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Legislation

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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 9 March 2011

on the conclusion of the Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation

(2011/343/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 186, in conjunction with point (v) of Article 218(6)(a), thereof,

Article 1

The Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation is hereby approved on behalf of the Union ⁽¹⁾.

Having regard to the proposal from the Commission,

Article 2

Having regard to the consent of the European Parliament,

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 7(2) of the Agreement and make the following notification to the Hashemite Kingdom of Jordan:

Whereas:

(1) The Commission negotiated, on behalf of the Community, an Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation.

'As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to "the European Community" in the text of the Agreement are, where appropriate, to be read as "the European Union".'

(2) That Agreement was signed by the representatives of the Parties on 30 November 2009 in Brussels, and has been provisionally applied upon signature pursuant to Article 7(2) of the Agreement, pending its conclusion.

Article 3

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

(3) As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.

Done at Brussels, 9 March 2011.

(4) The Agreement should be concluded on behalf of the Union,

*For the Council**The President*

CSÉFALVAY Z.

⁽¹⁾ See page 108 of this Official Journal.

REGULATIONS

COUNCIL REGULATION (EU) No 572/2011

of 16 June 2011

amending Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya ⁽¹⁾,

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

Whereas:

- (1) Decision 2011/137/CFSP, as amended by Council Decision 2011/332/CFSP ⁽²⁾, provides for a specific derogation in relation to the freezing of the assets of certain entities (ports).
- (2) It is appropriate to ensure the continuation of humanitarian operations and of the provision of materials and supplies for essential civilian needs, as well as operations necessary for evacuations from Libya.
- (3) These measures fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.
- (4) In view of the gravity of the situation in Libya and in accordance with Decision 2011/137/CFSP, additional entities should be included in the list of persons and entities subject to restrictive measures set out in Annex III to Council Regulation (EU) No 204/2011 ⁽³⁾.

- (5) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 204/2011 is hereby amended as follows:

1. Article 8a is replaced by the following:

‘Article 8a

By way of derogation from Article 5, the competent authorities in the Member States, as listed in Annex IV, may authorise the release of frozen funds or economic resources belonging to persons, entities or bodies listed in Annex III, or the making available of certain funds or economic resources to persons, entities or bodies listed in Annex III, under such conditions as they deem appropriate, where they consider it necessary for humanitarian purposes, such as the delivery and facilitation of delivery of humanitarian aid, the delivery of materials and supplies necessary for essential civilian needs, including food and agricultural materials for its production, medical products and the provision of electricity, or for evacuations from Libya. The Member State concerned shall inform other Member States and the Commission of authorisations made under this Article within 2 weeks of the authorisation.’;

2. the following Article is inserted:

‘Article 10a

By way of derogation from Article 5(2), the competent authorities in the Member States, as identified on the websites listed in Annex IV, may authorise the making available of certain funds or economic resources to port authorities listed in Annex III in relation to the execution, until 15 July 2011, of contracts concluded before 7 June 2011, with the exception of contracts relating to oil, gas and refined oil products. The Member State shall inform other Member States and the Commission of authorisations made under this Article within 2 weeks of the authorisation.’.

⁽¹⁾ OJ L 58, 3.3.2011, p. 53.

⁽²⁾ OJ L 149, 8.6.2011, p. 10.

⁽³⁾ OJ L 58, 3.3.2011, p. 1.

Article 2

The entities listed in the Annex to this Regulation shall be added to the list set out in Annex III to Regulation (EU) No 204/2011.

Article 3

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, 16 June 2011.

For the Council
The President
MARTONYI J.

ANNEX

Entities referred to in Article 2

	Name	Identifying information	Reasons	Date of listing
	Port authority of Tripoli	Port Authority: Socialist Ports Company (in respect of the operation of the port of Tripoli) Tel. +218 21 43946	Under the control of the Qadhafi regime	7.6.2011
	Port authority of Al Khoms	Port Authority: Socialist Ports Company (in respect of the operation of the port of Al Khoms) Tel. +218 21 43946	Under the control of the Qadhafi regime	7.6.2011
	Port authority of Brega		Under the control of the Qadhafi regime	7.6.2011
	Port authority of Ras Lanuf	Port Authority: Veba Oil Operations BV Address: PO Box 690 Tripoli, Libya Tel. +218 21 333 0081	Under the control of the Qadhafi regime	7.6.2011
	Port authority of Zawia		Under the control of the Qadhafi regime	7.6.2011
	Port authority of Zuwara	Port Authority: Port Authority of Zuwara Address: PO Box 648 Port Affairs and Marine Transport Tripoli Libya Tel. +218 25 25305	Under the control of the Qadhafi regime	7.6.2011

COUNCIL IMPLEMENTING REGULATION (EU) No 573/2011**of 16 June 2011****implementing Article 16(2) of Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

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

*Article 1*Having regard to Council Regulation (EU) No 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya ⁽¹⁾, and in particular Article 16(2) thereof,

The entry for the person set out in the Annex to this Regulation shall be deleted from the list set out in Annex III to Regulation (EU) No 204/2011.

Whereas:

Article 2

In view of the developments in Libya, the list of persons and entities subject to restrictive measures set out in Annex III to Regulation (EU) No 204/2011 should be amended,

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, 16 June 2011.

*For the Council**The President*

MARTONYI J.

⁽¹⁾ OJ L 58, 3.3.2011, p. 1.

ANNEX

Person referred to in Article 1

14. ZARTI, Mustafa

COMMISSION REGULATION (EU) No 574/2011

of 16 June 2011

amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels for nitrite, melamine, *Ambrosia* spp. and carry-over of certain coccidiostats and histomonostats and consolidating Annexes I and II thereto

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed ⁽¹⁾, and in particular Article 8(1) and the first indent of Article 8(2) thereof,

Whereas:

- (1) Directive 2002/32/EC provides that the use of products intended for animal feed that contain levels of undesirable substances exceeding the maximum levels laid down in Annex I to that Directive is prohibited. For certain undesirable substances, Member States are to carry out investigations identifying the sources of those substances if the thresholds set out in Annex II of that Directive are exceeded.
- (2) As regards nitrite, it was found that the products and by-products from sugar beet and sugarcane and from the starch production contain under certain conditions levels of nitrite exceeding the maximum levels recently established in Annex I to Directive 2002/32/EC. Furthermore, it appears that the method of analysis for the determination of nitrite in feed does not always provide reliable analytical results with regard to the products and by-products from sugar beet and sugarcane and from the starch production. Given that the European Food Safety Authority (EFSA) concluded in its opinion of 25 March 2009 ⁽²⁾ that the presence of nitrite in animal products does not raise any concern for human health, the products concerned should be exempted for the time being from the maximum level for nitrite in feed materials, while nitrite levels in those products and appropriate methods of analysis are further examined.

- (3) As regards melamine, the EFSA adopted on 18 March 2010 a scientific opinion on melamine in food and feed ⁽³⁾. EFSA findings show that exposure to melamine can result in the formation of crystals in the urinary tract. These crystals cause proximal tubular damage and have been observed in animals and children as a result of incidents involving adulteration of feed and infant formula with melamine, leading to fatalities in some instances. The Codex Alimentarius Commission has established maximum levels for melamine in feed and food ⁽⁴⁾. It is appropriate to include these maximum levels in Annex I to Directive 2002/32/EC to protect animal and public health as these levels are in accordance with the conclusions of the EFSA opinion. It is appropriate to exempt some feed additives from the maximum levels as they contain unavoidably a level of melamine above the maximum level as a result of the normal production process.

- (4) As regards *Ambrosia* spp., EFSA concluded in its opinion of 4 June 2010 ⁽⁵⁾ that bird feed may be an important means of *Ambrosia* spp. dispersal, especially in previously uninfested areas, as it often contains significant quantities of unprocessed seeds of *Ambrosia* spp. Therefore, the prevention of the use of bird feed contaminated with unprocessed seeds of *Ambrosia* spp. is likely to attenuate the further dispersal of *Ambrosia* spp. in the Union. *Ambrosia* spp. are of public health concern due to the allergenic properties of their pollen. Inhalation of the plant pollen may, amongst other conditions, cause rhino-conjunctivitis and asthma. There is also some evidence for allergenicity of *Ambrosia* spp. pollen in animals. It is therefore appropriate to limit the presence of *Ambrosia* spp. seeds in feed materials and compound feed containing unground grains and seeds and to establish a maximum level of *Ambrosia* spp. seeds in

⁽¹⁾ OJ L 140, 30.5.2002, p. 10.

⁽²⁾ EFSA Panel on Contaminants in the Food Chain, Scientific Opinion on Nitrite as undesirable substances in animal feed, The EFSA Journal (2009) 1017, 1-47. Available online: <http://www.efsa.europa.eu/en/scdocs/doc/1017.pdf>

⁽³⁾ EFSA Panel on Contaminants in the Food Chain (CONTAM) and EFSA Panel on Food Contact Materials, Enzymes, Flavourings and Processing Aids (CEF); Scientific Opinion on Melamine in Food and Feed. EFSA Journal 2010; 8(4):1573. [145 pp.]. doi:10.2903/j.efsa.2010.1573. Available online: <http://www.efsa.europa.eu/en/scdocs/doc/1573.pdf>

⁽⁴⁾ Report on the Thirty-Third Session of the Joint FAO/WHO Food Standards Programme, Codex Alimentarius Commission, Geneva, Switzerland, 5-9 July 2010 (ALINORM 10/33/REP).

⁽⁵⁾ EFSA Panel on Contaminants in the Food Chain (CONTAM), EFSA Panel on Dietetic Products, Nutrition and Allergies (NDA) and EFSA Panel on Plant Health (PLH); Scientific Opinion on the effect on public or animal health or on the environment on the presence of seeds of *Ambrosia* spp. in animal feed. EFSA Journal 2010; 8(6):1566 [37 pp.]. doi:10.2903/j.efsa.2010.1566. Available online: <http://www.efsa.europa.eu/en/scdocs/doc/1566.pdf>

unground grains and seeds as low as reasonably achievable (ALARA) by good agricultural practices and cleaning techniques.

- (5) As regards coccidiostats and histomonostats, transfer from one production lot to another may occur when such substances are used as authorised feed additives. Such transfer may result in the contamination of feed produced subsequently by the presence of technically unavoidable traces of such substances, referred to as unavoidable carry-over or cross-contamination, in feed for which coccidiostats and histomonostats are not authorised, referred to as non-target feed. Taking into account the application of good manufacturing practices, maximum levels of unavoidable carry-over of coccidiostats or histomonostats in non-target feed should be established following the ALARA (As Low As Reasonably Achievable) principle. For the purpose of enabling the feed manufacturer to manage unavoidable carry-over, a carry-over rate of approximately 3 % of the authorised maximum content should be considered acceptable as regards feed for less sensitive non-target animal species while a carry-over rate of approximately 1 % of the authorised maximum content should be considered acceptable for feed intended to sensitive non-target animal species and feed used for the period before slaughter. The carry-over rate of 1 % should also be considered acceptable for cross-contamination of other feed for target species to which no coccidiostats or histomonostats are added, and as regards non-target feed for 'continuous food-producing animals', such as dairy cows or laying hens, where there is evidence of transfer from feed to food of animal origin. Where feed materials are fed directly to the animals or where complementary feedingstuffs are used, this should not lead to an exposure of the animals to a higher level of coccidiostats or histomonostats than the corresponding maximum levels of exposure where only complete feedingstuffs are used in a daily ration.
- (6) As regards the coccidiostats narasin, nicarbazin and lasalocid-sodium, Annex I to Directive 2002/32/EC should be amended to take into account recent modifications of the authorisations of those substances and

Commission Regulation (EC) No 124/2009 of 10 February 2009 setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed ⁽¹⁾ should consequently be amended.

- (7) Annexes I and II to Directive 2002/32/EC had already been adapted substantially and many times in the past. It is therefore appropriate to consolidate those Annexes. To improve the clarity and readability of those Annexes, it is appropriate to restructure them and to harmonise terminology. Given that the provisions contained in the Annexes have a direct application and are binding in their entirety, it is appropriate to establish these Annexes by a Regulation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION

Article 1

Annexes I and II to Directive 2002/32/EC are replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2011.

The provisions as regards *Ambrosia* spp. shall apply from 1 January 2012.

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

Done at Brussels, 16 June 2011.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 140, 11.2.2009, p. 7.

ANNEX

Annexes I and II to Directive 2002/32/EC are replaced by the following:

‘ANNEX I

MAXIMUM LEVELS OF UNDESIRABLE SUBSTANCES, AS REFERRED TO IN ARTICLE 3(2)

SECTION I: INORGANIC CONTAMINANTS AND NITROGENOUS COMPOUNDS

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
1. Arsenic ⁽¹⁾	Feed materials	2
	with the exception of:	
	— meal made from grass, from dried lucerne and from dried clover, and dried sugar beet pulp and dried molasses sugar beet pulp,	4
	— palm kernel expeller,	4 ⁽²⁾
	— phosphates and calcareous marine algae,	10
	— calcium carbonate,	15
	— magnesium oxide and magnesium carbonate,	20
	— fish, other aquatic animals and products derived thereof,	25 ⁽²⁾
	— seaweed meal and feed materials derived from seaweed.	40 ⁽²⁾
	Iron particles used as tracer.	50
	Feed additives belonging to the functional groups of compounds of trace elements	30
	with the exception of:	
	— cupric sulphate pentahydrate and cupric carbonate,	50
	— zinc oxide, manganous oxide and cupric oxide.	100
	Complementary feed	4
2. Cadmium	with the exception of:	
	— mineral feed.	12
	Complete feed	2
	with the exception of:	
	— complete feed for fish and fur animals.	10 ⁽²⁾
	Feed materials of vegetable origin.	1
	Feed materials of animal origin.	2
	Feed materials of mineral origin	2
	with the exception of:	
	— phosphates.	10
	Feed additives belonging to the functional group of compounds of trace elements	10
	with the exception of:	
	— cupric oxide, manganous oxide, zinc oxide and manganous sulphate monohydrate.	30

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
3. Fluorine (7)	Feed additives belonging to the functional groups of binders and anti-caking agents.	2
	Premixtures (6)	15
	Complementary feed	0,5
	with the exception of:	
	— mineral feed	
	-- containing < 7 % phosphorus (8),	5
	-- containing ≥ 7 % phosphorus (8),	0,75 per 1 % phosphorus (8), with a maximum of 7,5
	— complementary feed for pet animals.	2
	Complete feed	0,5
	with the exception of:	
	— complete feed for cattle (except calves), sheep (except lambs), goats (except kids) and fish,	1
	— complete feed for pet animals.	2
	Feed materials	150
	with the exception of:	
	— feed materials of animal origin except marine crustaceans such as marine krill,	500
	— marine crustaceans such as marine krill,	3 000
	— phosphates,	2 000
	— calcium carbonate,	350
	— magnesium oxide,	600
	— calcareous marine algae.	1 000
	Vermiculite (E 561).	3 000
	Complementary feed:	
	— containing ≤ 4 % phosphorus (8),	500
	— containing > 4 % phosphorus (8).	125 per 1 % phosphorus (8)
	Complete feed	150
	with the exception of:	
	— complete feed for pigs,	100
	— complete feed for poultry (except chicks) and fish,	350

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
4. Lead	— complete feed for chicks,	250
	— complete feed for cattle, sheep and goats	
	- - in lactation,	30
	- - other.	50
	Feed materials	10
	with the exception of:	
	— forage ⁽³⁾ ,	30
	— phosphates and calcareous marine algae,	15
	— calcium carbonate,	20
	— yeasts.	5
	Feed additives belonging to the functional group of compounds of trace elements	100
	with the exception of:	
	— zinc oxide,	400
	— manganous oxide, ferrous carbonate, cupric carbonate.	200
	Feed additives belonging to the functional group of binders and anti-caking agents	30
	with the exception of:	
	— clinoptilolite of volcanic origin.	60
	Premixtures ⁽⁶⁾ .	200
	Complementary feed	10
5. Mercury ⁽⁴⁾	with the exception of:	
	— mineral feed.	15
	Complete feed.	5
	Feed materials	0,1
	with the exception of:	
	— fish, other aquatic animals and products derived thereof,	0,5
	— calcium carbonate.	0,3
	Compound feed	0,1
	with the exception of:	
	— mineral feed,	0,2
	— compound feed for fish,	0,2
	— compound feed for dogs, cats and fur animals.	0,3

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
6. Nitrite ⁽⁵⁾	Feed materials	15
	with the exception of:	
	— fishmeal,	30
	— silage,	—
	— products and by-products from sugar beet and sugarcane and from starch production.	—
	Complete feed	15
7. Melamine ⁽⁹⁾	with the exception of:	
	— complete feed for dogs and cats with a moisture content exceeding 20 %.	—
	Feed	2,5
	with the exception of the feed additives:	
	— guanidino acetic acid (GAA),	—
	— urea,	—
	— biuret.	—

(1) The maximum levels refer to total arsenic.

(2) Upon request of the competent authorities, the responsible operator must perform an analysis to demonstrate that the content of inorganic arsenic is lower than 2 ppm. This analysis is of particular importance for the seaweed species *Hizikia fusiforme*.

(3) Forage includes products intended for animal feed such as hay, silage, fresh grass, etc.

(4) The maximum levels refer to total mercury.

(5) The maximum levels are expressed as sodium nitrite.

(6) The maximum level established for premixtures takes into account the additives with the highest level of lead and cadmium and not the sensitivity of the different animal species to lead and cadmium. As provided in Article 16 of Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition (OJ L 268, 18.10.2003, p. 29), in order to protect animal and public health, it is the responsibility of the producer of premixtures to ensure that, in addition to compliance with the maximum levels for premixtures, the instructions for use on the premixture are in accordance with the maximum levels for complementary and complete feed.

(7) Maximum levels refer to an analytical determination of fluorine, whereby extraction is performed with hydrochloric acid 1 N for 20 minutes at ambient temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal extraction efficiency.

(8) The % of phosphorus is relative to a feed with a moisture content of 12 %.

(9) The maximum level refers to melamine only. The inclusion of the structurally related compounds cyanuric acid, ammeline and ammeline in the maximum level will be considered at a later stage.

SECTION II: MYCOTOXINS

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
1. Aflatoxin B ₁	Feed materials	0,02
	Complementary and complete feed	0,01
	with the exception of:	
	— compound feed for dairy cattle and calves, dairy sheep and lambs, dairy goats and kids, piglets and young poultry animals,	0,005

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
2. Rye ergot (<i>Claviceps purpurea</i>)	— compound feed for cattle (except dairy cattle and calves), sheep (except dairy sheep and lambs), goats (except dairy goats and kids), pigs (except piglets) and poultry (except young animals).	0,02
	Feed materials and compound feed containing unground cereals.	1 000

SECTION III: INHERENT PLANT TOXINS

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
1. Free gossypol	Feed materials	20
	with the exception of:	
	— cottonseed,	5 000
	— cottonseed cakes and cottonseed meal.	1 200
	Complete feed	20
	with the exception of:	
	— complete feed for cattle (except calves),	500
	— complete feed for sheep (except lambs) and goats (except kids),	300
2. Hydrocyanic acid	— complete feed for poultry (except laying hens) and calves,	100
	— complete feed for rabbits, lambs, kids and pigs (except piglets).	60
	Feed materials	50
	with the exception of:	
	— linseed,	250
	— linseed cakes,	350
	— manioc products and almond cakes.	100
	Complete feed	50
3. Theobromine	with the exception of:	
	— complete feed for young chickens (< 6 weeks).	10
	Complete feed	300
	with the exception of:	
	— complete feed for pigs,	200
	— complete feed for dogs, rabbits, horses and fur animals.	50

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
4. vinyl thiooxazolidone (5-vinyloxazolidine-2-thione)	Complete feed for poultry	1 000
	with the exception of:	
	— complete feed for laying hens.	500
5. Volatile mustard oil ⁽¹⁾	Feed materials	100
	with the exception of:	
	— rapeseed cakes.	4 000
	Complete feed	150
	with the exception of:	
	— complete feed for cattle (except calves), sheep (except lambs) and goats (except kids),	1 000
	— complete feed for pigs (except piglets) and poultry.	500

⁽¹⁾ The maximum levels are expressed as allyl isothiocyanate.

SECTION IV: ORGANOCHLORINE COMPOUNDS (EXCEPT DIOXINS AND PCBs)

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
1. Aldrin ⁽¹⁾	Feed materials and compound feed	0,01 ⁽²⁾
2. Dieldrin ⁽¹⁾	with the exception of:	
	— fats and oils,	0,1 ⁽²⁾
	— compound feed for fish.	0,02 ⁽²⁾
3. Camphechlor (toxaphene) – sum of indicator congeners CHB 26, 50 and 62 ⁽³⁾	Fish, other aquatic animals and products derived thereof	0,02
	with the exception of	
	— fish oil.	0,2
	Complete feed for fish.	0,05
4. Chlordane (sum of cis- and trans-isomers and of oxychlordane, expressed as chlordane)	Feed materials and compound feed	0,02
	with the exception of:	
	— fats and oils.	0,05
5. DDT (sum of DDT-, DDD- (or TDE-) and DDE-isomers, expressed as DDT)	Feed materials and compound feed	0,05
	with the exception of:	
	— fats and oils.	0,5

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
6. Endosulfan (sum of alpha- and beta- isomers and of endosulf-ansulphate expressed as endo-sulfan)	Feed materials and compound feed with the exception of: — maize and maize products derived from the processing thereof, — oilseeds and products derived from the processing thereof, except crude vegetable oil, — crude vegetable oil, — complete feed for fish.	0,1 0,2 0,5 1,0 0,005
7. Endrin (sum of endrin and of delta-ketoi-endrin, expressed as endrin)	Feed materials and compound feed with the exception of: — fats and oils.	0,01 0,05
8. Heptachlor (sum of heptachlor and of heptachlorepoxide, expressed as heptachlor)	Feed materials and compound feed with the exception of: — fats and oils.	0,01 0,2
9. Hexachloro-benzene (HCB)	Feed materials and compound feed with the exception of: — fats and oils.	0,01 0,2
10. Hexachlorocyclo-hexane (HCH)		
— alpha-isomers	Feed materials and compound feed with the exception of: — fats and oils.	0,02 0,2
— beta-isomers	Feed materials with the exception of: — fats and oils. Compound feed with the exception of: — compound feed for dairy cattle.	0,01 0,1 0,01 0,005
— gamma-isomers	Feed materials and compound feed with the exception of: — fats and oils.	0,2 2,0

(¹) Singly or combined expressed as dieldrin.

