/414/EEC. Commission Decision 2007/560/EC ⁽²⁾ confirmed that the dossier was complete and could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to that Directive.

(2) Confirmation of the completeness of the dossier was necessary in order to allow it to be examined in detail and to allow Member States the possibility of granting provisional authorisations, for periods of up to three years, for plant protection products containing the active substance concerned, while complying with the conditions laid down in Article 8(1) of Directive 91/414/EEC and, in particular, the condition relating to the detailed assessment of the active substances and the plant protection products in the light of the requirements laid down by that Directive.

(3) For this active substance, the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicant. The

(4) Following submission of the draft assessment report by the rapporteur Member State, it has been found to be necessary to request further information from the applicant and to have the rapporteur Member State examine that information and submit its assessment. Therefore, the examination of the dossier is still ongoing and it will not be possible to complete the evaluation within the time-frame provided for in Directive 91/414/EEC.

(5) As the evaluation so far has not identified any reason for immediate concern, Member States should be given the possibility of prolonging provisional authorisations granted for plant protection products containing the active substance concerned for a period of 24 months in accordance with the provisions of Article 8 of Directive 91/414/EEC so as to enable the examination of the dossier to continue. It is expected that the evaluation and decision-making process with respect to a decision on a possible inclusion in Annex I to that Directive for spirotetramat will have been completed within 24 months.

(6) 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

Member States may extend provisional authorisations for plant protection products containing spirotetramat for a period ending on 31 December 2012 at the latest.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 213, 15.8.2007, p. 29.

Article 2

This Decision shall expire on 31 December 2012.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 5 November 2010.

For the Commission

John DALLI

Member of the Commission

COMMISSION DECISION

of 5 November 2010

recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of penflufen and fluxapyroxad in Annex I to Council Directive 91/414/EEC

*(notified under document C(2010) 7439)***(Text with EEA relevance)**

(2010/672/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular Article 6(3) thereof,

Whereas:

- (1) Directive 91/414/EEC provides for the development of a European Union list of active substances authorised for incorporation in plant protection products.
- (2) The dossier for the active substance penflufen was submitted by Bayer CropScience AG to the authorities of the United Kingdom on 9 December 2009 with the application to obtain its inclusion in Annex I to Directive 91/414/EEC.
- (3) The dossier for the active substance fluxapyroxad was submitted by BASF SE to the authorities of the United Kingdom on 11 December 2009 with the application to obtain its inclusion in Annex I to Directive 91/414/EEC.
- (4) The authorities of the United Kingdom have indicated to the Commission that, on preliminary examination, the dossiers for the active substances concerned appear to satisfy the data and information requirements set out in Annex II to Directive 91/414/EEC. The dossiers submitted appear also to satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substances concerned. In accordance with Article 6(2) of Directive 91/414/EEC, the dossiers were subsequently forwarded by the applicants to the Commission and other Member States, and were referred to the Standing Committee on the Food Chain and Animal Health.
- (5) By this Decision it should be formally confirmed at European Union level that the dossiers are considered as satisfying in principle the data and information requirements set out in Annex II and, for at least one

plant protection product containing the active substances concerned, the requirements set out in Annex III to Directive 91/414/EEC.

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

HAS ADOPTED THIS DECISION:

Article 1

The dossiers concerning the active substances identified in the Annex to this Decision, which were submitted to the Commission and the Member States with a view to obtaining the inclusion of those substances in Annex I to Directive 91/414/EEC, satisfy in principle the data and information requirements set out in Annex II to that Directive.

The dossiers also satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance, taking into account the uses proposed.

Article 2

The rapporteur Member State shall pursue the detailed examination for the dossiers referred to in Article 1 and shall communicate to the Commission the conclusions of its examination accompanied by any recommendations on the inclusion or non-inclusion in Annex I to Directive 91/414/EEC of the active substances referred to in Article 1 and any conditions for that inclusion as soon as possible and by 31 December 2011 at the latest.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 5 November 2010.

For the Commission

John DALLI

Member of the Commission

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

ANNEX

ACTIVE SUBSTANCE CONCERNED BY THIS DECISION

Common name, CIPAC identification number	Applicant	Date of application	Rapporteur Member State
Penflufen CIPAC-No: 826	Bayer CropScience AG	9 December 2009	UK
Fluxapyroxad CIPAC-No: Not yet allocated	BASF SE	11 December 2009	UK

DECISION OF THE EUROPEAN CENTRAL BANK**of 2 November 2010****amending Decision ECB/2007/7 concerning the terms and conditions of TARGET2-ECB****(ECB/2010/19)**

(2010/673/EU)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 11.6 and Articles 17, 22 and 23 thereof,

Having regard to Guideline ECB/2007/2 of 26 April 2007 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) ⁽¹⁾,

Having regard to Decision ECB/2007/7 of 24 July 2007 concerning the terms and conditions of TARGET2-ECB ⁽²⁾,

Whereas:

- (1) On 15 September 2010, the Governing Council of the European Central Bank (ECB) adopted Guideline ECB/2010/12 amending Guideline ECB/2007/2 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) ⁽³⁾, inter alia: (a) to take into account the updates for TARGET2 release 4.0, in particular to allow participants to access one or more PM accounts using Internet-based access; and (b) to reflect a number of technical changes following the entry into force of the Treaty on the Functioning of the European Union and clarify a few issues.