(²) Maximum level for aldrin and dieldrin, singly or combined, expressed as dieldrin.

(³) Numbering system according to Parlar, prefixed by either CHB or "Parlar":

CHB 26: 2-endo,3-exo,5-endo,6-exo,8,8,10,10-octachlorobornane,

CHB 50: 2-endo,3-exo,5-endo,6-exo,8,8,9,10,10-nonachlorobornane,

CHB 62: 2,2,5,5,8,9,9,10,10-nonachlorobornane.

SECTION V: DIOXINS AND PCBs

Undesirable substance	Products intended for animal feed	Maximum content in ng WHO-PCDD/F-TEQ/kg (ppt) (1), (2) relative to a feed with a moisture content of 12 %
1. Dioxins (sum of polychlorinated dibenzo- <i>para</i> -dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs)) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 (4))	Feed materials of plant origin	0,75
	with the exception of:	
	— vegetable oils and their by-products	0,75
	Feed materials of mineral origin	1,0
	Feed materials of animal origin:	
	— Animal fat, including milk fat and egg fat	2,0
	— Other land animal products including milk and milk products and eggs and egg products.	0,75
	— Fish oil	6,0
	— Fish, other aquatic animals and products derived thereof with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat (3)	1,25
	— Fish protein hydrolysates containing more than 20 % fat.	2,25
	The feed additives kaolinitic clay, calcium sulphate dihydrate, vermiculite, natrolite-phonolite, synthetic calcium aluminates and clinoptilolite of sedimentary origin belonging to the functional groups of binders and anti-caking agents.	0,75
	Feed additives belonging to the functional group of compounds of trace elements.	1,0
	Premixtures	1,0
	Compound feed	0,75
2. Sum of dioxins and dioxin-like PCBs (sum of polychlorinated dibenzo- <i>para</i> -dioxins (PCDDs), polychlorinated dibenzofurans (PCDFs) and polychlorinated biphenyls (PCBs)) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 (4))	Feed materials of plant origin	1,25
	with the exception of:	
	— vegetable oils and their by-products.	1,5
	Feed materials of mineral origin	1,5
	Feed materials of animal origin:	
	— Animal fat, including milk fat and egg fat,	3,0
	— Other land animal products including milk and milk products and eggs and egg products.	1,25
	— Fish oil	24,0
	— Fish, other aquatic animals and products derived thereof with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat (3)	4,5
	— Fish protein hydrolysates containing more than 20 % fat.	11,0

Undesirable substance	Products intended for animal feed	Maximum content in ng WHO-PCDD/F-TEQ/kg (ppt) ⁽¹⁾ , ⁽²⁾ relative to a feed with a moisture content of 12 %
	The feed additives kaolinitic clay, calcium sulphate dihydrate, vermiculite, natrolite-phonolite, synthetic calcium aluminates and clinoptilolite of sedimentary origin belonging to the functional groups of binders and anti-caking agents.	1,5
	Feed additives belonging to the functional group of compounds of trace elements.	1,5
	Premixtures	1,5
	Compound feed	1,5
	with the exception of:	
	— compound feed for pet animals and fish,	7,0
	— compound feed for fur animals.	—

⁽¹⁾ Upper-bound concentrations; upper-bound concentrations are calculated on the assumption that all values of the different congeners below the limit of quantification are equal to the limit of quantification.

⁽²⁾ The separate maximum level for dioxins (PCDD/F) remains applicable for a temporary period. The products intended for animal feed mentioned in point 1 have to comply both with the maximum levels for dioxins and with the maximum levels for the sum of dioxins and dioxin-like PCBs during that temporary period.

⁽³⁾ Fresh fish and other aquatic animals directly delivered and used without intermediate processing for the production of feed for fur animals are not subject to the maximum levels, while maximum levels of 4,0 ng WHO-PCDD/F-TEQ/kg product and 8,0 ng WHO-PCDD/F-PCB-TEQ/kg product are applicable to fresh fish and 25,0 ng WHO-PCDD/F-PCB-TEQ/kg product to fish liver used for the direct feeding of pet animals, zoo and circus animals or used as feed material for the production of pet food. The products or processed animal proteins produced from these animals (fur animals, pet animals, zoo and circus animals) cannot enter the food chain and cannot be fed to farmed animals which are kept, fattened or bred for the production of food.

⁽⁴⁾ WHO-TEFs for human risk assessment based on the conclusions of the World Health Organisation meeting in Stockholm, Sweden, 15-18 June 1997 (Van den Berg et al., (1998) Toxic Equivalency Factors (TEFs) for PCBs, PCDDs, PCDFs for Humans and for Wildlife. Environmental Health Perspectives, 106(12), 775).

Congener	TEF value	Congener	TEF value
Dibenzo-p-dioxins ("PCDDs") and dibenzofurans (PCDFs)		"Dioxin-like" PCBs Non-ortho PCBs + Mono-ortho PCBs	
2,3,7,8-TCDD	1		
1,2,3,7,8-PeCDD	1	Non-ortho PCBs	
1,2,3,4,7,8-HxCDD	0,1	PCB 77	0,0001
1,2,3,6,7,8-HxCDD	0,1	PCB 81	0,0001
1,2,3,7,8,9-HxCDD	0,1	PCB 126	0,1
1,2,3,4,6,7,8-HpCDD	0,01	PCB 169	0,01
OCDD	0,0001	Mono-ortho PCBs	
2,3,7,8-TCDF	0,1	PCB 105	0,0001
1,2,3,7,8-PeCDF	0,05	PCB 114	0,0005
2,3,4,7,8-PeCDF	0,5	PCB 118	0,0001
1,2,3,4,7,8-HxCDF	0,1	PCB 123	0,0001
1,2,3,6,7,8-HxCDF	0,1	PCB 156	0,0005
1,2,3,7,8,9-HxCDF	0,1	PCB 157	0,0005
2,3,4,6,7,8-HxCDF	0,1	PCB 167	0,00001
1,2,3,4,6,7,8-HpCDF	0,01	PCB 189	0,0001
1,2,3,4,7,8,9-HpCDF	0,01		
OCDF	0,0001		

Abbreviations used: "T" = tetra; "Pe" = penta; "Hx" = hexa; "Hp" = hepta; "O" = octa; "CDD" = chlorodibenzodioxin; "CDF" = chlorodibenzofuran; "CB" = chlorobiphenyl.

SECTION VI: HARMFUL BOTANICAL IMPURITIES

Undesirable substance	Products intended for animal feed	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
1. Weed seeds and unground and uncrushed fruits containing alkaloids, glucosides or other toxic substances separately or in combination including — <i>Datura</i> sp.	Feed materials and compound feed	3 000 1 000
2. <i>Crotalaria</i> spp.	Feed materials and compound feed	100
3. Seeds and husks from <i>Ricinus communis</i> L., <i>Croton tiglium</i> L. and <i>Abrus precatorius</i> L. as well as their processed derivatives ⁽¹⁾ , separately or in combination	Feed materials and compound feed	10 ⁽²⁾
4. Unhusked beech mast – <i>Fagus silvatica</i> L. 5. <i>Purghera</i> – <i>Jatropha curcas</i> L. 6. Indian mustard – <i>Brassica juncea</i> (L.) Czern. And Coss. ssp. <i>integrifolia</i> (West.) Thell. 7. Sareptian mustard – <i>Brassica juncea</i> (L.) Czern. And Coss. ssp. <i>juncea</i> 8. Chinese mustard – <i>Brassica juncea</i> (L.) Czern. And Coss. ssp. <i>juncea</i> var. <i>lutea</i> Batalin 9. Black mustard – <i>Brassica nigra</i> (L.) Koch 10. Ethiopian mustard – <i>Brassica carinata</i> A. Braun	Feed materials and compound feed	Seeds and fruit of the plant species listed opposite as well as their processed derivatives may only be present in feed in trace amounts not quantitatively determinable
11. Seeds from <i>Ambrosia</i> spp.	Feed materials with the exception of: — Millet (grains of <i>Panicum miliaceum</i> L.) and sorghum (grains of <i>Sorghum bicolor</i> (L.) Moench s.l.) not directly fed to animals. Compound feed containing unground grains and seeds	50 200 50

⁽¹⁾ In so far determinable by analytical microscopy.⁽²⁾ Includes also seed husk fragments.

SECTION VII: AUTHORISED FEED ADDITIVES IN NON-TARGET FEED FOLLOWING UNAVOIDABLE CARRY-OVER

Coccidiostat	Products intended for animal feed ⁽¹⁾	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
1. Decoquinate	Feed materials Compound feed for — laying birds and chickens reared for laying (> 16 weeks), — chickens for fattening for the period before slaughter in which the use of decoquinate is prohibited (withdrawal feed),	0,4 0,4 0,4

Coccidiostat	Products intended for animal feed ⁽¹⁾	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
2. Diclazuril	— other animal species.	1,2
	Premixtures for use in feed in which the use of decoquinate is not authorised.	⁽²⁾
	Feed materials	0,01
	Compound feed for	
	— laying birds, chickens reared for laying (> 16 weeks) and turkeys for fattening (> 12 weeks),	0,01
	— rabbits for fattening and breeding for the period before slaughter in which the use of diclazuril is prohibited (withdrawal feed),	0,01
	— other animal species other than chickens reared for laying (< 16 weeks), chickens for fattening, guinea fowl and turkeys for fattening (< 12 weeks).	0,03
3. Halofuginone hydrobromide	Premixtures for use in feed in which the use of diclazuril is not authorised.	⁽²⁾
	Feed materials	0,03
	Compound feed for	
	— laying birds, chickens reared for laying and turkeys (> 12 weeks),	0,03
	— chickens for fattening and turkeys (< 12 weeks) for the period before slaughter in which the use of halofuginone hydrobromide is prohibited (withdrawal feed),	0,03
	— other animal species.	0,09
	Premixtures for use in feed in which the use of halofuginone hydrobromide is not authorised.	⁽²⁾
4. Lasalocid sodium	Feed materials	1,25
	Compound feed for	
	— dogs, calves, rabbits, equine species, dairy animals, laying birds, turkeys (> 16 weeks) and chickens reared for laying (> 16 weeks),	1,25
	— chickens for fattening, chickens reared for laying (< 16 weeks) and turkeys (< 16 weeks) for the period before slaughter in which the use of lasalocid sodium is prohibited (withdrawal feed),	1,25
	— other animal species.	3,75
	Premixtures for use in feed in which the use of lasalocid sodium is not authorised	⁽²⁾
5. Maduramicin ammonium alpha	Feed materials	0,05

Coccidiostat	Products intended for animal feed ⁽¹⁾	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
6. Monensin sodium	Compound feed for	
	— equine species, rabbits, turkeys (> 16 weeks), laying birds and chickens reared for laying (> 16 weeks),	0,05
	— chickens for fattening and turkeys (< 16 weeks) for the period before slaughter in which the use of maduramicin ammonium alpha is prohibited (withdrawal feed),	0,05
	— other animal species.	0,15
	Premixtures for use in feed in which the use of maduramicin ammonium alpha is not authorised.	⁽²⁾
	Feed materials	1,25
7. Narasin	Compound feed for	
	— equine species, dogs, small ruminants (sheep and goat), ducks, bovine, dairy cattle, laying birds, chickens reared for laying (> 16 weeks) and turkeys (> 16 weeks),	1,25
	— chickens for fattening, chickens reared for laying (< 16 weeks) and turkeys (< 16 weeks) for the period before slaughter in which the use of monensin sodium is prohibited (withdrawal feed),	1,25
	— other animal species.	3,75
	Premixtures for use in feed in which the use of monensin sodium is not authorised.	⁽²⁾
	Feed materials	0,7
8. Nicarbazin	Compound feed for	
	— turkeys, rabbits, equine species, laying birds and chickens reared for laying (> 16 weeks),	0,7
	— other animal species.	2,1
	Premixtures for use in feed in which the use of narasin is not authorised.	⁽²⁾
	Feed materials	1,25
	Compound feed for	
	— equine species, laying birds and chickens reared for laying (> 16 weeks),	1,25
	— other animal species.	3,75

Coccidiostat	Products intended for animal feed ⁽¹⁾	Maximum content in mg/kg (ppm) relative to a feed with a moisture content of 12 %
9. Robenidine hydrochloride	Premixtures for use in feed in which the use of nicarbazin (alone or in combination with narasin) is not authorised.	(²)
	Feed materials	0,7
	Compound feed for	
	— laying birds and chickens reared for laying (> 16 weeks),	0,7
	— chickens for fattening, rabbits for fattening and breeding and turkeys for the period before slaughter in which the use of robenidine hydrochloride is prohibited (withdrawal feed),	0,7
	— other animal species.	2,1
10. Salinomycin sodium	Premixtures for use in feed in which the use of robenidine hydrochloride is not authorised.	(²)
	Feed materials	0,7
	Compound feed for	
	— equine species, turkeys, laying birds and chickens reared for laying (> 12 weeks),	0,7
	— chickens for fattening, chickens reared for laying (< 12 weeks) and rabbits for fattening for the period before slaughter in which the use of salinomycin sodium is prohibited (withdrawal feed),	0,7
	— other animal species.	2,1
11. Semduramicin sodium	Premixtures for use in feed in which the use of salinomycin sodium is not authorised	(²)
	Feed materials	0,25
	Compound feed for	
	— laying birds and chickens reared for laying (> 16 weeks),	0,25
	— chickens for fattening for the period before slaughter in which the use of semduramicin sodium is prohibited (withdrawal feed),	0,25
	— other animal species.	0,75
	Premixtures for use in feed in which the use of semduramicin sodium is not authorised.	(²)

⁽¹⁾ Without prejudice to the authorised levels in the frame of Regulation (EC) No 1831/2003 of the European Parliament and of the Council (OJ L 268, 18.10.2003, p. 29).

⁽²⁾ The maximum level of the substance in the premixture is the concentration which shall not result in a level of the substance higher than 50 % of the maximum levels established in the feed when the instructions for use of the premixture are followed.

ANNEX II

ACTION THRESHOLDS TRIGGERING INVESTIGATIONS BY MEMBER STATES, AS REFERRED TO IN ARTICLE 4(2)

SECTION: DIOXINS AND PCBs

Undesirable substances	Products intended for animal feed	Action threshold in ng WHO-PCDD/F-TEQ/kg (ppt) ⁽²⁾ , ⁽³⁾ relative to a feed with a moisture content of 12 %	Comments and additional information (e.g. nature of investigations to be performed)
1. Dioxins (sum of polychlorinated dibenzo- <i>para</i> -dioxins (PCDDs), polychlorinated dibenzofurans (PCDFs)) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 ⁽¹⁾)	Feed materials of plant origin	0,5	⁽⁴⁾
	with the exception of:		
	— vegetable oils and their by-products,	0,5	⁽⁴⁾
	Feed materials of mineral origin	0,5	⁽⁴⁾
	Feed materials of animal origin:		
	— Animal fat, including milk fat and egg fat,	1,0	⁽⁴⁾
	— Other land animal products including milk and milk products and eggs and egg products.	0,5	⁽⁴⁾
	— Fish oil	5,0	⁽⁵⁾
	— Fish, other aquatic animals, and products and by-products with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat ⁽³⁾ .	1,0	⁽⁵⁾
	— Fish protein hydrolysates containing more than 20 % fat.	1,75	⁽⁵⁾
	Feed additives belonging to the functional groups of binders and anti-caking agents.	0,5	⁽⁵⁾
	Feed additives belonging to the functional group of compounds of trace elements	0,5	⁽⁴⁾
	Premixtures	0,5	⁽⁴⁾
	Compound feed	0,5	⁽⁴⁾
	with the exception of:		

Undesirable substances	Products intended for animal feed	Action threshold in ng WHO-PCDD/F-TEQ/kg (ppt) ⁽²⁾ , ⁽³⁾ relative to a feed with a moisture content of 12 %	Comments and additional information (e.g. nature of investigations to be performed)
2. Dioxin-like PCBs (sum of polychlorinated biphenyls (PCBs)) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997 ⁽¹⁾)	— compound feed for pet animals and fish,	1,75	⁽⁵⁾
	— compound feed for fur animals.	—	
	Feed materials of plant origin with the exception of:	0,35	⁽⁴⁾
	— vegetable oils and their by-products,	0,5	⁽⁴⁾
	Feed materials of mineral origin	0,35	⁽⁴⁾
	Feed materials of animal origin:		
	— Animal fat, including milk fat and egg fat,	0,75	⁽⁴⁾
	— Other land animal products including milk and milk products and eggs and egg products.	0,35	⁽⁴⁾
	— Fish oil	14,0	⁽⁵⁾
	— Fish, other aquatic animals, and products derived thereof with the exception of fish oil and fish protein hydrolysates containing more than 20 % fat ⁽³⁾ ,	2,5	⁽⁵⁾
	— Fish protein hydrolysates containing more than 20 % fat.	7,0	⁽⁵⁾
	Feed additives belonging to the functional groups of binders and anti-caking agents.	0,5	⁽⁴⁾
	Feed additives belonging to the functional group of compounds of trace elements.	0,35	⁽⁴⁾
	Premixtures	0,35	⁽⁴⁾
	Compound feed	0,5	⁽⁴⁾
	with the exception of:		
	— compound feed for pet animals and fish,	3,5	⁽⁵⁾

Undesirable substances	Products intended for animal feed	Action threshold in ng WHO-PCDD/F-TEQ/kg (ppt) ⁽¹⁾ , ⁽²⁾ relative to a feed with a moisture content of 12 %	Comments and additional information (e.g. nature of investigations to be performed)
	— compound feed for fur animals.	—	

⁽¹⁾ WHO-TEFs for human risk assessment based on the conclusions of the World Health Organisation meeting in Stockholm, Sweden, 15-18 June 1997 (Van den Berg et al., (1998) Toxic Equivalency Factors (TEFs) for PCBs, PCDDs, PCDFs for Humans and for Wildlife. Environmental Health Perspectives, 106(12), 775).

⁽²⁾ Upper-bound concentrations; upper-bound concentrations are calculated on the assumption that all values of the different congeners below the limit of quantification are equal to the limit of quantification.

⁽³⁾ The Commission will review these action levels at the same time as it reviews the maximum levels for the sum of dioxins and dioxin-like PCBs.

⁽⁴⁾ Identification of source of contamination. Once source is identified, take appropriate measures, where possible, to reduce or eliminate source of contamination.

⁽⁵⁾ In many cases it might not be necessary to perform an investigation into the source of contamination as the background level in some areas is close to or above the action level. However, in cases where the action level is exceeded, all information, such as sampling period, geographical origin, fish species etc ..., must be recorded with a view to future measures to manage the presence of dioxins and dioxin-like compounds in these materials for animal nutrition.

Congener	TEF value	Congener	TEF value
Dibenzo-p-dioxins ("PCDDs") and diobenzofurans ("PCDFs")		"Dioxin-like" PCBs Non-ortho PCBs + Mono-ortho PCBs	
2,3,7,8-TCDD	1		
1,2,3,7,8-PeCDD	1	Non-ortho PCBs	
1,2,3,4,7,8-HxCDD	0,1	PCB 77	0,0001
1,2,3,6,7,8-HxCDD	0,1	PCB 81	0,0001
1,2,3,7,8,9-HxCDD	0,1	PCB 126	0,1
1,2,3,4,6,7,8-HpCDD	0,01	PCB 169	0,01
OCDD	0,0001	Mono-ortho PCBs	
2,3,7,8-TCDF	0,1	PCB 105	0,0001
1,2,3,7,8-PeCDF	0,05	PCB 114	0,0005
2,3,4,7,8-PeCDF	0,5	PCB 118	0,0001
1,2,3,4,7,8-HxCDF	0,1	PCB 123	0,0001
1,2,3,6,7,8-HxCDF	0,1	PCB 156	0,0005
1,2,3,7,8,9-HxCDF	0,1	PCB 157	0,0005
2,3,4,6,7,8-HxCDF	0,1	PCB 167	0,00001
1,2,3,4,6,7,8-HpCDF	0,01	PCB 189	0,0001
1,2,3,4,7,8,9-HpCDF	0,01		
OCDF	0,0001		

Abbreviations used: "T" = tetra; "Pe" = penta; "Hx" = hexa; "Hp" = hepta; "O" = octa; "CDD" = chlorodibenzodioxin; "CDF" = chlorodibenzofuran; "CB" = chlorobiphenyl.

COMMISSION REGULATION (EU) No 575/2011**of 16 June 2011****on the Catalogue of feed materials****(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 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC⁽¹⁾, and in particular Article 26(2) and (3) thereof,

Whereas:

- (1) Commission Regulation (EU) No 242/2010 of 19 March 2010 creating the Catalogue of feed materials⁽²⁾ established the first version of the Catalogue of feed materials. It consists of the list of feed materials already listed in Part B of the Annex to Directive 96/25/EC and columns 2, 3 and 4 of the Annex to Directive 82/471/EEC and of a glossary taking over point IV of Part A of the Annex to Directive 96/25/EC.
- (2) The appropriate representatives of the European feed business sectors have, in consultation with other concerned parties, in collaboration with the competent national authorities and taking into account relevant experience from opinions issued by the European Food Safety Authority and scientific or technological developments, developed amendments to Regulation (EU) No 242/2010. These amendments concern new entries and improvements of existing entries.

(3) The Commission has assessed the submitted amendments, verified that the procedure and conditions foreseen in Article 26 of Regulation (EC) No 767/2009 has been followed and are fulfilled and agrees to the amendments as modified during the assessment.

(4) Given the very high number of amendments to be made to Regulation (EU) No 242/2010, it is appropriate, for reasons of coherence, clarity and simplification, to repeal and replace that Regulation.

(5) 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 Catalogue of feed materials referred to in Article 24 of Regulation (EC) No 767/2009 is established, as set out in the Annex to this Regulation.

Article 2

Regulation (EU) No 242/2010 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, 16 June 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 229, 1.9.2009, p. 1.

⁽²⁾ OJ L 77, 24.3.2010, p. 17.

ANNEX

CATALOGUE OF FEED MATERIALS

PART A

General provisions

- (1) The use of this Catalogue by the feed business operators shall be voluntary. However, the name of a feed material listed in Part C may be used only for a feed material complying with the requirements of the entry concerned.
- (2) All entries in the list of feed materials in Part C shall comply with the restrictions on the use of feed materials in accordance with the relevant legislation of the Union. Feed business operators using a feed material entered in the Catalogue shall ensure that it complies with Article 4 of Regulation (EC) No 767/2009.
- (3) In accordance with good practice as referred to in Article 4 of Regulation (EC) No 1831/2003, feed materials shall be free from chemical impurities resulting from their manufacturing process and from processing aids, unless a specific maximum content is fixed in the Catalogue.
- (4) The botanical purity of a feed material shall not be less than 95 %. However, botanical impurities such as residues of other oil seeds or oil fruits derived from a previous manufacturing process shall not exceed 0,5 % for each type of oil seed or fruit. Derogating from these general rules a specific level shall be set in the list of feed materials in Part C.
- (5) The common name/qualifier of one or more of the processes, as listed in the last column of the glossary of processes in Part B, may be added to the name of the feed material to indicate that it has undergone the respective process or processes.
- (6) If the manufacturing process for a feed material differs from the description of the process concerned, as set out in the glossary of processes in Part B, the manufacturing process shall be set out in the description of the feed material concerned.
- (7) For a number of feed materials, synonyms may be used. Such synonyms are included in square brackets in the column 'name' of the entry for the feed material concerned in the list of feed materials in Part C.
- (8) In the description of the feed materials in the list of feed materials in Part C, the word 'product' is used instead of the word 'by-product' to reflect the market situation and the language used in practice by feed business operators to highlight the commercial value of feed materials.
- (9) The botanical name of a plant is only given in the description of the first entry in the list of feed materials in Part C concerning that plant.
- (10) The underlying principle for the compulsory labelling of analytical constituents of a certain feed material in the Catalogue is, whether a certain product contains high concentrations of a specific constituent, or the manufacturing process has changed the nutritional characteristics of the product.
- (11) Article 15(g) of Regulation (EC) No 767/2009 in conjunction with point 6 of Annex I to that Regulation lays down labelling requirements as regards the moisture content. Article 16(1)(b) of that Regulation in conjunction with its Annex V lays down labelling requirements as regards other analytical constituents. In addition, point 5 of Annex I to Regulation (EC) No 767/2009 requires the declaration of the level of ash insoluble in hydrochloric acid if it exceeds 2,2 % in general or for certain feed material if it exceeds the level set in the relevant section of Annex V to that Regulation. However, some entries in the list of feed materials in Part C deviate from those rules as follows:
 - (a) Compulsory declarations regarding analytical constituents in the list of feed materials in Part C replace the compulsory declarations as set out in the relevant section of Annex V to Regulation (EC) No 767/2009.
 - (b) If the column relating to compulsory declarations in the list of feed materials in Part C is left blank with respect to the analytical constituents that would have to be declared in accordance with the relevant section of Annex V to Regulation (EC) No 767/2009, none of those constituents need be labelled. For ash insoluble in hydrochloric acid, however, where no level is set in the list of feed materials in Part C, the level shall be declared if it exceeds 2,2 %.

- (c) Where one or more specific moisture levels are set in the column 'compulsory declarations' of the list of feed materials in Part C, those levels shall apply instead of the levels in point 6 of Annex I to Regulation (EC) No 767/2009. However, if the moisture content is below 14 % its declaration is not compulsory. Where no specific moisture level is set in that column, point 6 of Annex I to Regulation (EC) No 767/2009 shall apply.
- (12) 'Technical grade' means that a substance is produced in a controlled chemical or physical process fulfilling the relevant requirements in accordance with the feed law of the Union.
- (13) A feed business operator, who claims a feed material has more properties than those specified in the column 'description' of the list of feed materials in Part C, has to comply with Article 13 of Regulation (EC) No 767/2009. Furthermore, feed materials may meet a particular nutritional purpose in accordance with Articles 9 and 10 of Regulation (EC) No 767/2009.

PART B

Glossary of processes

	Process	Definition	Common name/qualifier
1	Air fractionation	Separation of particles by means of an air stream.	Air fractionated
2	Aspiration	Process to remove dust, fine particles and other parts with suspended cereal fines from a bulk of grain during transfer by means of an air-flow	Aspirated
3	Blanching	Process consisting of heat treatment of an organic substance by boiling or steaming in order to denature natural enzymes, soften tissue and remove raw flavouring and followed by immersion in cold water to halt the cooking process.	Blanched
4	Bleaching	Removing naturally occurring colour	Bleached
5	Chilling	Lowering the temperature below ambient but above freezing point to aid preservation.	Chilled
6	Chopping	Reduction of particle size using one or more knives.	Chopped
7	Cleaning	Removal of objects (contaminants, e.g. stones) or vegetative parts of the plant e.g. unattached particles of straw or husks or weeds.	Cleaned/Sorted
8	Concentration ⁽¹⁾	Increase in certain contents by removal of water and/or other constituents.	Concentrate
9	Condensation	Transition of a substance from a gaseous to a liquid phase.	Condensed
10	Cooking	The application of heat to change the physical and chemical characteristics of feed materials.	Cooked
11	Crushing	Reduction of particle size using a crusher.	Crushed, crushing
12	Crystallisation	Purification by the formation of solid crystals from a liquid solution. Impurities in the liquid are usually not incorporated into the lattice structure of the crystal.	Crystallised
13	Decortication ⁽²⁾	Complete or partial removal of outer layers from grains, seeds, fruits, nuts and others.	Decorticated, partially decorticated
14	Dehulling/dehusking	Removal of the outer skins of beans, grains and seeds usually by physical means.	Dehulled or dehusked

	Process	Definition	Common name/qualifier
15	Depectinising	Extraction of pectins from a feed material.	Depectinised
16	Desiccation	Process of extracting moisture	Desiccated
17	Desliming	Process used to remove the slime layer on the surface.	Deslimed
18	Desugaring	Complete or partial removal of mono- and disaccharides from molasses and other material containing sugar by chemical or physical means.	Desugared, partially desugared
19	Detoxification	Process by which toxic contaminants are destroyed or reduced in concentration.	Detoxified
20	Distillation	Fractionation liquids by boiling and collecting the condensed vapour into a separate container.	Distilled
21	Drying	Dehydration by artificial or natural processes.	Dried (sun or artificially)
22	Ensiling	Storage of feed materials in a silo possibly with the addition of preservatives or by using anaerobic conditions possibly with silage additives	Ensiled
23	Evaporation	Reducing the water content.	Evaporated
24	Expansion	Thermal process during which the product's internal water content, abruptly steamed, leads to the breaking-up of the product.	Expanded
25	Expelling	Removal of oil/fat by pressing.	Expeller/cake and oil/fat
26	Extraction	Removal either by organic solvent of fat/ oil from certain materials or by aqueous solvent of sugar or other water-soluble components.	Extracted/meal and fat/oil, molasses/pulp and sugar or other water-soluble components
27	Extrusion	Thermal process during which the product's internal water content, abruptly steamed, leads to the breaking-up of the product combined with special shaping by passing through an orifice.	Extruded
28	Fermentation	Process in which micro-organisms such as bacteria, fungi or yeasts are produced or used to act on materials to promote a change in their chemical composition/properties.	Fermented
29	Filtration	Separation of a mixture of liquid and solid materials by passing the liquid through a porous medium or membrane.	Filtered
30	Flaking	Rolling of moist heat-treated material.	Flakes
31	Flour milling	Reduction of particle size of dry grain and to facilitate separation into constituent fractions (principally flour, bran and middlings).	Flour, bran, middlings ⁽³⁾ , feed
32	Fractionation	Separation of feed material fragments by sieving and/or treated with a stream of air that carries the light shell pieces away.	Fractionated
33	Fragmentation	Process of breaking a feed material into fragments.	Fragmented

	Process	Definition	Common name/qualifier
34	Frying	Process of cooking feed materials in a oil or fat.	Fried
35	Gelling	Process to form a gel, a solid, jelly-like material that can have properties ranging from soft and weak to hard and tough usually using gelling agents	Gelled
36	Granulation	Treatment of feed materials to obtain a specific particle size and consistency	Granulated
37	Grinding/milling	Reducing the particle size of solid feed materials in a dry or wet process.	Ground or milled
38	Heating	heat treatments carried out under specific conditions	Heat treated
39	Hydrogenation	Transformation with the use of a catalyst of unsaturated into saturated glycerides (of oils and fats) or free fatty acids, or of reducing sugars into the analogous polyols.	Hydrogenated, partially hydrogenated
40	Hydrolysis	Reduction of molecular size by appropriate treatment with water and either enzymes or acid/alkali.	Hydrolysed
41	Liquefying	Transition from a solid or a gas phase into a liquid.	Liquefied
42	Maceration	Reducing the size of feed materials using mechanical means often in the presence of water or other liquids.	Macerated
43	Malting	Allowing grain to commence germination to activate naturally occurring enzymes that are able to break down starch to fermentable carbohydrates and proteins to amino acids and peptides.	Malted
44	Melting	Transition from a solid to a liquid phase by the application of heat.	Melted
45	Micronisation	Process of reducing the average diameter of a solid material's particles to the micrometer scale.	Micronised
46	Parboiling	Process of cooking partially by boiling for a short period	Par-boiled
47	Pasteurisation	Heating to a critical temperature for a specified 'amount' of time to eliminate harmful micro-organisms followed by rapid cooling.	Pasteurised
48	Peeling	Removal of the skin/peel from fruit and vegetables.	Peeled
49	Pelleting	Shaping by compression through a die	Pellet, pelleted
50	Polishing	The polishing of dehulled grain, e.g. rice, by rotation in drums resulting in a grain with a bright, shiny appearance.	Polished
51	Pregelatinisation	Modification of starch to improve significantly its swelling properties in cold water.	Pregelatinised ⁽⁴⁾ , puffed

	Process	Definition	Common name/qualifier
52	Pressing ⁽³⁾	Physical removal of liquids like fat, oil, water or juice from solids.	Expeller/cake (in case of oil-containing materials) Pulp, pomace (in case of fruits, etc.) Pressed pulp (in case of sugar beet)
53	Refining	Complete or partial removal of impurities or unwanted components by chemical/-physical treatment.	Refined, partially refined
54	Roasting	Heating of feed materials in a dry state to improve digestibility, increase colour and/or reduce naturally occurring anti-nutritive factors.	Roasted
55	Rolling	Reduction of particle size by passing the feed material, e.g. grains, between pairs of rollers.	Rolled
56	Rumen protection	Process which, either by physical treatment with use of heat, pressure, steam and combination of such conditions and/or through the action of processing aids, aims to protect the nutrients from degradation in the rumen	Rumen protected
57	Sieving/Screening	Separation of particles of different sizes by passing feed materials through screen(s) while being shaken or poured.	Sieved, sifted, screened
58	Skimming	Separating the top floating layer of a liquid by mechanical means, e.g. milk fat.	Skimmed
59	Slicing	Cutting feed materials into flat pieces	Sliced
60	Soaking/Steeping	Moistening and softening of feed materials, usually seeds, to reduce cooking time, aid in seed coat removal, facilitate the uptake of water to activate the germination process or reduce the concentration of naturally occurring anti-nutritive factors.	Steeped
61	Spray drying	Reducing the moisture content of a liquid by creating a spray or mist of the feed material to increase the surface area to weight ratio through which warm air is blown.	Spray dried
62	Steaming	Process using pressurized steam for heating and cooking to increase digestibility.	Steamed
63	Toasting	Heating using dry heat usually applied to oilseeds, e.g. to reduce or remove naturally occurring anti-nutritive factors.	Toasted
64	Ultra-filtration	Filtration of liquids through a membrane permeable only for small molecules.	Ultra-filtrated

(1) In German 'Konzentrieren' may be replaced by 'Eindicken' where appropriate, in which case the common qualifier should be 'eingedickt'.

(2) 'Decortication' may be replaced by 'dehulling' or 'dehusking' where appropriate, in which case the common qualifier should be 'dehulled' or 'dehusked'.

(3) In French the name 'issues' may be used.

(4) In German the qualifier 'aufgeschlossen' and the name 'Quellwasser' (referring to starch) may be used. In Danish the qualifier 'Kvældning' and the name 'Kvældet' (referring to starch) may be used.

(5) In French 'Pressage' may be replaced by 'Extraction mécanique' where appropriate.

PART C

List of feed materials

1. Cereal grains and products derived thereof

Number	Name	Description	Compulsory declarations
1.1.1	Barley	Grains of <i>Hordeum vulgare</i> L. It may be rumen protected.	Method of rumen protection, if applicable
1.1.2	Barley, puffed	Product obtained from milled or broken barley by means of a treatment in humid, warm conditions and under pressure.	Starch
1.1.3	Barley, roasted	Product of barley roasting process which is partially roasted with low colour.	Starch, if > 10 % Crude protein, if > 15 %
1.1.4	Barley flakes	Product obtained by steaming and rolling dehusked barley. It may contain a small proportion of barley husks. It may be rumen protected.	Starch Method of rumen protection, if applicable
1.1.5	Barley fibre	Product of barley starch manufacture. It consists of particles of endosperm and principally of fibre.	Crude fibre Crude protein, if > 10 %
1.1.6	Barley hulls	Product of ethanol-starch manufacture after dry milling, screening and dehulling of barley grains.	Crude fibre Crude protein, if > 10 %
1.1.7	Barley middlings	Product obtained during the processing of screened, dehusked barley into pearl barley, semolina or flour. It consists principally of particles of endosperm with fine fragments of the outer skins and some grain screenings.	Crude fibre Starch
1.1.8	Barley protein	Product from barley obtained after starch and bran separation. It consists principally of protein.	Crude protein Starch
1.1.9	Barley protein feed	Product from barley obtained after starch separation. It consists principally of protein and particles of endosperm. It may be dried.	Moisture, if < 45 % or > 60 % If moisture < 45 %: — Crude protein — Starch
1.1.10	Barley solubles	Product from barley obtained after wet protein and starch extraction.	Crude protein
1.1.11	Barley bran	Product of flour manufacture, obtained from screened grains of dehusked barley. It consists principally of fragments of the outer skins and of particles of grain from which the greater part of the endosperm has been removed.	Crude fibre
1.1.12	Liquid barley starch	Secondary starch fraction from the production of starch from barley.	If moisture < 50 %: — Starch
1.1.13	Malting barley screenings	Product from malting barley cleaning consisting of small malting barley grains and fractions of broken malting barley grains separated before the malting process.	Crude fibre Crude ash if > 2,2 %
1.1.14	Malting barley and malt fines	Cereal fines aspirated from grain transfer operations.	Crude fibre
1.1.15	Malting barley husks	Product from malting barley cleaning consisting of fractions of husk and fines.	Crude fibre
1.1.16	Barley distillers solids, wet	Product of ethanol manufacture from barley. It contains solid feed fraction from distillation.	Moisture, if < 65 % or > 88 % If moisture < 65 %: — Crude protein

Number	Name	Description	Compulsory declarations
1.1.17	Barley distillers solubles, wet	Product of ethanol manufacture from barley. It contains soluble feed fraction from distillation.	Moisture, if < 45 % or > 70 % If moisture < 45 % — Crude protein
1.1.18	Malt ⁽¹⁾	Product from germinated cereals, dried, milled and/or extracted.	
1.1.19	Malt rootlets ⁽¹⁾	Product from malting cereals germination and malt cleaning consisting of rootlets, cereal fines, husks and small broken malted cereal grains. It may be milled.	
1.2.1	Maize ⁽²⁾	Grains of <i>Zea mays</i> L. ssp. <i>mays</i> . It may be rumen protected.	Method of rumen protection, if applicable
1.2.2	Maize flakes	Product obtained by steaming and rolling dehusked maize. It may contain a small proportion of maize husks.	Starch
1.2.3	Maize middlings	Product of the manufacture of flour or semolina from maize. It consists principally of fragments of the outer skins and of particles of grain from which less of the endosperm has been removed than in maize bran.	Crude fibre Starch
1.2.4	Maize bran	Product of the manufacture of flour or semolina from maize. It consists principally of outer skins and some maize germ fragments, with some endosperm particles.	Crude fibre
1.2.5	Maize cobs	Central core of a maize ear. It comprises unseparated rachis, grain and leaves.	Crude fibre Starch
1.2.6	Maize screenings	Fraction of maize left after screening process.	
1.2.7	Maize fibre	Product of the manufacture of maize starch. It consists principally of fibre.	Moisture, if < 50 % or > 70 % If moisture < 50 %: — Crude fibre
1.2.8	Maize gluten	Product of the manufacture of maize starch. It consists principally of gluten obtained during separation of starch.	Crude protein Moisture, if < 70 % or > 90 %
1.2.9	Maize gluten feed	Product obtained during the manufacture of maize starch. It is composed of bran and maize solubles. The product may also include broken maize and residues from the oil extraction of maize germs. Other products derived from starch and from the refining or fermentation of starch products may be added, it may be dried.	Moisture, if < 40 % or > 65 % If moisture < 40 %: — Crude protein — Crude fibre — Starch — Crude fat
1.2.10	Maize germ	Product of the manufacture of semolina, flour or starch from maize. It consists predominately of maize germ, outer skins and parts of the endosperm.	Moisture, if < 40 % or > 60 % If moisture < 40 %: — Crude protein — Crude fat
1.2.11	Maize germ expeller	Product of oil manufacture obtained by pressing of processed maize germ to which parts of the endosperm and testa may still adhere.	Crude protein Crude fat
1.2.12	Maize germ meal	Product of oil manufacture, obtained by extraction of processed maize germ.	Crude protein
1.2.13	Crude maize germ oil	Product obtained from maize germ.	Crude fat
1.2.14	Maize, puffed	Product obtained from milled or broken maize by means of a treatment in humid, warm conditions and under pressure.	Starch

Number	Name	Description	Compulsory declarations
1.2.15	Maize steep liquor	Concentrated liquid fraction from the steeping process of corn.	Moisture, if < 45 % or > 65 % If moisture < 45 %: — Crude protein
1.2.16	Sweet corn silage	By-product of the sweet-corn processing industry, composed of centre cobs, husks, base of the kernels, chopped and drained or pressed. Generated by chopping the sweet-corn cobs, husks and leaves, with presence of sweet-corn kernels.	Crude fibre
1.3.1	Millet	Grains of <i>Panicum miliaceum</i> L.	
1.4.1	Oats	Grains of <i>Avena sativa</i> L. and other cultivars of oats.	Method of rumen protection, if applicable
1.4.2	Dehulled oats	Dehulled grains of oats. It may be steam treated.	
1.4.3	Oat flakes	Product obtained by steaming and rolling dehusked oats. It may contain a small proportion of oat husks.	Starch
1.4.4	Oat middlings	Product obtained during the processing of screened, dehusked oats into oat groats and flour. It consists principally of oat bran and some endosperm.	Crude fibre Starch
1.4.5	Oat bran	Product of flour manufacture, obtained from screened grains of dehusked oat. It consists principally of fragments of the outer skins and of particles of grain from which the greater part of the endosperm has been removed.	Crude fibre
1.4.6	Oat hulls	Product obtained during dehulling of oat grains.	Crude fibre
1.4.7	Oat, puffed	Product obtained from milled or broken oat by means of a treatment in humid, warm conditions and under pressure.	Starch
1.4.8	Oat groats	Cleaned oats with the hull removed.	Crude fibre Starch
1.4.9	Oat flour	Product obtained by milling of oat grains.	Crude fibre Starch
1.4.10	Fodder oat flour	Oats product with high content in starch, after decortication.	Crude fibre
1.4.11	Oat feed	Product obtained during the processing of screened, dehusked oats into oat groats and flour. It consists principally of oat bran and some endosperm.	Crude Fibre
1.5.1	Quinoa seed, extracted	Cleaned whole seed of the quinoa plant (<i>Chenopodium quinoa</i> Willd.) from which the saponin contained in the seeds outer layer has been removed.	
1.6.1	Rice, broken	Product of rice (<i>Oryza sativa</i> L.) milling, consisting principally of undersized and/or broken grains produced during milling.	Starch
1.6.2	Rice, milled	Husked rice from which all or part of the bran and embryo have been removed by milling.	Starch
1.6.3	Rice, pre-gelatinized	Product obtained from milled or broken rice by means of a treatment in humid, warm conditions and under pressure.	Starch
1.6.4	Rice, extruded	Product obtained by extruding rice flour.	Starch