- (2) It is necessary to make conforming amendments to Decision ECB/2007/7, in order to implement certain of the elements of Guideline ECB/2010/12 in the terms and conditions of TARGET2-ECB,

HAS ADOPTED THIS DECISION:

*Article 1***Amendment of the terms and conditions of TARGET2-ECB**

The Annex to Decision ECB/2007/7 which contains the terms and conditions of TARGET2-ECB shall be amended in accordance with the Annex to this Decision.

*Article 2***Entry into force**

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

Done at Frankfurt am Main, 2 November 2010.

The President of the ECB
Jean-Claude TRICHET

⁽¹⁾ OJ L 237, 8.9.2007, p. 1.

⁽²⁾ OJ L 237, 8.9.2007, p. 71.

⁽³⁾ OJ L 261, 5.10.2010, p. 6.

ANNEX

The terms and conditions of TARGET2-ECB shall be amended as follows:

1. Article 1 is amended as follows:

(a) the following definitions are replaced:

‘— “addressable BIC holder” means an entity which: (a) holds a Business Identifier Code (BIC); (b) is not recognised as an indirect participant; and (c) is a correspondent or customer of a direct participant or a branch of a direct or indirect participant, and is able to submit payment orders to and receive payments from a TARGET2 component system via the direct participant,’

‘— “credit institution” means either: (a) a credit institution within the meaning of §1 (1) of the KWG that is subject to supervision by a competent authority; or (b) another credit institution within the meaning of Article 123(2) of the Treaty on the Functioning of the European Union that is subject to scrutiny of a standard comparable to supervision by a competent authority,’

‘— “public sector body” means an entity within the “public sector”, the latter term as defined in Article 3 of Council Regulation (EC) No 3603/93 of 13 December 1993 specifying definitions for the application of the prohibitions referred to in Articles 104 and 104b(1) of the Treaty (*),

(*) OJ L 332, 31.12.1993, p. 1.’;

(b) ‘— “Bank Identifier Code (BIC)” means a code as defined by ISO Standard No 9362,’ is replaced by the following: ‘— “Business Identifier Code (BIC)” means a code as defined by ISO Standard No 9362.’;

(c) in the definition ‘technical malfunction of TARGET2’, the full stop is replaced by a comma;

(d) the following definition is added:

‘— “User Detailed Functional Specifications (UDFS)” means the most up-to-date version of the UDFS, which is the technical documentation that details how a participant interacts with TARGET2.’.

2. Article 28(2) is amended as follows:

(a) in point (d) the words ‘and/or’ are deleted and are added to point (e);

(b) the following point (f) is added:

‘(f) the ECB suspends or terminates the participant’s access to intraday credit pursuant to paragraph 12 of Annex III to Guideline ECB/2007/2.’.

3. In Article 32(2), the term ‘Community’ is replaced by the term ‘Union’.

4. Article 33(1) is replaced by the following:

‘1. Participants shall be deemed to be aware of, and shall comply with, all obligations on them relating to legislation on data protection, prevention of money laundering, the financing of terrorism, proliferation-sensitive nuclear activities and the development of nuclear weapons delivery systems, in particular in terms of implementing appropriate measures concerning any payments debited or credited on their PM accounts. Participants shall also acquaint themselves with the network service provider’s data retrieval policy prior to entering into the contractual relationship with the network service provider.’.

5. In Article 34(1), the term ‘SWIFT’ is replaced by the term ‘BIC’.

6. Article 38(2) is replaced by the following:

‘2. Without prejudice to the competence of the Court of Justice of the European Union, any dispute arising from a matter relating to the relationship referred to in paragraph 1 falls under the exclusive competence of the courts of Frankfurt am Main.’.

7. In Appendix I, the last three rows of the table in paragraph 2(1) are replaced by the following:

MT 900	Optional	Confirmation of Debit/Credit line change
MT 910	Optional	Confirmation of Credit/Credit line change
MT 940/950	Optional	(Customer) Statement Message'

8. In Appendix V, the last row of the table in paragraph 3 is replaced by the following:

'1.00 — 7.00	Settlement procedure of night-time ancillary system operations (only for ancillary system settlement procedure 6)'
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