Number	Name	Description	Compulsory declarations
1.6.5	Rice flakes; [Rice pre-gelatinized]	Product obtained by flaking pregelatinized rice grains or broken grains.	Starch
1.6.6	Rice, husked/brown	Paddy rice from which only the husk has been removed.	Starch Crude fibre
1.6.7	Ground fodder rice	Product obtained by grinding fodder rice, consisting either of green, chalky or unripe grains, sifted out during the milling of husked rice, or of normal husked grains which are yellow or spotted.	Starch
1.6.8	Rice flour	Product obtained by grinding milled rice.	Starch
1.6.9	Brown rice flour	Product obtained by grinding brown rice.	Crude Fibre Starch
1.6.10	Rice bran	Product from husked rice milling consisting of the outer layers of the kernel (pericarp, seed coat, nucleus, aleurone) with part of the germ.	Crude fibre
1.6.11	Rice bran with calcium carbonate	Product of the polishing of husked rice consisting mainly of silvery skins, particles of the aleurone layer, endosperm and germ; it contains varying amounts of calcium carbonate resulting from the polishing	Crude fibre Calcium carbonate
1.6.12	Defatted rice bran	Rice bran resulting from oil extraction.	Crude fibre
1.6.13	Rice bran oil	Oil extracted from stabilized rice bran.	Crude fat
1.6.14	Rice middlings	Product of rice flour and starch production, obtained by dry or wet milling and sieving. It consists principally of starch, protein, fat and fibre.	Starch, if > 20 % Crude protein, if > 10 % Crude fat, if > 5 % Crude fibre
1.6.15	Fodder meal from parboiled rice	Product of the polishing of husked parboiled rice, consisting principally of silvery skins, particles of the aleurone layer, endosperm, germ; it contains varying amounts of calcium carbonate resulting from the polishing process.	Crude fibre Calcium carbonate
1.6.16	Brewers' rice	The smallest broken fragments from the rice milling process, usually about one quarter of a full grain.	Starch
1.6.17	Rice germ	Product mainly consisting of the embryo removed during the rice milling process and separated from the bran.	Crude fat Crude protein
1.6.18	Rice germ expeller	Product of oil manufacture, obtained by pressing of the germ of rice to which parts of the endosperm and testa still adhere.	Crude protein Crude fat Crude fibre
1.6.19	Rice germ meal	Product of oil manufacture, obtained by extraction of the germ of rice to which parts of the endosperm and testa still adhere.	Crude protein
1.6.20	Rice protein	Product of rice starch production from broken rice, obtained by wet milling, sieving, separation, concentration and drying.	Crude protein
1.6.21	Liquid polished rice feed	Concentrated liquid product of wet milling and sieving rice.	Starch
1.7.1	Rye	Grains of <i>Secale cereale</i> L.	

Number	Name	Description	Compulsory declarations
1.7.2	Rye middlings	Product of flour manufacture, obtained from screened rye. It consists principally of particles of endosperm, with fine fragments of the outer skins and some miscellaneous parts of the grain.	Starch Crude fibre
1.7.3	Rye feed	Product of flour manufacture, obtained from screened rye. It consists principally of fragments of the outer skins, and of particles of grain from which less of the endosperm has been removed than in rye bran.	Starch Crude fibre
1.7.4	Rye bran	Product of flour manufacture, obtained from screened rye. It consists principally of fragments of the outer skins, and of particles of grain from which most of the endosperm has been removed.	Starch Crude fibre
1.8.1	Sorghum; [Milo]	Grains/seeds of <i>Sorghum bicolor</i> (L.) Moench	
1.8.2	Sorghum white	Grains of white Sorghum	
1.8.3	Sorghum gluten feed	Dried product obtained during the separation of sorghum starch. It consists principally of bran and a small quantity of gluten. The product may also include dried residues of maceration water and germs could be added.	Crude protein
1.9.1	Spelt	Grains of spelt <i>Triticum spelta</i> L., <i>Triticum dicoccum</i> Schrank, <i>Triticum monococcum</i> .	
1.9.2	Spelt bran	Product of the manufacture of spelt flour. It consists principally of outer skins and some spelt germ fragments, with some endosperm particles.	Crude fibre
1.9.3	Spelt hulls	Product obtained during dehulling of spelt grains.	Crude fibre
1.9.4	Spelt middlings	Product obtained during the processing of screened, dehulled spelt into spelt flour. It consists principally of particles of endosperm with fine fragments of the outer skins and some grain screenings.	Crude fibre Starch
1.10.1	Triticale	Grains of <i>Triticum X Secale cereale</i> L. Hybrid.	
1.11.1	Wheat	Grains of <i>Triticum aestivum</i> L., <i>Triticum durum</i> Desf. and other cultivars of wheat. It may be rumen protected.	Method of rumen protection, if applicable
1.11.2	Wheat rootlets	Product from malting wheat germination and malt cleaning consisting of rootlets, cereal fines, husks and small broken malted wheat grains.	
1.11.3	Wheat, pre-gelatinised	Product obtained from milled or broken wheat by means of a treatment in humid, warm conditions and under pressure.	Starch
1.11.4	Wheat middlings	Product of flour manufacture obtained from screened grains of wheat or dehulled spelt. It consists principally of particles of endosperm with fine fragments of the outer skins and some grain screenings.	Crude fibre Starch
1.11.5	Wheat flakes	Product obtained by steaming and rolling dehulled wheat. It may contain a small proportion of wheat husks. It may be rumen protected.	Crude fibre Starch Method of rumen protection, if applicable

Number	Name	Description	Compulsory declarations
1.11.6	Wheat feed	Product of flour or malting manufacture obtained from screened grains of wheat or dehusked spelt. It consists principally of fragments of the outer skins and of particles of grain from which less of the endosperm has been removed than in wheat bran.	Crude fibre
1.11.7	Wheat bran ⁽³⁾	Product of flour or malting manufacture obtained from screened grains of wheat or dehusked spelt. It consists principally of fragments of the outer skins and of particles of grain from which the greater part of the endosperm has been removed.	Crude fibre
1.11.8	Malted fermented wheat particles	Product obtained by a process combining malting and fermentation of wheat and wheat bran. The product is then dried and ground.	Starch Crude fibre
1.11.10	Wheat fibre	Fibre extracted from wheat processing. It consists principally of fibre.	Moisture, if < 60 % or > 80 % If moisture < 60 %: — Crude fibre
1.11.11	Wheat germ	Product of flour milling consisting essentially of wheat germ, rolled or otherwise, to which fragments of endosperm and outer skin may still adhere.	Crude protein Crude fat
1.11.12	Wheat germ, fermented	Product of fermentation of wheat germ, with inactivated micro-organisms.	Crude protein Crude fat
1.11.13	Wheat germ expeller	Product of oil manufacture, obtained by pressing of wheat germ (<i>Triticum aestivum</i> L., <i>Triticum durum</i> Desf. and other cultivars of wheat and dehusked spelt (<i>Triticum spelta</i> L., <i>Triticum dicoccum</i> Schrank, <i>Triticum monococcum</i> L.)) to which parts of the endosperm and testa may still adhere.	Crude protein
1.11.15	Wheat protein	Wheat protein extracted during starch or ethanol production, maybe partially hydrolysed	Crude protein
1.11.16	Wheat gluten feed	Product of the manufacture of wheat starch and gluten. It consists of bran, from which the germ may have been partially removed. Wheat solubles, broken wheat and other products derived from starch and from the refining of starch products may be added.	Moisture, if < 45 % or > 60 % If moisture < 45 %: — Crude protein — Starch
1.11.18	Vital wheat gluten	Wheat protein characterized by a high viscoelasticity as hydrated, with minimum 80 % protein (N × 6,25) and maximum 2 % ash on dry substance.	Crude protein
1.11.19	Liquid wheat starch	Product obtained from the production of starch/glucose and gluten from wheat.	Moisture, if < 65 % or > 85 % If moisture < 65 %: — Starch
1.11.20	Wheat starch containing protein, partially de-sugared	Product obtained during the production of wheat starch mainly comprising partially sugared starch, the soluble proteins and other soluble parts of the endosperm.	Crude protein Starch Total sugar calculated as sucrose
1.11.21	Wheat solubles	Product of wheat obtained after wet protein and starch extraction. May be hydrolysed.	Moisture if < 55 % or > 85 % If moisture < 55 %: — Crude protein

Number	Name	Description	Compulsory declarations
1.11.22	Wheat yeast concentrate	Wet by-product that is released after the fermentation of wheat starch for alcohol production.	Moisture, if < 60 % or > 80 % If moisture < 60 %: — Crude protein
1.11.23	Malting wheat screenings	Product from malting wheat cleaning consisting of small malting wheat grains and fractions of broken malting wheat grains separated before the malting process.	Crude fibre
1.11.24	Malting wheat and malt fines	Cereals fines aspirated from grain transfer operations.	Crude fibre
1.11.25	Malting wheat husks	Product from malting wheat cleaning consisting of fractions of husk and fines.	Crude fibre
1.12.2	Grain flour ⁽⁴⁾	Flour from milling grains.	Starch Crude fibre
1.12.3	Grain protein concentrate ⁽⁴⁾	Concentrate and dried product obtained from grain after starch removing through yeast fermentation.	Crude protein
1.12.4	Cereal grains screenings ⁽⁴⁾	Residue from the screening of cereals and malt	Crude fibre
1.12.5	Grain germ ⁽⁴⁾	Product of flour milling and the manufacture of starch consisting principally of grain germ, rolled or otherwise, to which fragments of endosperm and outer skin may still adhere.	Crude protein, Crude fat
1.12.6	Grain spent wash syrup ⁽⁴⁾	Product of grain obtained through the evaporation of the concentrate of the spent wash from the fermentation and distillation of grain used in the production of grain spirit.	Moisture, if < 45 % or > 70 % If moisture < 45 %: — Crude protein
1.12.7	Moist distillers' grains ⁽⁴⁾	Moist product produced as the solid fraction by centrifuging and/or filtration of the spent wash from fermented and distilled grains used in the production of grain spirit.	Moisture, if < 65 % or > 88 % If moisture < 65 %: — Crude protein
1.12.8	Concentrated Distillers Solubles ⁽⁴⁾	Moist product from production of alcohol by distilling a mash of wheat and sugar syrup after previous separation of bran and gluten.	Moisture, if < 65 % or > 88 % If moisture < 65 %: — Crude protein, if > 10 %
1.12.9	Distillers' grains and solubles ⁽⁴⁾	Product obtained when producing alcohol by distilling grain mash of cereals and/ or other starchy and sugar containing products. It may be rumen protected.	Moisture, if < 60 % or > 80 % If moisture < 60 %: — Crude protein Method of rumen protection, if applicable
1.12.10	Distillers' dried grains ⁽⁴⁾	Product of alcohol distilling obtained by drying solid residues of fermented grains. It may be rumen protected.	Crude protein Method of rumen protection, if applicable
1.12.11	Distillers' dark grains ⁽⁴⁾ ; [Distillers' dried grains and solubles] ⁽⁴⁾	Product of alcohol distilling obtained by drying solid residues of fermented grains to which pot ale syrup or evaporated spent wash has been added. It may be rumen protected.	Crude protein Method of rumen protection, if applicable
1.12.12	Brewers' grains	Product of brewing composed by residues of malted and unmalted cereals and other starchy products, which may contain hop materials. Typically marketed in a moist condition but may also be sold in a dried form.	Moisture, if < 65 % or > 88 % If moisture < 65 %: — Crude protein

Number	Name	Description	Compulsory declarations
1.12.13	Draff	Solid product of malt whisky production. It consists of the residues from hot water extraction of malted barley. Typically marketed in the moist form after the extract has been removed by gravity.	Moisture, if < 65 % or > 88 % If moisture < 65 %: — Crude protein
1.12.14	Mash Filter Grains	Solid product obtained through the production of beer, malt extract and whisky spirit. It consists of the residues of hot water extraction of ground malt and possibly other sugar or starch-rich adjuncts. Typically marketed in the moist form after the extract has been removed by pressing.	Moisture, if < 65 % or > 88 % If moisture < 65 %: — Crude protein
1.12.15	Pot ale	The product remaining in the still from the first (wash) distillation of a malt distillery.	Crude protein, if > 10 %
1.12.16	Pot ale syrup	Product from the first (wash) distillation of a malt distillery produced by evaporating the pot ale remaining in the still.	Moisture, if < 45 % or > 70 % If moisture < 45 %: Crude protein

2. Oil seeds, oil fruits, and products derived thereof

Number	Name	Description	Compulsory declarations
2.1.1	Babassu expeller	Product of oil manufacture, obtained by pressing Babassu palm nuts <i>Orbignya</i> varieties.	Crude protein Crude fat Crude fibre
2.2.1	Camelina seed	Seeds of <i>Camelina sativa</i> L. Crantz.	
2.2.2	Camelina, expeller	Product of oil manufacture, obtained by pressing of seeds of Camelina.	Crude protein Crude fat Crude fibre
2.2.3	Camelina meal	Product of oil manufacture, obtained by extraction and appropriate heat treatment of Camelina seed expeller.	Crude protein
2.3.1	Cocoa husks	Teguments of the dried and roasted beans of <i>Theobroma cacao</i> L.	Crude fibre
2.3.2	Cocoa hulls	Product obtained by processing of cocoa beans.	Crude fibre Crude protein
2.3.3	Cocoa bean meal, partially decorticated	Product of oil manufacture, obtained by extraction of dried and roasted cocoa beans <i>Theobroma cacao</i> L. from which part of the husks has been removed	Crude protein Crude fibre
2.4.1	Copra expeller	Product of oil manufacture, obtained by pressing the dried kernel (endosperm) and outer husk (tegument) of the seed of the coconut palm <i>Cocos nucifera</i> L.	Crude protein Crude fat Crude fibre
2.4.2	Copra, hydrolysed expeller	Product of oil manufacture, obtained by pressing and enzymatic hydrolysis of the dried kernel (endosperm) and outer husk (tegument) of the seed of the coconut palm <i>Cocos nucifera</i> L.	Crude protein Crude fat Crude fibre
2.4.3	Copra meal	Product of oil manufacture, obtained by extraction of the dried kernel (endosperm) and outer husk (tegument) of the seed of the coconut palm.	Crude protein
2.5.1	Cotton seed	Seeds of <i>Gossypium</i> spp. from which the fibres have been removed. It may be rumen protected.	Method of rumen protection, if applicable

Number	Name	Description	Compulsory declarations
2.5.2	Cotton seed meal, partially decorticated	Product of oil manufacture, obtained by extraction of seeds of cotton from which the fibres and part of the husks have been removed. (Maximum crude fibre 22,5 % in the dry matter). It may be rumen protected.	Crude protein Crude fibre Method of rumen protection, if applicable
2.5.3	Cotton seed expeller	Product of oil manufacture, obtained by pressing of seeds of cotton from which the fibres have been removed.	Crude protein Crude fibre Crude fat
2.6.1	Groundnut expeller, partially decorticated	Product of oil manufacture, obtained by pressing of partially decorticated groundnuts <i>Arachis hypogaea</i> L. and other species of <i>Arachis</i> . (Maximum crude fibre content 16 % in the dry matter)	Crude protein Crude fat Crude fibre
2.6.2	Groundnut meal, partially decorticated	Product of oil manufacture, obtained by extraction of partially decorticated groundnut expeller. (Maximum crude fibre content 16 % in the dry matter)	Crude protein Crude fibre
2.6.3	Groundnut expeller, decorticated	Product of oil manufacture, obtained by pressing of decorticated groundnuts.	Crude protein Crude fat Crude fibre
2.6.4	Groundnut meal, decorticated	Product of oil manufacture, obtained by extraction of decorticated groundnut expeller.	Crude protein Crude fibre
2.7.1	Kapok expeller	Product of oil manufacture obtained by pressing of Kapok seeds (<i>Ceiba pentadra</i> L. Gaertn.).	Crude protein Crude fibre
2.8.1	Linseed	Seeds of linseed <i>Linum usitatissimum</i> L. (Minimum botanical purity 93 %) as whole, flattened or ground linseed. It may be rumen protected.	Method of rumen protection, if applicable
2.8.2	Linseed expeller	Product of oil manufacture, obtained by pressing of linseed. (Minimum botanical purity 93 %)	Crude protein Crude fat Crude fibre
2.8.3	Linseed meal	Product of oil manufacture, obtained by extraction and appropriate heat treatment of linseed expeller. May contain up to max 1 % used bleaching earth from integrated crushing and refining plants or filter aids. It may be rumen protected.	Crude protein Method of rumen protection, if applicable
2.9.1	Mustard bran	Product of the manufacture of mustard (<i>Brassica juncea</i> L.). It consists of fragments of the outer skins and particles of grain.	Crude fibre
2.9.2	Mustard seed meal	Product obtained by the extraction of volatile mustard oil from mustard seeds	Crude protein
2.10.1	Niger seed	Seeds of the niger plant <i>Guizotia abyssinica</i> (L. F.) Cass.	
2.10.2	Niger seed expeller	Product of oil manufacture, obtained by pressing of seeds of the niger plant (Ash insoluble in HCl: maximum 3,4 %)	Crude protein Crude fat Crude fibre
2.11.1	Olive pulp	Product of oil manufacture, obtained by extraction of pressed olives <i>Olea europea</i> L. separated as far as possible from parts of the kernel.	Crude protein Crude fibre Crude fat

Number	Name	Description	Compulsory declarations
2.12.1	Palm kernel expeller	Product of oil manufacture, obtained by pressing of palm kernels <i>Elaeis guineensis</i> Jacq., <i>Corozo oleifera</i> (HBK) L. H. Bailey (<i>Elaeis melanococca</i> auct.) from which as much as possible of the hard shell has been removed.	Crude protein Crude fibre Crude fat
2.12.2	Palm kernel meal	Product of oil manufacture, obtained by extraction of palm kernels from which as much as possible of the hard shell has been removed.	Crude protein Crude fibre
2.13.1	Pumpkin and squash seed	Seeds of <i>Cucurbita pepo</i> L. and plants of the genus <i>Cucurbita</i> .	
2.13.2	Pumpkin and squash seed, expeller	Product of oil manufacture, obtained by pressing of seeds of <i>Cucurbita pepo</i> and plants of the genus <i>Cucurbita</i> .	Crude protein Crude fat
2.14.1	Rape seed (5)	Seeds of rape <i>Brassica napus</i> L. ssp. <i>oleifera</i> (Metzg.) Sinsk., of Indian sarson <i>Brassica napus</i> L. var. <i>glauca</i> (Roxb.) O.E. Schulz and of rape <i>Brassica rapa</i> ssp. <i>oleifera</i> (Metzg.) Sinsk. Minimum botanical purity 94 %. It may be rumen protected.	Method of rumen protection, if applicable
2.14.2	Rape seed, expeller	Product of oil manufacture, obtained by pressing of seeds of rape. May contain up to max 1 % used bleaching earth from integrated crushing and refining plants or filter aids. It may be rumen protected.	Crude protein Crude fat Crude fibre Method of rumen protection, if applicable
2.14.3	Rape seed meal	Product of oil manufacture, obtained by extraction and appropriate heat treatment of rape seed expeller. May contain up to max 1 % used bleaching earth from integrated crushing and refining plants or filter aids. It may be rumen protected.	Crude protein Method of rumen protection, if applicable
2.14.4	Rape seed, extruded	Product obtained from whole rape by means of a treatment in humid, warm conditions and under pressure increasing starch gelatinisation. It may be rumen protected.	Crude protein Crude fat Method of rumen protection, if applicable
2.14.5	Rape seed protein concentrate	Product of oil manufacture, obtained by separation of protein fraction of rapeseed expeller or rapeseed.	Crude protein
2.15.1	Safflower seed	Seeds of the safflower <i>Carthamus tinctorius</i> L.	
2.15.2	Safflower seed meal, partially decorticated	Product of oil manufacture, obtained by extraction of partially decorticated seeds of safflower.	Crude protein Crude fibre
2.15.3	Safflower hulls	Product obtained during dehulling of safflower seeds.	Crude fibre
2.16.1	Sesame seed	Seeds of <i>Sesamum indicum</i> L.	
2.17.1	Sesame seed, partially dehulled	Product of oil manufacture, obtained by removing part of the husks.	Crude protein Crude fibre
2.17.2	Sesame hulls	Product obtained during dehulling of sesame seeds.	Crude fibre
2.17.3	Sesame seed expeller	Product of oil manufacture, obtained by pressing of seeds of the sesame plant (Ash insoluble in HCl: maximum 5 %)	Crude protein Crude fibre Crude fat
2.18.1	Toasted soya (beans)	Soya beans (<i>Glycine max.</i> L. Merr.) subjected to an appropriate heat treatment. (Urease activity maximum 0,4 mg N/g × min.). It may be rumen protected.	Method of rumen protection, if applicable

Number	Name	Description	Compulsory declarations
2.18.2	Soya (bean) expeller	Product of oil manufacture, obtained by pressing the seed of soya	Crude protein Crude fat Crude fibre
2.18.3	Soya (bean) meal	Product of oil manufacture, obtained from soya beans after extraction and appropriate heat treatment. (Urease activity maximum 0,4 mg N/g × min.). May contain up to max 1 % used bleaching earth or other filter aids from integrated crushing and refining plants or filter aids. It may be rumen protected.	Crude protein Crude fibre if > 8 % in dry matter Method of rumen protection, if applicable
2.18.4	Soya (bean) meal, dehulled	Product of oil manufacture, obtained from dehulled soya beans after extraction and appropriate heat treatment. May contain up to max 1 % of used bleaching earth from integrated crushing and refining plants or filter aids (Urease activity maximum 0,5 mg N/g × min.). It may be rumen protected.	Crude protein Method of rumen protection, if applicable
2.18.5	Soya (bean) hulls	Product obtained during dehulling of soya beans.	Crude fibre
2.18.6	Soya beans, extruded	Product obtained from soya beans by means of a treatment in humid, warm conditions and under pressure increasing starch gelatinisation. It may be rumen protected.	Crude protein Crude fat Method of rumen protection, if applicable
2.18.7	Soya (bean) protein concentrate	Product obtained from dehulled, fat extracted soya beans, after fermentation or a second extraction to reduce the level of nitrogen-free extract.	Crude protein
2.18.8	Soya bean pulp; [Soya bean paste]	Product obtained during extraction of soya beans for food preparation.	Crude protein
2.18.9	Soya bean molasses	Product obtained during the processing of soya bean.	Crude protein Crude fat
2.18.10	By-product from soybean preparation	Products obtained when processing soybeans to obtain soybean food preparations.	Crude protein
2.19.1	Sunflower seed	Seeds of the sunflower <i>Helianthus annuus</i> L. It may be rumen protected.	Method of rumen protection, if applicable
2.19.2	Sunflower seed expeller	Product of oil manufacture, obtained by pressing of seeds of the sunflower.	Crude protein Crude fat Crude fibre
2.19.3	Sunflower seed meal	Product of oil manufacture, obtained by extraction and appropriate heat treatment of sunflower seed expeller. May contain up to max 1 % used bleaching earth from integrated crushing and refining plants or filter aids. It may be rumen protected.	Crude protein Method of rumen protection, if applicable
2.19.4	Sunflower seed meal, dehulled	Product of oil manufacture, obtained by extraction and appropriate heat treatment of expeller of sunflower seeds from which part or all of the husks has been removed. May contain up to max 1 % of used bleaching earth from integrated crushing and refining plants or filter aids (Maximum crude fibre 27,5 % in the dry matter).	Crude protein Crude fibre
2.19.5	Sunflower seed hulls	Product obtained during dehulling of sunflower seeds.	Crude fibre
2.20.1	Vegetable oil and fat ⁽⁶⁾	Oil and fat obtained from plants (excluding castor oil from the ricinus plant), it may be degummed, refined and/or hydrogenated	Moisture, if > 1 %
2.21.1	Crude lecithins	Phospholipids obtained during degumming of crude oil from oilseeds and oil fruits.	

Number	Name	Description	Compulsory declarations
2.22.1	Hemp seed	Controlled hemp seed <i>Cannabis sativa</i> L. with a maximum THC content according to EU legislation	
2.22.2	Hemp expeller	Product of oil manufacture obtained by pressing of hemp seed.	Crude protein Crude fibre
2.22.3	Hemp oil	Product of oil manufacture, obtained by pressing of hemp plant and seed.	Crude protein Crude fat Crude fibre
2.23.1	Poppy seed	Seeds of <i>Papaver somniferum</i> L.	
2.23.2	Poppy meal	Product of oil manufacture, obtained by extraction of expeller of poppy seed	Crude protein

3. Legume seeds and products derived thereof

Number	Name	Description	Compulsory declarations
3.1.1	Beans, toasted	Seeds of <i>Phaseolus</i> spp. or <i>Vigna</i> spp. submitted to an appropriate heat treatment. It may be rumen protected.	Method of rumen protection, if applicable
3.1.2	Bean protein concentrate	Product obtained from the separated bean fruit water, when producing starch.	Crude protein
3.2.1	Carob, dried	Dried fruits of the carob tree <i>Ceratonia siliqua</i> L.	Crude fibre
3.2.3	Carob pods, dried	Product obtained by crushing the dried fruits (pods) of the carob tree and from which the locust beans have been removed.	Crude fibre
3.2.4	Dried carob pod meal, micronised	Product obtained by micronisation of the dried fruits of the carob tree from which the locust beans have been removed.	Crude fibre Total sugars, calculated as sucrose
3.2.5	Carob germ	Germ of the locust bean of the carob tree.	Crude protein
3.2.6	Carob germ, expeller	Product of oil manufacture, obtained by pressing of germ of carob.	Crude protein
3.2.7	Locust bean (seed)	Bean of the carob tree.	Crude fibre
3.3.1	Chick peas	Seeds of <i>Cicer arietinum</i> L.	
3.4.1	Ervil	Seeds of <i>Ervum ervilia</i> L.	
3.5.1	Fenugreek seed	Seed of fenugreek (<i>Trigonella foenum-graecum</i>).	
3.6.1	Guar meal	Product obtained after extraction of the mucilage from seeds of guar bean <i>Cyamopsis tetragonoloba</i> (L.) Taub.	Crude protein
3.6.2	Guar germs meal	Product of mucilage extraction from the germ of seeds of guar bean.	Crude protein
3.7.1	Horse beans	Seeds of <i>Vicia faba</i> L. ssp. <i>faba</i> var. <i>equina</i> Pers. and var. <i>minuta</i> (Alef.) Mansf.	
3.7.2	Horse bean flakes	Product obtained by steaming and rolling dehusked horse beans.	Starch Crude protein
3.7.3	Film horse beans; [Faba bean hulls]	Product obtained during dehulling horse bean seeds, consisting mainly of external envelopes.	Crude fibre Crude protein

Number	Name	Description	Compulsory declarations
3.7.4	Horse beans, dehulled	Product obtained during dehulling horse bean seeds, consisting mainly of bean kernels from horse beans.	Crude protein Crude fibre
3.7.5	Horse bean protein	Product obtained by grinding and air fractionation of horse beans.	Crude protein
3.8.1	Lentils	Seeds of <i>Lens culinaris</i> a.o. Medik.	
3.8.2	Lentil hulls	Product obtained during dehulling process of lentil seeds.	Crude fibre
3.9.1	Sweet lupins	Seeds of <i>Lupinus</i> spp. low in bitter seed content.	
3.9.2	Sweet lupins, dehulled	Dehulled lupin seeds.	Crude protein
3.9.3	Film lupins; [lupin hulls]	Product obtained during dehulling of lupin seeds, consisting mainly of external envelopes.	Crude protein Crude fibre
3.9.4	Lupin pulp	Product obtained after extraction of components of lupin.	Crude fibre
3.9.5	Lupin middlings	Product obtained during the manufacture of lupin flour from lupin. It consists principally of particles of cotyledon, and to a lesser extent, of skins.	Crude protein Crude fibre
3.9.6	Lupin protein	Product obtained from the separated lupin fruit water when producing starch, or after grinding and air fractionation.	Crude protein
3.9.7	Lupin protein meal	Product of lupin processing to produce a high protein meal.	Crude protein
3.10.1	Mung beans	Beans of <i>Vigna radiata</i> L.	
3.11.1	Peas	Seeds of <i>Pisum</i> spp. It may be rumen protected.	Method of rumen protection, if applicable
3.11.2	Pea bran	Product obtained during the manufacture of pea meal. It is composed mainly of skins removed during the skinning and cleaning of peas.	Crude fibre
3.11.3	Pea flakes	Product obtained by steaming and rolling dehulled seeds of peas.	Starch
3.11.4	Pea flour	Product obtained during the grinding of peas.	Crude protein
3.11.5	Pea hulls	Product obtained during the manufacture of pea meal from peas. It is mainly composed of skins removed during the skinning and cleaning and, to a lesser extent, of endosperm.	Crude fibre
3.11.6	Peas, dehulled	Dehulled pea seeds.	Crude protein Crude fibre
3.11.7	Pea middlings	Product obtained during the manufacture of pea flour. It consists principally of particles of cotyledon, and to a lesser extent, of skins.	Crude protein Crude fibre
3.11.8	Pea screenings	Fraction of the pea left after the screening process.	Crude fibre
3.11.9	Pea protein	Product obtained from the separated pea fruit water when producing starch, or after grinding and air fractionation.	Crude protein
3.11.10	Pea pulp	Product obtained from starch and protein wet extraction from peas. It is mainly composed of internal fibre and starch.	Moisture if < 70 % or > 85 % Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter

Number	Name	Description	Compulsory declarations
3.11.11	Pea solubles	Product obtained from starch and protein wet extraction from peas. It is mainly composed of soluble proteins and oligosaccharides.	Moisture if < 60 % or > 85 % Total sugars Crude protein
3.11.12	Pea fibre	Product obtained by extraction after grinding and sieving of the dehulled pea.	Crude fibre
3.12.1	Vetches	Seeds of <i>Vicia sativa</i> L. var <i>sativa</i> and other varieties.	
3.13.1	Chickling vetch (7)	Seeds of <i>Lathyrus sativus</i> L. submitted to an appropriate heat treatment.	
3.14.1	Monantha vetch	Seeds of <i>Vicia monanthos</i> Desf.	

4. Tubers, roots, and products derived thereof

Number	Name	Description	Compulsory declarations
4.1.1	Sugar beet	Root of <i>Beta vulgaris</i> L. ssp. <i>vulgaris</i> var. <i>altissima</i> Doell.	
4.1.2	Sugar beet tops and tails	Fresh product of the manufacture of sugar consisting mainly of cleaned pieces of sugar beet with or without parts of beet leaves.	Ash insoluble in HCl, if > 5 % of dry matter Moisture if < 50 %
4.1.3	(Beet) sugar; [sucrose]	Sugar extracted from sugar beets using water.	Sucrose
4.1.4	(Sugar) beet molasses	Syrupy product obtained during the manufacture or refining of sugar from sugar beets.	Total sugars, calculated as sucrose Moisture, if > 28 %
4.1.5	(Sugar) beet molasses, partially desugared and/or debetainized	Product obtained after further extraction using water of sucrose and/or betaine from sugar beet molasses.	Total sugars, calculated as sucrose Moisture, if > 28 %
4.1.6	Isomaltulose molasses	Non-crystallised fraction from the manufacture of isomaltulose by enzymatic conversion of sucrose from sugar beets.	Moisture if > 40 %
4.1.7	Wet (sugar) beet pulp	Product of the manufacture of sugar consisting of water-extracted slices of sugar beet. Minimum moisture content: 82 %. Sugar content is low and declines towards zero due to (lactic acid) fermentation.	Ash insoluble in HCl, if > 5 % of dry matter Moisture, if < 82 % or > 92 %
4.1.8	Pressed (sugar) beet pulp	Product of the manufacture of sugar consisting of water-extracted and mechanically pressed slices of sugar beet. Maximum moisture content: 82 %. Sugar content is low and declines towards zero due to (lactic acid) fermentation.	Ash insoluble in HCl, if > 5 % of dry matter Moisture if < 65 % or > 82 %
4.1.9	Pressed (sugar) beet pulp, molassed	Product of the manufacture of sugar consisting of water-extracted and mechanically pressed slices of sugar beet with molasses added. Maximum moisture content: 82 %. Sugar content declines due to (lactic acid) fermentation.	Ash insoluble in HCl, if > 5 % of dry matter Moisture if < 65 % or > 82 %
4.1.10	Dried (sugar) beet pulp	Product of the manufacture of sugar consisting of water-extracted and dried slices of sugar beet.	Ash insoluble in HCl, if > 3,5 % of dry matter Total sugars, calculated as sucrose, if > 10,5 %
4.1.11	Dried (sugar) beet pulp, molassed	Product of the manufacture of sugar consisting of water-extracted and dried slices of sugar beet with molasses added.	Ash insoluble in HCl, if > 3,5 % of dry matter Total sugars, calculated as sucrose

Number	Name	Description	Compulsory declarations
4.1.12	Sugar syrup	Product obtained by processing of sugar and/or molasses.	Total sugars, calculated as sucrose Moisture, if > 35 %
4.1.13	(Sugar) beet pieces, boiled	Product of the manufacture of edible syrup from sugar beet, which may be pressed or dried.	If dried: ash insoluble in HCl, if > 3,5 % of dry matter If pressed: ash insoluble in HCl, if > 5 % of dry matter Moisture, if < 50 %
4.1.14	Fructo-oligosaccharides	Product obtained from sugar from sugar beet through an enzymatic process.	Moisture if > 28 %
4.2.1	Beetroot juice	Juice from pressing of red beet (<i>Beta vulgaris</i> convar. <i>crassa</i> var. <i>conditiva</i>) with subsequent concentration and pasteurization, maintaining the typical vegetable-like taste and flavour.	Moisture if < 50 % or > 60 % Ash insoluble in HCl, if > 3,5 % of dry matter
4.3.1	Carrots	Root of the yellow or red carrot <i>Daucus carota</i> L.	
4.3.2	Carrot peelings, steamed	Moist product from the carrot processing industry consisting of the peelings removed from the carrot root by steam treatment to which auxiliary flows of gelatinous carrot starch may be added. Maximum moisture content: 97 %.	Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter Moisture, if < 87 % or > 97 %
4.3.3	Carrot scrapings	Moist product which is released via mechanical separation in the processing of carrots and which mostly consists of dried carrots and carrot remnants. The product may have been subject to heat treatment. Maximum moisture content: 97 %.	Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter Moisture, if < 87 % or > 97 %
4.3.4	Carrot flakes	Product obtained by flaking roots of the yellow or red carrot, which are subsequently dried.	
4.3.5	Carrot, dried	Root of the yellow or red carrot regardless of their presentation, which are subsequently dried.	Crude fibre
4.3.6	Carrot feed, dried	Product constituted of internal pulp and outer skins that are dried.	Crude fibre
4.4.1	Chicory roots	Roots of <i>Cichorium intybus</i> L.	
4.4.2	Chicory tops and tails	Fresh product from chicory processing. It consists predominantly of cleaned pieces of chicory and parts of leaves.	Ash insoluble in HCl, if > 3,5 % of dry matter Moisture if < 50 %
4.4.3	Chicory seed	Seed of <i>Cichorium intybus</i> L.	
4.4.4	Pressed chicory pulp	Product of the manufacture of inulin from roots of <i>Cichorium intybus</i> L. consisting of extracted and mechanically pressed slices of chicory. The (soluble) chicory carbohydrates and water have been partly removed.	Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter Moisture if < 65 % or > 82 %
4.4.5	Dried chicory pulp	Product of the manufacture of inulin from roots of <i>Cichorium intybus</i> L. consisting of extracted and mechanically pressed slices of chicory and subsequent drying. The (soluble) chicory carbohydrates have been partly extracted.	Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter

Number	Name	Description	Compulsory declarations
4.4.6	Chicory roots powder	Product obtained by chopping, drying and grinding of chicory roots.	Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter
4.4.7	Chicory molasses	Product of chicory processing, obtained during the production of inulin and oligofructose.	Crude protein Moisture if < 20 % or > 30 %
4.4.8	Chicory vinasses	Product of chicory processing, obtained during the refining of inulin and oligofructose.	Crude protein Moisture if < 30 % or > 40 %
4.4.9	Chicory inulin	Inulin is a fructan extracted from roots of <i>Cichorium intybus</i> L.	
4.4.10	Oligofructose syrup	Product obtained by partial hydrolysis of inulin from <i>Cichorium intybus</i> L.	Moisture if < 20 % or > 30 %
4.4.11	Oligofructose, dried	Product obtained by partial hydrolysis of inulin from <i>Cichorium intybus</i> L. and subsequent drying.	
4.5.1	Garlic, dried	White to yellow powder of pure, ground garlic, <i>Allium sativum</i> L.	
4.6.1	Manioc; [tapioca]; [cassava]	Roots of <i>Manihot esculenta</i> Crantz, regardless of their presentation.	Moisture if < 60 % or > 70 %
4.6.2	Manioc, dried	Roots of Manioc, regardless of their presentation, which are subsequently dried.	Starch Ash insoluble in HCl, if > 3,5 % of dry matter
4.7.1	Onion pulp	Moist product which is released during the processing of onions (genus <i>Allium</i>) and consists of both skins and whole onions. If from the production process for onion oil, then it mostly consists of cooked remains of onions.	Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter
4.7.2	Onions, fried	Skinned and crumbed onion pieces which are then fried.	Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter Crude fat
4.8.1	Potatoes	Tubers of <i>Solanum tuberosum</i> L.	Moisture if < 72 % or > 88 %
4.8.2	Potatoes, peeled	Potatoes from which the skin is removed using steam treatment.	Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter
4.8.3	Potato peelings, steamed	Moist product from the potato processing industry consisting of the peelings removed by steam treatment from the potato tuber to which auxiliary flows of gelatinous potato starch may be added. It may be mashed.	Moisture if < 82 % or > 93 % Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter
4.8.4	Potato cuttings, raw	Product released from potatoes during the preparation of potato products for human consumption, which may have been peeled.	Moisture if < 72 % or > 88 % Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter
4.8.5	Potato scrapings	Product which is released via mechanical separation in the processing of potatoes and which mostly consists of dried potatoes and potato remnants. The product may have been subject to heat treatment.	Moisture if < 82 % or > 93 % Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter

Number	Name	Description	Compulsory declarations
4.8.6	Potato, mashed	Blanched or boiled and then mashed potato product.	Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter
4.8.7	Potato flakes	Product obtained by rotary drying of washed, peeled or unpeeled steamed potatoes.	Starch Crude fibre Ash insoluble in HCl, if > 3,5 % of dry matter
4.8.8	Potato pulp	Product of the manufacture of potato starch consisting of extracted ground potatoes.	Moisture, if < 77 % or > 88 %
4.8.9	Potato pulp, dried	Dried product of the manufacture of potato starch consisting of extracted ground potatoes.	
4.8.10	Potato protein	Product of starch manufacture composed mainly of protein substances obtained after the separation of starch.	Crude protein
4.8.11	Potato protein, hydrolysed	Protein obtained by a controlled enzymatic hydrolysis of potato proteins.	Crude protein
4.8.12	Potato protein, fermented	Product obtained by fermentation of potato protein and subsequent spray drying.	Crude protein
4.8.13	Potato protein fermented, liquid	Liquid product obtained by fermentation of potato protein.	Crude protein
4.8.14	Potato juice, concentrated	Concentrated product of the manufacture of potato starch, consisting of the remaining substance after the partial removal of fibre, proteins and starch from the whole potato pulp and evaporation of part of the water.	Moisture if < 50 % or > 60 % If moisture < 50 %: — Crude protein — Crude ash
4.8.15	Potato granules	Dried potatoes (potatoes after washing, peeling, size reduction – cutting, flaking, etc. and water content removal).	
4.9.1	Sweet potato	Tubers of <i>Ipomoea batatas</i> L. regardless of their presentation.	Moisture if < 57 % or > 78 %
4.10.1	Jerusalem artichoke; [Topinambur]	Tubers of <i>Helianthus tuberosus</i> L. regardless of their presentation.	Moisture if < 75 % or > 80 %

5. Other seeds and fruits, and products derived thereof

Number	Name	Description	Compulsory declarations
5.1.1	Acorn	Whole fruits of the pendunculate oak <i>Quercus robur</i> L., the sessile oak <i>Quercus petraea</i> (Matt.) Liebl., the cork oak of <i>Quercus suber</i> L., or other species of oak.	
5.1.2	Acorn, dehulled	Product obtained during dehulling of acorn.	Crude protein Crude fibre
5.2.1	Almond	Whole or broken fruit <i>Prunus dulcis</i> , with or without hulls.	
5.2.2	Almond Hulls	Almond hulls obtained from dehusked almond seeds by physical separation from the kernels and ground.	Crude fibre
5.3.1	Anise seed	Seeds of <i>Pimpinella anisum</i> .	
5.4.1	Apple pulp, dried; [Apple pomace, dried]	Product obtained from the production of juice of <i>Malus domestica</i> or cider production. It consists principally of internal pulp and outer skins that are dried. It may have been depectinised	Crude fibre

Number	Name	Description	Compulsory declarations
5.4.2	Apple pulp, pressed; [Apple pomace, pressed]	Moist product obtained from the production of apple juice or cider production. It consists principally of internal pulp and outer skins that are pressed. It may have been depectinised	Crude fibre
5.4.3	Apple molasses	Product obtained after producing pectin from apple pulp. It may have been depectinised	Crude protein Crude fibre Crude oils and fats, if > 10 %
5.5.1	Sugar beet seed	Seeds of sugar beet	
5.6.1	Buckwheat	Seeds of <i>Fagopyrum esculentum</i>	
5.6.2	Buckwheat hulls and bran	Product obtained during the milling of buckwheat grains.	Crude fibre
5.6.3	Buckwheat middlings	Product of flour manufacture, obtained from screened buckwheat. It consists principally of particles of endosperm, with fine fragments of the outer and some miscellaneous parts of the grain. It must contain no more than 10 % crude fibre.	Crude fibre Starch
5.7.1	Red cabbage seed	Seeds of <i>Brassica oleracea</i> var. <i>capitata</i> f. <i>Rubra</i> .	
5.8.1	Canary grass seed	Seeds of <i>Phalaris canariensis</i> .	
5.9.1	Caraway seed	Seeds from <i>Carum carvi</i> L.	
5.12.1	Broken chestnuts	Product of the production of chestnut flour, consisting mainly of particles of endosperm, with fine fragments of envelopes and a few remnants of chestnut (<i>Castanea</i> spp.).	Crude protein Crude fibre
5.13.1	Citrus pulp	Product obtained by pressing citrus fruits <i>Citrus</i> (L.) spp. or during the production of citrus juice. It may have been depectinised.	Crude fibre
5.13.2	Citrus pulp, dried	Product obtained by pressing citrus fruits or during the production of citrus juice, which is subsequently dried. It may have been depectinised.	Crude fibre
5.14.1	Red clover seed	Seeds of <i>Trifolium pratense</i> L.	
5.14.2	White clover seed	Seeds of <i>Trifolium repens</i> L.	
5.15.1	Coffee skins	Product obtained from dehusked seeds of the <i>Coffea</i> plant.	Crude fibre
5.16.1	Cornflower seed	Seeds of <i>Centaurea cyanus</i> L.	
5.17.1	Cucumber seed	Seeds of <i>Cucumis sativus</i> L.	
5.18.1	Cypress seed	Seeds of <i>Cupressus</i> L.	
5.19.1	Date fruit	Fruits of <i>Phoenix dactylifera</i> L. It may be dried.	
5.19.2	Date seed	Whole seeds of the date plant.	Crude fibre
5.20.1	Fennel seed	Seeds of <i>Foeniculum vulgare</i> Mill.	
5.21.1	Fig fruit	Fruits of <i>Ficus carica</i> L. It may be dried.	
5.22.1	Fruit kernels ⁽⁸⁾	Product consisting of the inner, edible seeds of a nut or fruit stone.	
5.22.2	Fruit pulp ⁽⁸⁾	Product obtained during the production of fruit juice and fruit puree. It may have been depectinised.	Crude fibre

Number	Name	Description	Compulsory declarations
5.22.3	Fruit pulp, dried ⁽⁸⁾	Product obtained during the production of fruit juice and fruit puree which is subsequently dried. It may have been depectinised.	Crude fibre
5.23.1	Garden cress	Seeds from <i>Lepidium sativum</i> L.	Crude fibre
5.24.1	Graminaceous seeds	Seeds from graminoids of the families <i>Poaceae</i> , <i>Cyperaceae</i> and <i>Juncaceae</i> .	
5.25.1	Grape pips	Pips separated from grape pulp, from which the oil has not been removed.	Crude fat Crude fibre
5.25.2	Grape pips meal	Product obtained during the extraction of oil from grape pips.	Crude fibre
5.25.3	Grape pulp [Grape marc]	Grape pulp dried rapidly after the extraction of alcohol from which as much as possible of the stalks and pips have been removed.	Crude fibre
5.26.1	Hazelnut	Whole or broken fruit of <i>Corylus</i> (L.) spp., with or without hulls.	
5.27.1	Pectin	Pectin extracted from appropriate plant material.	
5.28.1	Perilla seed	Seeds of <i>Perilla frutescens</i> L. and its milling products.	
5.29.1	Pine nut	Seeds from <i>Pinus</i> (L.) spp.	
5.30.1	Pistachio	Fruit of <i>Pistacia vera</i> L.	
5.31.1	Plantago seed	Seeds of <i>Plantago</i> (L.) spp.	
5.32.1	Radish seed	Seeds of <i>Raphanus sativus</i> L.	
5.33.1	Spinach seed	Seeds of <i>Spinacia oleracea</i> L.	
5.34.1	Thistle seed	Seeds from <i>Carduus marianus</i> L.	
5.35.1	Tomato pulp [tomato pomace]	Product obtained by pressing tomatoes <i>Solanum lycopersicum</i> L. during the production of tomato juice. It consists principally of tomato peel and seeds.	Crude fibre
5.36.1	Yarrow seed	Seeds of <i>Achillea millefolium</i> L.	

6. Forages and roughage, and products derived thereof

Number	Name	Description	Compulsory declarations
6.1.1	Beet leaves	Leaves of <i>Beta</i> spp.	
6.2.1	Cereal plants ⁽⁹⁾	Whole plants of cereal species or parts thereof. It may be dried, fresh or ensiled.	
6.3.1	Cereals straw ⁽⁹⁾	Straw of cereals.	
6.3.2	Cereal straw, treated ⁽⁹⁾ ⁽¹⁰⁾	Product obtained by an appropriate treatment of cereal straw.	Sodium, if treated with NaOH
6.4.1	Clover meal	Product obtained by drying and milling clover <i>Trifolium</i> spp. It may contain up to 20 % lucerne (<i>Medicago sativa</i> L. and <i>Medicago</i> var. <i>Martyn</i>) or other forage crops dried and milled at the same time as the clover.	Crude protein Crude fibre Ash insoluble, in HCl, if > 3,5 % of dry matter

Number	Name	Description	Compulsory declarations
6.5.1	Forage meal ⁽¹¹⁾ ; [Grass meal] ⁽¹¹⁾ ; [Green meal] ⁽¹¹⁾	Product obtained by drying and milling and in some cases compacting forage plants.	Crude protein Crude fibre Ash insoluble, in HCl, if > 3,5 % of dry matter
6.6.1	Grass, field dried, [Hay]	Species of any grass, field dried.	Ash insoluble, in HCl, if > 3,5 % of dry matter
6.6.2	Grass, high temperature dried	Product obtained from grass (any variety) that has been artificially dehydrated (in any form).	Crude protein Fibre Ash insoluble, in HCl, if > 3,5 % of dry matter
6.6.3	Grass, herbs, legume plants, [green forage]	Fresh, ensiled or dried arable crops consisting of grass, legumes or herbs, commonly described as silage, haylage, hay or green forage.	Ash insoluble, in HCl, if > 3,5 % of dry matter
6.7.1	Hemp flour	Flour ground from dried leaves from <i>Cannabis sativa</i> L.	Crude protein
6.7.2	Hemp fibre	Product obtained during the processing of hemp, green coloured, dried, fibrous.	
6.8.1	Horse bean straw	Straw of horse bean.	
6.9.1	Linseed straw	Straw of linseed (<i>Linum usitatissimum</i> L.).	
6.10.1	Lucerne; [Alfalfa]	<i>Medicago sativa</i> L. and <i>Medicago</i> var. <i>Martyn</i> plants or parts thereof.	Ash insoluble, in HCl, if > 3,5 % of dry matter
6.10.2	Lucerne field dried; [Alfalfa field dried]	Lucerne, field dried.	Ash insoluble, in HCl, if > 3,5 % of dry matter
6.10.3	Lucerne, high temperature dried; [Alfalfa, high temperature dried]	Lucerne artificially dehydrated, in any form.	Crude protein Crude fibre Ash insoluble, in HCl, if > 3,5 % of dry matter
6.10.4	Lucerne, extruded; [Alfalfa, extruded]	Alfalfa pellets that have been extruded.	
6.10.5	Lucerne meal; [Alfalfa meal] ⁽¹²⁾	Product obtained by drying and milling Lucerne. It may contain up to 20 % clover or other forage crop dried and milled at the same time as the lucerne.	Crude protein Crude fibre Ash insoluble, in HCl, if > 3,5 % of dry matter
6.10.6	Lucerne pomace; [Alfalfa pomace]	Dried product obtained by pressing of the juice from lucerne.	Crude protein Crude fibre
6.10.7	Lucerne protein concentrate; [Alfalfa protein concentrate]	Product obtained by artificially drying fractions of lucerne press juice, which have been separated by centrifugation and heat treated to precipitate the proteins.	Crude protein Carotene
6.10.8	Lucerne solubles	Product obtained after the extraction of proteins from lucerne juice, it may be dried	Crude protein
6.11.1	Maize silage	Ensiled plants or parts thereof of <i>Zea mays</i> L. ssp. <i>mays</i> .	
6.12.1	Pea Straw	Straw of <i>Pisum</i> spp.	

7. Other plants, algae and products derived thereof

Number	Name	Description	Compulsory declarations
7.1.1	Algae ⁽¹³⁾	Algae, live or processed, regardless of their presentation, including fresh, chilled or frozen algae.	Crude protein Crude fat Crude ash
7.1.2	Dried algae ⁽¹³⁾	Product obtained by drying algae. This product may have been washed to reduce the iodine content.	Crude protein Crude fat Crude ash
7.1.3	Algae meal ⁽¹³⁾	Product of algae oil manufacture, obtained by extraction of algae.	Crude protein Crude fat Crude ash
7.1.4	Algal oil ⁽¹³⁾	Product of the oil manufacture from algae obtained by extraction.	Crude fat Moisture if > 1 %
7.1.5	Algae extract ⁽¹³⁾ ; [Algae fraction] ⁽¹³⁾	Watery or alcoholic extract of algae that principally contains carbohydrates.	
7.2.6	Seaweed meal	Product obtained by drying and crushing macro-algae, in particular brown seaweed. This product may have been washed to reduce the iodine content.	Crude ash
7.3.1	Barks ⁽⁶⁾	Cleaned and dried barks of trees or bushes.	Crude fibre
7.4.1	Blossoms ⁽⁶⁾ , dried	All parts of dried blossoms of consumable plants and their fractions.	Crude fibre
7.5.1	Broccoli, dried	Product obtained by drying the plant <i>Brassica oleracea</i> L. after washing, size reduction (cutting, flaking, etc.) and water content removal.	
7.6.1	(Sugar) cane molasses	Syrupy product obtained during the manufacture or refining of sugar from <i>Saccharum</i> L.	Total sugars calculated as sucrose Moisture, if > 30 %
7.6.2	(Sugar) cane Molasses, partially desugared	Product obtained after further extraction using water of sucrose from sugar cane molasses.	Total sugars calculated as sucrose Moisture, if > 28 %
7.6.3	(Cane) sugar [sucrose]	Sugar extracted from sugar canes using water.	Sucrose
7.6.4	Cane bagasse	Product obtained during extraction using water of sugar from sugar canes. It consists mainly of fibres.	Crude fibre
7.7.1	Leaves, dried ⁽⁶⁾	Dried leaves of consumable plants and their fractions.	Crude fibre
7.8.1	Lignocellulose ⁽⁶⁾	Product obtained by means of mechanical processing of raw natural dried wood and which predominantly consists of lignocellulose.	Crude fibre
7.9.1	Liquorice root	Root of <i>Glycyrrhiza</i> L.	
7.10.1	Mint	Product obtained from drying aerial parts of the plants <i>Mentha apicata</i> , <i>Mentha piperita</i> or <i>Mentha viridis</i> (L.), regardless of their presentation.	
7.11.1	Spinach, dried	Product obtained from drying the plant <i>Spinacia oleracea</i> L., regardless of its presentation.	
7.12.1	Mojave yucca	Pulverized <i>Yucca schidigera</i> Roehl.	Crude fibre
7.13.1	Vegetal carbon; [charcoal]	Product obtained by carbonisation of organic vegetal material.	Crude fibre
7.14.1	Wood ⁽⁶⁾	Chemically untreated mature wood or wood fibres.	Crude fibre

8. Milk products and products derived thereof

Number	Name	Description	Compulsory declarations
8.1.1	Butter and butter products	Butter and products obtained by production or processing of butter (e.g. butter serum), unless listed separately.	Crude protein Crude fat Lactose Moisture if > 6 %
8.2.1	Buttermilk/Buttermilk concentrate/ Buttermilk powder ⁽¹⁴⁾	Product obtained by churning butter out of cream or similar processes. Concentration or drying may be applied.	Crude protein Crude fat Lactose Moisture if > 6 %
8.3.1	Casein	Product obtained from skimmed or buttermilk by drying casein precipitated by means of acids or rennet.	Crude protein Moisture if > 10 %
8.4.1	Caseinate	Product extracted from curd or casein through use of neutralizing substances and drying.	Crude protein Moisture if > 10 %
8.5.1	Cheese and cheese products	Cheese and products made of cheese and of milk based products.	Crude protein Crude fat
8.6.1	Colostrum	The fluid secreted by the mammary glands of milk-producing animals up to five days post parturition.	Crude protein
8.7.1	Dairy by-products	Products obtained when producing dairy products (including, but not limited to: former dairy foodstuffs, centrifuge or separator sludge, white water, milk minerals).	Moisture Crude protein Crude fat Total sugars
8.8.1	Fermented milk products	Products obtained by fermentation of milk (e.g. yoghurt etc.).	Crude protein Crude fat
8.9.1	Lactose	The sugar separated from milk or whey by purification and drying.	Lactose Moisture if > 5 %
8.10.1	Milk/Milk concentrate/Milk powder ⁽¹⁴⁾	Normal mammary secretion obtained from one or more milkings. Concentration or drying may be applied.	Crude protein Crude fat Moisture if > 5 %
8.11.1	Skimmed milk/Skimmed milk concentrate/Skimmed milk powder ⁽¹⁴⁾	Milk whose fat content has been reduced by separation. Concentration or drying may be applied.	Crude protein Moisture if > 5 %
8.12.1	Milk fat	Product obtained by skimming milk.	Crude fat
8.13.1	Milk protein powder	Product obtained by drying the protein compounds extracted from milk by chemical or physical treatment.	Crude protein Moisture if > 8 %
8.14.1	Condensed and evaporated milk and their products	Condensed and evaporated milk and products obtained by production or processing of these products.	Crude protein Crude fat Moisture if > 5 %

Number	Name	Description	Compulsory declarations
8.15.1	Milk permeate/Milk permeate powder ⁽¹⁴⁾	Product obtained by filtration (ultra, nano or micro) of milk (penetrating through the membrane) and from which lactose may have been partly removed. Reverse osmosis and drying may be applied.	Crude ash Crude protein Lactose Moisture if > 8 %
8.16.1	Milk retentate/Milk retentate powder ⁽¹⁴⁾	Product obtained by filtration (ultra, nano or micro) of milk (withheld by the membrane). Drying may be applied.	Crude protein Crude ash Lactose Moisture if > 8 %
8.17.1	Whey/Whey concentrate/Whey powder ⁽¹⁴⁾	Product of cheese, quark or casein manufacturing or similar processes. Concentration or drying may be applied.	Crude protein Lactose Moisture if > 8 % Crude ash
8.18.1	Delactosed whey/Delactosed whey powder ⁽¹⁴⁾	Whey from which the lactose has been partly removed. Drying may be applied.	Crude protein Lactose Moisture if > 8 % Crude ash
8.19.1	Whey protein/Whey protein powder ⁽¹⁴⁾	Product obtained by drying the whey protein compounds extracted from whey by chemical or physical treatment. Drying may be applied.	Crude protein Moisture if > 8 %
8.20.1	Demineralised, delactosed whey/Demineralised, delactosed whey powder ⁽¹⁴⁾	Whey from which the lactose and minerals have been partly removed. Drying may be applied.	Crude protein Lactose Crude ash Moisture if > 8 %
8.21.1	Whey permeate/Whey permeate powder ⁽¹⁴⁾	Product obtained by filtration (ultra, nano or micro) of whey (penetrating through the membrane) and from which lactose may have been partly removed. Reverse osmosis and drying may be applied.	Crude ash Crude protein Lactose Moisture if > 8 %
8.22.1	Whey retentate/Whey retentate powder ⁽¹⁴⁾	Product obtained by filtration (ultra, nano or micro) of whey (withheld by the membrane). Drying may be applied.	Crude protein Crude ash Lactose Moisture if > 8 %

9. Land animal products and products derived thereof

Number	Name	Description	Compulsory declarations
9.1.1	Animal by-products ⁽¹⁵⁾	Whole or parts of warm-blooded land animals, fresh, frozen, cooked, acid treated or dried.	Crude protein Crude fat Moisture if > 8 %
9.2.1	Animal fat ⁽¹⁵⁾	Product composed of fat from warm-blooded land animals.	Crude fat Moisture if > 1 %
9.3.1	Apiculture by-products	Honey, beeswax, royal jelly, propolis, pollen, processed or unprocessed.	Total sugar calculated as sucrose

Number	Name	Description	Compulsory declarations
9.4.1	Processed animal protein ⁽¹⁵⁾	Product obtained by heating, drying and grinding whole or parts of warm-blooded land animals from which the fat may have been partially extracted or physically removed.	Crude protein Crude fat Crude ash Moisture if > 8 %
9.5.1	Gelatine process derived proteins ⁽¹⁵⁾	Dried animal proteins of food quality derived from gelatine production.	Crude protein Crude fat Crude ash Moisture if > 8 %
9.6.1	Hydrolysed animal proteins ⁽¹⁵⁾	Hydrolysed proteins obtained by chemical, microbiological or enzymatic hydrolysis of animal protein.	Crude protein Moisture if > 8 %
9.7.1	Blood meal ⁽¹⁵⁾	Product derived from the heat treatment of blood of slaughtered warm-blooded animals.	Crude protein Moisture if > 8 %
9.8.1	Blood products ⁽¹⁵⁾	Products derived from blood or fractions of blood of slaughtered warm-blooded animals; they include dried/frozen/liquid plasma, dried whole blood, dried/frozen/liquid red cells or fractions thereof and mixtures.	Crude protein Moisture if > 8 %
9.9.1	Catering reflux [Catering recycling]	All waste food containing material of animal origin including used cooking oil originating in restaurants, catering facilities and kitchens, including central kitchens and household kitchens.	Crude protein Crude fat Crude ash Moisture if > 8 %
9.10.1	Collagen ⁽¹⁵⁾	Protein-based product derived from animal bones, hides, skins and tendons.	Crude protein Moisture if > 8 %
9.11.1	Feather meal	Product obtained by drying and grinding feathers of slaughtered animals, it may be hydrolysed.	Crude protein Moisture if > 8 %
9.12.1	Gelatine ⁽¹⁵⁾	Natural, soluble protein, gelling or non-gelling, obtained by the partial hydrolysis of collagen produced from bones, hides and skins, tendons and sinews of animals.	Crude protein Moisture if > 8 %
9.13.1	Greaves ⁽¹⁵⁾	Product obtained from the manufacture of tallow, lard and other extracted or physically removed fats of animal origin, fresh, frozen or dried.	Crude protein Crude fat Crude ash Moisture if > 8 %
9.14.1	Products of animal origin ⁽¹⁵⁾	Products that are no longer intended for human consumption for commercial reasons or due to problems of manufacturing or packaging defects or other defects from which no risk to public or animal health arise; with or without treatment such as fresh, frozen, dried.	Crude protein Crude fat Moisture if > 8 %
9.15.1	Eggs	Whole eggs of <i>Gallus gallus</i> L. with or without shells.	
9.15.2	Albumen	Product obtained from eggs after the separation of shells and yolk, pasteurised and possibly denatured.	Crude protein Method of denaturation if applicable
9.15.3	Egg products, dried	Products consisting of pasteurised dried eggs, without shells or a mixture of different proportions of dried albumen and dried egg yolk.	Crude protein Crude fat Moisture if > 5 %

Number	Name	Description	Compulsory declarations
9.15.4	Egg powder sugared	Dried whole or parts of sugared eggs.	Crude protein Crude fat Moisture if > 5 %
9.15.5	Egg shells, dried	Product obtained from poultry eggs, after the content (yolk and albumen) has been removed. Shells are dried.	Crude ash
9.16.1	Terrestrial invertebrates ⁽¹⁵⁾	Whole or parts of terrestrial invertebrates, in all their life stages, other than species pathogenic to humans and animals; with or without treatment such as fresh, frozen, dried.	

10. Fish, other aquatic animals and products derived thereof

Number	Name	Description	Compulsory declarations
10.1.1	Aquatic invertebrates ⁽¹⁶⁾	Whole or parts of marine or freshwater invertebrates, in all their life stages, other than species pathogenic to humans and animals; with or without treatment such as fresh, frozen, dried	
10.2.1	By-products from aquatic animals ⁽¹⁶⁾	Originating from establishments or plants preparing or manufacturing products for human consumption; with or without treatment such as fresh, frozen, dried.	Crude protein Crude fat Crude ash
10.3.1	Crustacea meal	Product produced by heating, pressing and drying whole or parts of crustacean including wild and farmed shrimp.	Crude protein Crude fat Crude ash, if > 20 % Moisture if > 8 %
10.4.1	Fish ⁽¹⁷⁾	Whole or parts of fish: fresh, frozen, cooked, acid treated or dried.	Crude protein Moisture if > 8 %
10.4.2	Fish meal ⁽¹⁷⁾	Product obtained by heating, pressing and drying whole or parts of fish and to which fish solubles may have been re-added prior to drying.	Crude protein Crude fat Crude ash, if > 20 % Moisture if > 8 %
10.4.3	Fish solubles	Condensed product obtained during manufacture of fishmeal which has been separated and stabilised by acidification or drying.	Crude protein Crude fat Moisture if > 5 %
10.4.4	Fish protein, hydrolysed	Product obtained by acid hydrolysis of whole or parts of fish often concentrated by drying.	Crude protein Crude fat Crude ash, if > 20 % Moisture if > 8 %
10.4.5	Fishbone meal	Product obtained by heating, pressing and drying parts of fish. It consists principally of fishbone.	Crude ash
10.4.6	Fish oil	Oil obtained from fish or parts of fish followed by centrifugation to remove water (may include species specific details e.g. cod liver oil).	Crude fat Moisture if > 1 %

Number	Name	Description	Compulsory declarations
10.4.7	Fish oil, hydrogenated	Oil obtained from hydrogenation of fish oil.	Moisture if > 1 %
10.5.1	Krill oil	Oil obtained from cooked and pressed marine planktonic krill followed by centrifugation to remove water.	Moisture if > 1 %
10.5.2	Krill protein concentrate, hydrolysed	Product obtained by the enzymatic hydrolysis of whole or parts of krill often concentrated by drying.	Crude protein Crude fat Crude ash, if > 20 % Moisture if > 8 %
10.6.1	Marine annelid meal	Product produced by heating and drying whole or parts of marine annelids, including <i>Nereis virens</i> M. Sars.	Fat Ash if > 20 % Moisture if > 8 %
10.7.1	Marine zooplankton meal	Product produced by heating, pressing and drying marine zooplankton e.g. krill.	Crude protein Crude fat Crude ash, if > 20 % Moisture if > 8 %
10.7.2	Marine zooplankton oil	Oil obtained from cooked and pressed marine zooplankton followed by centrifugation to remove water.	Moisture if > 1 %
10.8.1	Mollusc meal	Product produced by heating and drying whole or parts of molluscs including squid and bi-valves.	Crude protein Crude fat Crude ash, if > 20 % Moisture if > 8 %
10.9.1	Squid meal	Product produced by heating, pressing and drying whole squid or parts of squid.	Crude protein Crude fat Crude ash, if > 20 % Moisture if > 8 %

11. Minerals and products derived thereof

Number	Name	Description	Compulsory declarations
11.1.1	Calcium carbonate ⁽¹⁸⁾ ; [Limestone]	Product obtained by grinding sources of calcium carbonate, such as limestone or by precipitation from acid solution.	Calcium, Ash insoluble in HCl if > 5 %
11.1.2	Calcareous marine shells	Product of natural origin, obtained from marine shells, ground or granulated, such as oyster shells or seashells.	Calcium, Ash insoluble in HCl if > 5 %
11.1.3	Calcium and magnesium carbonate	Natural mixture of calcium carbonate and magnesium carbonate.	Calcium, Magnesium, Ash insoluble in HCl if > 5 %
11.1.4	Maerl	Product of natural origin obtained from calcareous marine algae, ground or granulated.	Calcium, Ash insoluble in HCl if > 5 %
11.1.5	Lithothamn	Product of natural origin obtained from calcareous marine algae (<i>Phymatolithon calcareum</i> (Pall.)), ground or granulated.	Calcium, Ash insoluble in HCl if > 5 %
11.1.6	Calcium chloride	Technical grade calcium chloride.	Calcium, Ash insoluble in HCl if > 5 %
11.1.7	Calcium hydroxide	Technical grade calcium hydroxide.	Calcium, Ash insoluble in HCl if > 5 %

Number	Name	Description	Compulsory declarations
11.1.8	Calcium sulphate anhydrous	Technical grade calcium sulphate anhydrous obtained by grinding calcium sulphate anhydrous or dehydration of calcium sulphate dihydrate.	Calcium, Ash insoluble in HCl if > 5 %
11.1.9	Calcium sulphate hemihydrate	Technical grade calcium sulphate hemihydrate obtained by partially dehydrating calcium sulphate dihydrate.	Calcium, Ash insoluble in HCl if > 5 %
11.1.10	Calcium sulphate dihydrate	Technical grade calcium sulphate dihydrate obtained by grinding calcium sulphate dihydrate or hydration of calcium sulphate hemihydrate.	Calcium, Ash insoluble in HCl if > 5 %
11.1.11	Calcium salts of organic acids ⁽¹⁹⁾	Calcium salts of edible organic acids with at least 4 carbon atoms.	Calcium, Organic acid
11.1.12	Calcium oxide	Technical grade calcium oxide obtained from calcination of naturally occurring limestone.	Calcium, Ash insoluble in HCl if > 5 %
11.1.13	Calcium gluconate	Calcium salt of gluconic acid generally expressed as $\text{Ca}(\text{C}_6\text{H}_{11}\text{O}_7)_2$ and its hydrated forms.	Calcium, Ash insoluble in HCl if > 5 %
11.1.15	Calcium Sulphate/Carbonate	Product obtained during the manufacturing of sodium carbonate.	Calcium, Ash insoluble in HCl if > 5 %
11.1.16	Calcium pidolate	Technical grade L-calcium pidolate.	Calcium, Ash insoluble in HCl if > 5 %
11.2.1	Magnesium oxide	Calcined magnesium oxide (MgO) not less than 70 % MgO.	Magnesium, Ash insoluble in HCl if > 15 %
11.2.2	Magnesium sulphate heptahydrate	Technical grade magnesium sulphate ($\text{MgSO}_4 \times 7 \text{H}_2\text{O}$).	Magnesium, Sulphur, Ash insoluble in HCl if > 15 %
11.2.3	Magnesium sulphate monohydrate	Technical grade magnesium sulphate ($\text{MgSO}_4 \times \text{H}_2\text{O}$).	Magnesium, Sulphur, Ash insoluble in HCl if > 15 %
11.2.4	Magnesium sulphate anhydrous	Technical grade anhydrous magnesium sulphate (MgSO_4).	Magnesium, Sulphur, ash insoluble in HCl if > 10 %
11.2.5	Magnesium propionate	Technical grade magnesium propionate.	Magnesium
11.2.6	Magnesium chloride	Technical grade magnesium chloride or solution obtained by natural concentration of sea water after deposit of sodium chloride.	Magnesium, Chlorine, ash insoluble in HCl if > 10 %
11.2.7	Magnesium carbonate	Natural magnesium carbonate.	Magnesium, ash insoluble in HCl if > 10 %
11.2.8	Magnesium hydroxide	Technical grade magnesium hydroxide.	Magnesium, ash insoluble in HCl if > 10 %
11.2.9	Magnesium potassium sulphate	Technical grade magnesium potassium sulphate.	Magnesium, Potassium, ash insoluble in HCl if > 10 %
11.2.10	Magnesium salts of organic acids ⁽¹⁹⁾	Magnesium salts of edible organic acids with at least 4 carbon atoms.	Magnesium, organic acid
11.3.1	Dicalcium phosphate ⁽²⁰⁾ ; [Calcium hydrogen orthophosphate]	Technical grade calcium mono-hydrogen phosphate obtained from bones or inorganic sources ($\text{CaHPO}_4 \times \text{H}_2\text{O}$) Ca/P > 1,2	Calcium, Total phosphorus, P insoluble in 2 % citric acid if > 10 %, Ash insoluble in HCl if > 5 %

Number	Name	Description	Compulsory declarations
11.3.2	Mono-dicalcium phosphate	Product obtained chemically and composed of dicalcium phosphate and mono-calcium phosphate ($\text{CaHPO}_4 \cdot \text{Ca}(\text{H}_2\text{PO}_4)_2 \times \text{H}_2\text{O}$) $0,8 < \text{Ca/P} < 1,3$	Total phosphorus, Calcium, P insoluble in 2 % citric acid if > 10 %
11.3.3	Mono-calcium phosphate; [Calcium tetrahydrogen diorthophosphate]	Technical grade calcium-bis dihydrogenphosphate ($\text{Ca}(\text{H}_2\text{PO}_4)_2 \times \text{H}_2\text{O}$) $\text{Ca/P} < 0,9$	Total phosphorus, Calcium, P insoluble in 2 % citric acid if > 10 %
11.3.4	Tri-calcium phosphate; [Tricalcium orthophosphate]	Technical grade tri-calcium phosphate from bones or inorganic sources ($\text{Ca}_3(\text{PO}_4)_2 \times \text{H}_2\text{O}$) $\text{Ca/P} > 1,3$	Calcium, Total phosphorus, P insoluble in 2 % citric acid if > 10 %
11.3.5	Calcium-magnesium phosphate	Technical grade calcium-magnesium phosphate.	Calcium, Magnesium, Total phosphorus, P insoluble in 2 % citric acid if > 10 %
11.3.6	Defluorinated phosphate	Natural phosphate, calcined and further heat treated than for the removal of impurities necessary.	Total phosphorus, Calcium, Sodium, P insoluble in 2 % citric acid if > 10 %, Ash insoluble in HCl if > 5 %
11.3.7	Di-calciumpyrophosphate; [Dicalcium diphosphate]	Technical grade dicalcium pyrophosphate.	Total phosphorus, Calcium, P insoluble in 2 % citric acid if > 10 %
11.3.8	Magnesium phosphate	Product consisting of technical grade monobasic and/or di-basic and/or tri-basic magnesium phosphate.	Total phosphorus, Magnesium, P insoluble in 2 % citric acid if > 10 %, Ash insoluble in HCl if > 10 %
11.3.9	Sodium-calcium-magnesium phosphate	Product consisting of technical grade sodium-calcium-magnesium phosphate.	Total phosphorus, Magnesium, Calcium, Sodium, P insoluble in 2 % citric acid if > 10 %
11.3.10	Mono-sodium phosphate; [Sodium dihydrogen orthophosphate]	Technical grade mono-sodium phosphate ($\text{NaH}_2\text{PO}_4 \times \text{H}_2\text{O}$)	Total phosphorus, Sodium, P insoluble in 2 % citric acid if > 10 %
11.3.11	Di-sodium phosphate; [Disodium hydrogen orthophosphate]	Technical grade disodium phosphate ($\text{Na}_2\text{HPO}_4 \times \text{H}_2\text{O}$)	Total phosphorus, Sodium, P insoluble in 2 % citric acid if > 10 %
11.3.12	Tri-sodium Phosphate; [Trisodium orthophosphate]	Technical grade tri-sodium phosphate (Na_3PO_4)	Total phosphorus, Sodium, P insoluble in 2 % citric acid if > 10 %
11.3.13	Sodium pyrophosphate; [Tetra-sodium diphosphate]	Technical grade sodium pyrophosphate.	Total phosphorus, Sodium, P insoluble in 2 % citric acid if > 10 %
11.3.14	Mono-potassium phosphate; [Potassium dihydrogen orthophosphate]	Technical grade mono-potassium phosphate ($\text{KH}_2\text{PO}_4 \times \text{H}_2\text{O}$)	Total phosphorus, Potassium, P insoluble in 2 % citric acid if > 10 %
11.3.15	Di-potassium phosphate; [Di-potassium hydrogen orthophosphate]	Technical grade di-potassium phosphate ($\text{K}_2\text{HPO}_4 \times \text{H}_2\text{O}$)	Total phosphorus, Potassium, P insoluble in 2 % citric acid if > 10 %
11.3.16	Calcium sodium phosphate	Technical grade calcium sodium phosphate.	Total phosphorus, Calcium, Sodium, P insoluble in 2 % citric acid if > 10 %

Number	Name	Description	Compulsory declarations
11.3.17	Mono-ammonium phosphate; [Ammonium dihydrogen orthophosphate]	Technical grade mono-ammonium phosphate ($\text{NH}_4\text{H}_2\text{PO}_4$)	Total nitrogen, Total phosphorus, P insoluble in 2 % citric acid if > 10 %
11.3.18	Di-ammonium phosphate; [Diammonium hydrogen orthophosphate]	Technical grade di-ammonium phosphate ($(\text{NH}_4)_2\text{HPO}_4$)	Total nitrogen Total phosphorus P insoluble in 2 % citric acid if > 10 %
11.3.19	Sodium tri-polyphosphate; [Penta sodium triphosphate]	Technical Grade sodium tri-polyphosphate.	Total phosphorus Sodium P insoluble in 2 % citric acid if > 10 %
11.3.20	Sodium magnesium phosphate	Technical grade sodium-magnesium phosphate.	Total phosphorus, Magnesium, Sodium, P insoluble in 2 % citric acid if > 10 %
11.3.21	Magnesium hypophosphite	Technical Grade magnesium hypophosphite ($\text{Mg}(\text{H}_2\text{PO}_2)_2 \times 6\text{H}_2\text{O}$)	Magnesium Total phosphorus P insoluble in 2 % citric acid if > 10 %
11.3.22	Degelatinised bone meal	Degelatinised, sterilised and ground bones from which the fat has been removed.	Total phosphorus, Calcium, Ash insoluble in HCl if > 10 %
11.3.23	Bone ash	Mineral residues from the incineration, combustion or gasification of animal by products.	Total phosphorus, Calcium, Ash insoluble in HCl if > 10 %
11.4.1	Sodium chloride ⁽¹⁸⁾	Technical grade sodium chloride or product obtained by evaporative crystallization from brine (vacuum salt) or evaporation of seawater (marine salt) or grinding rock salt.	Sodium, Ash insoluble in HCl if > 10 %
11.4.2	Sodium bicarbonate [Sodium hydrogencarbonate]	Technical grade sodium bicarbonate (NaHCO_3)	Sodium, Ash insoluble in HCl if > 10 %
11.4.3	Sodium/ammonium (bi)carbonate [Sodium/ammonium (hydrogen)carbonate]	Product obtained during the production of sodium carbonate and sodium bicarbonate, with traces of ammonium bicarbonate (ammonium bicarbonate max. 5 %).	Sodium, Ash insoluble in HCl if > 10 %
11.4.4	Sodium carbonate	Technical grade sodium carbonate (Na_2CO_3)	Sodium, Ash insoluble in HCl if > 10 %
11.4.5	Sodium sesquicarbonate [Trisodium hydrogencarbonate]	Technical grade sodium sesquicarbonate ($\text{Na}_3\text{H}(\text{CO}_3)_2$)	Sodium, Ash insoluble in HCl if > 10 %
11.4.6	Sodium sulphate	Technical grade sodium sulphate.	Sodium, Ash insoluble in HCl if > 10 %
11.4.7	Sodium salts of organic acids	Sodium salts of edible organic acids with at least 4 carbon atoms.	Sodium, Organic acid
11.5.1	Potassium chloride	Technical Grade potassium chloride or product obtained by grinding natural sources of potassium chloride.	Potassium, Ash insoluble in HCl if > 10 %
11.5.2	Potassium sulphate	Technical grade potassium sulphate (K_2SO_4)	Potassium, Ash insoluble in HCl if > 10 %

Number	Name	Description	Compulsory declarations
11.5.3	Potassium carbonate	Technical grade potassium carbonate (K_2CO_3).	Potassium, Ash insoluble in HCl if > 10 %
11.5.4	Potassium bicarbonate [Potassium hydrogen carbonate]	Technical grade potassium bicarbonate ($KHCO_3$).	Potassium, Ash insoluble in HCl if > 10 %
11.5.5	Potassium salts of organic acids ⁽¹⁹⁾	Potassium salts of edible organic acids with at least 4 carbon atoms.	Potassium, Organic acid
11.6.1	Flower of sulphur	Technical grade powder obtained from natural deposits of the mineral. Also, product obtained from oil refinery production as practised by sulphur manufacturers.	Sulphur
11.7.1	Attapulgit	Natural magnesium-aluminium-silicon mineral.	Magnesium
11.7.2	Quartz	Naturally occurring mineral obtained by grinding sources of quartz.	
11.7.3	Cristobalite	Silicon dioxide obtained from the re-crystallisation of quartz.	
11.8.1	Ammonium sulphate	Technical grade ammonium sulphate ($(NH_4)_2SO_4$) obtained by chemical synthesis.	Nitrogen expressed as crude protein, Sulphur
11.8.2	Ammonium sulphate solution	Ammonium sulphate in aqueous solution, containing not less than 35 % Ammonium sulphate	Nitrogen expressed as crude protein
11.8.3	Ammonium salts of organic acids	Ammonium salts of edible organic acids with at least 4 carbon atoms.	Nitrogen expressed as crude protein, Organic acid
11.8.4	Ammonium lactate	Ammonium lactate ($CH_3CHOHCOONH_4$). Includes the Ammonium lactate produced by fermentation of whey with <i>Lactobacillus delbrueckii</i> ssp. <i>bulgaricus</i> , containing not less than 44 % Nitrogen expressed as crude protein.	Nitrogen expressed as crude protein, Crude ash
11.8.5	Ammonium acetate	Ammonium acetate (CH_3COONH_4) in aqueous solution, containing not less than 55 % Ammonium acetate)	Nitrogen expressed as crude protein

12. Fermentation (by-)products from microorganisms the cells of which have been inactivated or killed

Number	Name	Description	Compulsory Declarations
12.1	Products obtained from the biomass of specific micro-organisms grown on certain substrates		
12.1.1	Protein from <i>Methylophilus methylotrophus</i>	Protein product of fermentation obtained by culture of <i>Methylophilus methylotrophus</i> (NCIMB strain 10.515) on methanol, the crude protein is at least 68 % and the reflectance index at least 50.	Crude protein Crude ash Crude fat
12.1.2	Protein from <i>Methylococcus capsulatus</i> (Bath), <i>Alcaligenes acidovorans</i> , <i>Bacillus brevis</i> and <i>Bacillus firmus</i>	Protein product of fermentation with <i>Methylococcus capsulatus</i> (Bath) (NCIMB strain 11132), <i>Alcaligenes acidovorans</i> (NCIMB strain 12387), <i>Bacillus brevis</i> (NCIMB strain 13288) and <i>Bacillus firmus</i> (NCIMB strain 13280) on natural gas (approx. 91 % methane, 5 % ethane, 2 % propane, 0,5 % isobutane, 0,5 % n-butane), ammonia, and mineral salts, the crude protein is at least 65 %.	Crude protein Crude ash Crude fat

Number	Name	Description	Compulsory Declarations
12.1.3	Bacterial protein from <i>Escherichia coli</i>	Protein product, by-product from the production of amino acids by culture of <i>Escherichia coli</i> K12 on substrates of vegetable or chemical origin, ammonia or mineral salts; it may be hydrolysed.	Crude protein
12.1.4	Bacterial protein from <i>Corynebacterium glutamicum</i>	Protein product, by-product from the production of amino acids by culture of <i>Corynebacterium glutamicum</i> on substrates of vegetable or chemical origin, ammonia or mineral salts, it may be hydrolysed.	Crude protein
12.1.5	Yeasts and like products [Brewers'yeast] [Yeast product]	All yeasts and parts thereof obtained from <i>Saccharomyces cerevisiae</i> , <i>Saccharomyces carlsbergensis</i> , <i>Kluyveromyces lactis</i> , <i>Kluyveromyces fragilis</i> , <i>Torulaspora delbrueckii</i> , <i>Candida utilis</i> /Pichia jadinii, <i>Saccharomyces uvarum</i> , <i>Saccharomyces ludwigii</i> or <i>Brettanomyces</i> ssp. (21) on substrates mostly of vegetable origin such as molasses, sugar syrup, alcohol, distillery residues, cereals and products containing starch, fruit juice, whey, lactic acid, sugar, hydrolysed vegetable fibres and fermentation nutrients such as ammonia or mineral salts	Moisture if < 75 % or > 97 % If moisture < 75 %: Crude protein
12.1.6	Mycelium silage from the production of penicillin	Mycelium (nitrogenous compounds), wet by-product from the production of penicillin by <i>Penicillium chrysogenum</i> (ATCC48271) on different sources of carbohydrates and their hydrolysates, heat treated and ensiled by means of <i>Lactobacillus brevis</i> , <i>plantarum</i> , <i>sake</i> , <i>collinoides</i> and <i>Streptococcus lactis</i> to inactivate the penicillin, Nitrogen expressed as crude protein is at least 7 %.	Nitrogen expressed as crude protein Crude ash
12.2	Other fermentation by-products		
12.2.1	Vinasses [condensed molasses soluble]	By-products derived from the industrial processing of musts/worts issued from fermentation processes such as alcohol, organic acids, yeast manufacture. They are composed of the liquid/paste fraction obtained after the separation of the fermentation musts/worts. They may also include dead cells and/or parts thereof of the fermentation microorganisms used. The substrates are mostly of vegetable origin such as molasses, sugar syrup, alcohol, distillery residues, cereals and products containing starch, fruit juice, whey, lactic acid, sugar, hydrolyzed vegetable fibres and fermentation nutrients such as ammonia or mineral salts	Crude protein Substrate and indication of production process as appropriate
12.2.2	By-products from the production of L-glutamic acid	Concentrated liquid by-products from the production of L-glutamic acid by fermentation with <i>Corynebacterium melassecola</i> on substrate composed of sucrose, molasses, starch products and their hydrolysates, ammonium salts and other nitrogenous compounds.	Crude protein
12.2.3	By-products from the production of L-lysine-monohydrochloride with <i>Brevibacterium lactofermentum</i>	Concentrated liquid by-products from the production of L-Lysine monohydrochloride by fermentation with <i>Brevibacterium lactofermentum</i> on substrate composed of sucrose, molasses, starch products and their hydrolysates, ammonium salts and other nitrogenous compounds.	Crude protein
12.2.4	By-products from the production of amino acids with <i>Corynebacterium glutamicum</i>	Liquid by-products from the production of amino acids by fermentation with <i>Corynebacterium glutamicum</i> on substrate of vegetable or chemical origin, ammonia or mineral salts	Crude protein Crude ash
12.2.5	By-products from the production of amino acids with <i>Escherichia coli</i> K12	Liquid by-products from the production of amino acids by fermentation with <i>Escherichia coli</i> K12 on substrate of vegetable or chemical origin, ammonia or mineral salts	Crude protein Crude ash
12.2.6	By-product of enzyme production with <i>Aspergillus niger</i>	By-product of fermentation of <i>Aspergillus niger</i> on wheat and malt for enzyme production	Crude protein

13. Miscellaneous

Number	Name	Description	Compulsory declarations
13.1.1	Products from the bakery and pasta industry	Products obtained during and from the production of bread, biscuits, wafers or pasta. They may be dried.	Starch Total sugars, calculated as sucrose, Crude fat, if > 5 %
13.1.2	Products from the pastry industry	Products obtained during and from the production of pastry and cakes. They may be dried	Starch Total sugars, calculated as sucrose, Crude fat, if > 5 %
13.1.3	Products of the breakfast cereal manufacture	Substances or products that are intended or where it is reasonable to expect that they can be consumed by humans in their processed, partially processed or unprocessed forms. They may be dried.	Crude protein, if > 10 % Crude fibre Crude oils/fats, if > 10 %, Starch, if > 30 % Total sugar, calculated as sucrose, if > 10 %
13.1.4	Products from the confectionery industry	Products obtained during and from the production of sweets, inclusive chocolate. They may be dried.	Starch Crude fat, if > 5 % Total sugars, calculated as sucrose
13.1.5	Products of the ice-cream industry	Products obtained when producing ice-cream. They may be dried.	Starch Total sugars, calculated as sucrose, Crude fat
13.1.6	Products and by products from processing fresh fruits and vegetables ⁽²²⁾	Products obtained when processing fresh fruit and vegetables (including peel, whole pieces of fruit/vegetables, and mixtures thereof). They may have been dried, or frozen.	Starch Crude fibre Crude fat, if > 5 % Ash insoluble in HCl, if > 3,5 %
13.1.7	Products from the processing of plants ⁽²²⁾	Products obtained from freezing or drying whole plants or their parts.	Crude Fibre
13.1.8	Products from processing of spices and seasonings ⁽²²⁾	Products obtained from freezing or drying spices and seasonings or their parts.	Crude protein, if > 10 % Crude fibre Crude oils/fats, if > 10 %, Starch, if > 30 % Total sugar, calculated as sucrose, if > 10 %
13.1.9	Products from the processing of herbs ⁽²²⁾	Products obtained from crushing, grinding, freezing or drying herbs or their parts.	Crude Fibre
13.1.10	Products from the potato processing industry	Products obtained when processing potatoes. They may have been dried or frozen.	Starch Crude fibre Crude fat, if > 5 % Ash insoluble in HCl, if > 3,5 %

Number	Name	Description	Compulsory declarations
13.1.11	Products and by-products of the sauces production	Substances from the sauces-production that are intended or where it is reasonable to expect that they can be consumed by humans in their processed, partially processed or unprocessed forms. They may be dried.	Crude fat
13.1.12	Products and by-products from the savoury snacks industry	Products and by-products of the savoury snacks industry obtained during and from the production of savoury snacks - potato chips, potato and/ or cereal based snacks (direct extruded, dough based and pelleted snacks) and nuts.	Crude fat
13.1.13	Products from the ready-to-eat food industry	Products obtained during the production of ready to eat food. They may be dried.	Crude fat, if > 5 %
13.1.14	Plants by-products from spirits production	Solid products from plants (including berries and seeds such as anise) obtained after maceration of these plants in an alcoholic solution or after alcoholic evaporation/distillation, or both, in the elaboration of flavourings for the spirits production. These products must be distilled to eliminate the alcoholic residue.	Crude protein, if > 10 % Crude fibre Crude oils/fats, if > 10 %
13.1.15	Feed beer	Product of the brewing process which is unsalable as a human beverage.	Alcohol content
13.2.1	Caramelized sugar	Product obtained by the controlled heating of any sugar.	Total sugars, calculated as sucrose
13.2.2	Dextrose	Dextrose is obtained after hydrolysis of starch and consists of purified, crystallised glucose, with or without crystal water.	Total sugars, calculated as sucrose
13.2.3	Fructose	Fructose as purified crystalline powder. It is obtained from glucose in glucose syrup by the use of glucose isomerase and from sucrose inversion.	Total sugars, calculated as sucrose
13.2.4	Glucose syrup	Glucose syrup is a purified and concentrated aqueous solution of nutritive saccharides obtained through hydrolysis from starch.	Total sugars Moisture if > 30 %
13.2.5	Glucose molasses	Product produced during refining process of glucose syrups.	Total sugars
13.2.6	Xylose	Sugar extracted from wood.	
13.2.7	Lactulose	Semi-synthetic disaccharide (4-O-D-Galactopyranosyl-D-fructose) obtained from lactose through the isomerisation of glucose to fructose. Present in heat treated milk and milk products.	Lactulose
13.2.8	Glucosamine (Chitosamine)	Amino sugar (monosaccharide) being part of the structure of the polysaccharides chitosan and chitin. Produced by the hydrolysis of crustacean and other arthropods exoskeletons or by fermentation of a grain such as corn or wheat	Sodium or Potassium, as applicable
13.3.1	Starch ⁽²³⁾	Technical grade starch.	Starch
13.3.2	Starch ⁽²³⁾ , pre-gelatinised	Product consisting of starch expanded by heat treatment.	Starch
13.3.3	Starch ⁽²³⁾ mixture	Product consisting of native and/or modified food starch obtained from different botanical sources.	Starch
13.3.4	Starch ⁽²³⁾ hydrolysates cake	Product from starch hydrolysis. It consists of protein, fat and filter aid (e.g. diatomaceous earth, wood fibre).	Moisture if < 25 % or > 45 % If moisture < 25 %: — Crude fat — Crude protein

Number	Name	Description	Compulsory declarations
13.3.5	Dextrin	Dextrin is partially acid hydrolysed starch.	
13.3.6	Maltodextrin	Maltodextrin is the partially hydrolysed starch.	
13.4.1	Polydextrose	Randomly bonded bulk polymer of glucose produced by thermal polymerisation of D-Glucose.	
13.5.1	Polyols	Product obtained by hydrogenation or fermentation and consisting of reduced mono, di- or oligosaccharides or polysaccharides.	
13.5.2	Isomalt	Sugar alcohol obtained from sucrose after enzymatic conversion and hydrogenation.	
13.5.3	Mannitol	Product obtained by hydrogenation or fermentation and consisting of reduced glucose and/or fructose.	
13.5.4	Xylitol	Product obtained by hydrogenation and fermentation of xylose.	
13.5.5	Sorbitol	Product obtained by hydrogenation of glucose.	
13.6.1	Fatty acids ⁽²⁴⁾	Product obtained during the deacidification, by means of lye or by distillation of oils and fats of unspecified vegetable or animal origin. Also, product obtained by various ways of processing of fats and oils as practised by fatty acid manufacturers.	Crude fat Moisture if 1 %
13.6.2	Fatty acids esterified with glycerol ⁽²⁴⁾	Glycerides obtained by the esterification of glycerol of vegetable origin with fatty acids.	Moisture if > 1 % Crude fat
13.6.3	Mono and diglycerides of fatty acids ⁽²⁴⁾	Mono- and diglycerides of fatty acids consist of mixtures of glycerol, mono-, di- and triesters of fatty acids occurring in food oils and fats. They may contain small amounts of free fatty acids and glycerol.	Crude fat
13.6.4	Salts of fatty acids ⁽²⁴⁾	Product obtained by reaction of fatty acids with at least four carbon atoms with calcium, magnesium, sodium or potassium compounds.	Crude fat (after hydrolysis) Moisture Ca or Na or K or Mg (when appropriate)
13.7.1	Chondroitin sulphate	Product obtained by extraction from tendons, bones and other animal tissues containing cartilage and soft connective tissues.	Sodium
13.8.1	Glycerine, crude	Product of biodiesel production (methyl or ethyl esters of fatty acids), obtained by transesterification of oils and fats of unspecified vegetable and animal origin. Mineral and organic salts might remain in the glycerine. (Maximum content of methanol 0,2 %) Also a product of oleochemical processing of mineral fats and oils, including trans-esterification, hydrolysis or saponification.	Glycerol Potassium Sodium
13.8.2	Glycerine	Product of biodiesel production (methyl or ethyl esters of fatty acids), obtained by trans-esterification of oils and fats of unspecified vegetable and animal origin with subsequent refining of the glycerine. (Minimum content of glycerol: 99 % of dry matter). Also a product of oleochemical processing of mineral oils and fats, including trans-esterification, hydrolysis or saponification.	Glycerol Potassium Sodium

Number	Name	Description	Compulsory declarations
13.9.1	Methyl sulphonyl methane	Organo-sulfur compound ((CH ₃) ₂ SO ₂) obtained by synthetic way which is identical to the naturally occurring source in plants.	Sulphur
13.10.1	Peat	Product from the natural decomposition of plant (mainly sphagnum) in anaerobic and oligotrophic environment.	Crude Fibre
13.11.1	Propylene glycol	Also called 1,2-propanediol or propane-1,2-diol, an organic compound (a diol or double alcohol) with formula C ₃ H ₈ O ₂ . It is a viscous liquid with a faintly sweet taste, hygroscopic and miscible with water, acetone, and chloroform.	Propylene glycol

⁽¹⁾ The name may be supplemented by the cereal species.

⁽²⁾ Please note that 'maize' can either be referred to as such or as 'corn'. This is valid for all maize products.

⁽³⁾ If this product has been subject to a finer milling the word 'fine' may be added to the name or the name may be replaced by a corresponding denomination.

⁽⁴⁾ The name may be supplemented by the grain species.

⁽⁵⁾ The indication 'low in glucosinolate' as defined in Community legislation may be added, where appropriate. This is valid for all rape seed products.

⁽⁶⁾ The name shall be supplemented by the plant species.

⁽⁷⁾ The name shall be supplemented by an indication of the nature of the heat treatment.

⁽⁸⁾ This name shall be supplemented by a more accurate description of the fruit.

⁽⁹⁾ The plant species shall be stated in the designation.

⁽¹⁰⁾ The name must be supplemented by an indication of the nature of the treatment carried out.

⁽¹¹⁾ The species of forage crop may be added to the name.

⁽¹²⁾ The term 'meal' may be replaced by 'pellets'. The method of drying may be added to the name.

⁽¹³⁾ The name shall be supplemented by the species.

⁽¹⁴⁾ Expressions are not synonymous and differ mainly in their moisture content, respective expression to be used as appropriate.

⁽¹⁵⁾ The name shall be supplemented as appropriate by

- the animal species, and/or
- the part of the animal product, and/or
- the animal species processed (e.g. porcine, ruminant, avian), and/or
- the naming of the animal species not processed in respect of the ban on intra-species recycling (e.g. poultry-free), and/or
- the material processed (e.g. bone, high or low ash) and/or the process used (e.g. defatted, refined).

⁽¹⁶⁾ The name shall be supplemented by the species.

⁽¹⁷⁾ The name shall be supplemented by the species when produced from farmed fish.

⁽¹⁸⁾ The nature of the source may be indicated additionally in the name or replace it.

⁽¹⁹⁾ The name shall be amended or supplemented to specify the organic acid.

⁽²⁰⁾ The manufacturing process may be included in the name.

⁽²¹⁾ The usage name of yeast strains may vary from the scientific taxonomy, therefore, synonyms of the yeast strains listed could also be used.

⁽²²⁾ The name shall be supplemented by the fruit, vegetable, plant, spices and herbs species, as applicable.

⁽²³⁾ The name shall be supplemented by the indication of the botanical origin.

⁽²⁴⁾ The name shall be amended or supplemented to specify the fatty acids used.

COMMISSION IMPLEMENTING REGULATION (EU) No 576/2011**of 16 June 2011****amending Regulation (EC) No 543/2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 121(e), in conjunction with Article 4, thereof,

Whereas:

(1) Annex XI to Commission Regulation (EC) No 543/2008 ⁽²⁾ contains the list of national reference laboratories.

(2) The competent authorities of France, Italy, Cyprus, Latvia, Lithuania, the Netherlands and Austria have notified the Commission of the new designation of their existing national reference laboratory, respectively.

(3) Regulation (EC) No 543/2008 should therefore be amended accordingly.

(4) 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

Annex XI to Regulation (EC) No 543/2008 is replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 16 June 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 17.6.2008, p. 46.

ANNEX

‘ANNEX XI

LIST OF NATIONAL REFERENCE LABORATORIES

Belgium

Instituut voor Landbouw- en Visserijonderzoek (ILVO)
 Eenheid Technologie en Voeding
 Productkwaliteit en voedselveiligheid
 Brusselsesteenweg 370
 9090 Melle
 BELGIË

Bulgaria

Национален диагностичен научно-изследователски ветеринарно-медицински институт
 (National Diagnostic Research Veterinary Medicine Institute)
 бул. 'Пенчо Славейков' 15
 (Pencho Slaveikov str. 15)
 1606 София
 (1606 Sofia)
 BULGARIA

Czech Republic

Státní veterinární ústav Jihlava
 Národní referenční laboratoř pro mikrobiologické, chemické a senzorické analýzy masa a masných výrobků
 Rantířovská 93
 586 05 Jihlava
 ČESKÁ REPUBLIKA

Denmark

Fødevarestyrelsen
 Fødevareregion Øst
 Afdeling for Fødevarekemi
 Søndervang 4
 4100 Ringsted
 DANMARK

Germany

Max Rubner-Institut
 Bundesforschungsinstitut für Ernährung und Lebensmittel
 (Federal Research Institute of Nutrition and Food)
 - Institut für Sicherheit und Qualität bei Fleisch -
 (Department of Safety and Quality of Meat)
 E.-C.-Baumann-Straße, 20
 95326 Kulmbach
 DEUTSCHLAND

Estonia

Veterinaar- ja Toidulaboratoorium
 Kreutzwaldi 30
 51006 Tartu
 EESTI

Ireland

National Food Centre
 Teagasc
 Dunsinea
 Castleknock
 Dublin 15
 ÉIRE/IRELAND

Greece

Ministry of Rural Development & Food
 Veterinary Laboratory of Larisa
 7th km Larisa-Trikalon st.
 411 10 Larisa
 GREECE

Spain

Laboratorio Arbitral Agroalimentario
 Carretera de La Coruña, km 10,700
 28023 Madrid
 ESPAÑA

France

SCL Laboratoire de Montpellier
 parc Euromédecine
 205 rue de la Croix-Verte
 34196 Montpellier Cedex 5
 FRANCE

Italy

Ministero delle politiche agricole alimentari e forestali
 Ispettorato centrale della tutela della qualità e repressione frodi dei prodotti agroalimentari
 Laboratorio di Modena
 Via Jacopo Cavedone N. 29
 41100 Modena
 ITALIA

Cyprus

Analytical Laboratories Section
 Department of Agriculture
 Ministry of agriculture, Natural Resources and Environment
 Loukis Akritas Ave.
 1412 Nicosia
 CYPRUS

Latvia

Pārtikas drošības, dzīvnieku veselības un vides zinātniskais institūts
 Lejupe iela 3
 Rīga, LV-1076
 LATVIJA

Lithuania

Nacionalinis maisto ir veterinarijos rizikos vertinimo institutas
J. Kairiūkščio g. 10
LT-08409 Vilnius
LIETUVA

Luxembourg

Laboratoire National de Santé
42, rue du Laboratoire
1911 Luxembourg
LUXEMBOURG

Hungary

Mezőgazdasági Szakigazgatási Hivatal Központ Élelmiszer- és Takarmánybiztonsági Igazgatóság
(Central Agricultural Office Food and Feed Safety Directorate)
Budapest 94. Pf. 1740
Mester u. 81.
1465
MAGYARORSZÁG

Malta

Malta National Laboratory
UB14, San Gwann Industrial Estate
San Gwann
SGN 3000
MALTA

Netherlands

RIKILT — Instituut voor Voedselveiligheid
Wageningen University and Research Centre
Akkemaalsbos 2, gebouw 123
6708 WB Wageningen
NEDERLAND

Austria

Österreichische Agentur für Gesundheit und Ernährungssicherheit GmbH
Spargelfeldstraße 191
1226 Wien
ÖSTERREICH

Poland

Centralne Laboratorium Głównego Inspektoratu Jakości Handlowej Artykułów Rolno-Spożywczych
ul. Reymonta 11/13
60-791 Poznań
POLSKA

Portugal

Autoridade de Segurança Alimentar e Económica — ASAE
Laboratório Central da Qualidade Alimentar — LCQA
Av. Conde Valbom 98
1050-070 Lisboa
PORTUGAL

Romania

Institutul de Igienă și Sănătate Publică Veterinară
Str. Câmpul Moșilor nr. 5, sector 2
București
ROMÂNIA

Slovenia

Univerza v Ljubljani
Veterinarska fakulteta
Nacionalni veterinarski inštitut
Gerbičeva 60
SI-1115 Ljubljana
SLOVENIJA

Slovakia

Štátny veterinárny a potravinový ústav
Botanická 15
842 52 Bratislava
SLOVENSKÁ REPUBLIKA

Finland

Elintarviketurvallisuusvirasto Evira
Mustialankatu 3
FI-00710 Helsinki
SUOMI/FINLAND

Sweden

Livsmedelsverket
Box 622
SE-751 26 Uppsala
SVERIGE

United Kingdom

Laboratory of the Government Chemist
Queens Road
Teddington
TW11 0LY
UNITED KINGDOM

COMMISSION IMPLEMENTING REGULATION (EU) No 577/2011**of 16 June 2011****amending for the 149th 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(5) 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 26 May 2011 the Sanctions Committee of the United Nations Security Council decided to remove two natural persons from its list of persons, groups and entities to whom the freezing of funds and economic resources should apply and on 12 May amended seventy entries on the list.

(3) Additionally, a further deletion should be made following the Sanctions Committee's decision of 20 April 2011 to amend three entries on its list of persons, groups and entities to whom the freezing of funds and economic resources should apply. The Commission adopted Regulation (EU) No 480/2011⁽²⁾ in order to give effect to the Sanctions Committee's decision of 20 April 2011. However, the amendment of the entry 'Benevolence International Foundation' should be complemented by the deletion of an separate entry, 'Stichting Benevolence International Nederland', from Annex I to Regulation (EC) No 881/2002.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with 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, 16 June 2011.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instruments*

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

⁽²⁾ OJ L 132, 19.5.2011, p. 6.

ANNEX

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

(1) The following entry under the heading 'Legal persons, groups and entities' is deleted:

- (a) 'Stichting Benevolence International Nederland (alias Benevolence International Nederland, alias BIN) Raderborg 14B, 6228 CV Maastricht, Netherlands. Chamber of Commerce Registration: 14063277.'

(2) The following entries under the heading 'Natural persons' are deleted:

- (a) Ahmad Fadil Nazal Al-Khalayleh (alias (a) Abu Musab Al-Zarqawi, (b) Muhannad, (c) Al-Muhajer, (d) Garib, (e) Abou Musaab El Zarquawi, (f) Ahmed Fad Al Nazzar Khalaylah Said, (g) Al Zarqawi Abu Musa'ab, (h) Al Zarqawi Abu Musab, (i) Al Zarqawi Ahmed Fad Al Nazzar Khalaylah Said Abu Musab, (j) Alkhalayleh Ahmed, (k) Azzarkaoui Abou Moussab, (l) El Zarquawi Abu Musaab, (m) Zarkaoui Abou Moussaab, (n) Abu Ahmad, (o) Abu Ibrahim). Date of birth: (a) 30.10.1966, (b) 20.10.1966. Place of birth: (a) Al-Zarqaa, Jordan, (b) Al Zarqa, Jordan (c) Al Zarquaa, Jordan. Passport No: (a) Z 264958 (Jordanian passport issued on 4.4.1999 in Al Zarqaa, Jordan), (b) 1433038 (Jordanian identity card issued on 4.4.1999 in Al Zarqaa, Jordan). Other information: Reportedly deceased in June 2006.

- (b) 'Mohamed Moumou (alias (a) Mohamed Mumu, (b) Abu Shrayda, (c) Abu Amina, (d) Abu Abdallah, (e) Abou Abderrahman (f) Abu Qaswarah (g) Abu Sara). Address: (a) Störvretsvägen 92, 7 TR. C/O Drioua, 142 31 Skogas, Sweden, (b) Jungfruns Gata 413; Postal address Box 3027, 13603 Haninge, Sweden; (c) Dobelnsgratan 97, 7 TR C/O Lamrabet, 113 52 Stockholm, Sweden; (d) Trodheimsgatan 6, 164 32 Kista, Sweden. Date of birth: (a) 30.7.1965, (b) 30.9.1965. Place of birth: Fez, Morocco. Nationality: (a) Moroccan, (b) Swedish. Passport No: 9817619 (Swedish passport, expires on 14.12.2009). Other information: Reportedly deceased in northern Iraq in October 2008. Date of designation referred to in Article 2a (4) (b): 7.12.2006.'

(3) The entry 'Sa'd Abdullah Hussein Al-Sharif. Date of birth: (a) 1969, (b) 1963, (c) 11.2.1964. Place of birth: Al-Medinah, Saudi Arabia. Nationality: Saudi Arabian. Passport No: (a) B 960789, (b) G 649385 (issued on 8.9.2006, expiring on 17.7.2011). Other information: Brother-in-law and close associate of Usama Bin Laden; said to be head of Usama Bin Laden's financial organization.' under the heading 'Natural persons' shall be replaced by the following:

'Sa'd Abdullah Hussein **Al-Sharif** (alias Sa'd al-Sharif). Date of birth: 11.2.1964. Place of birth: Al-Medinah, Saudi Arabia. Nationality: Saudi Arabian. Passport No: (a) B 960789, (b) G 649385 (issued on 8.9.2006, expiring on 17.7.2011). Other information: Brother-in-law and close associate of Usama Bin Laden; said to be head of Usama Bin Laden's financial organization. Date of designation referred to in Article 2a (4) (b): 25.1.2001.'

(4) The entry 'Sobhi Abd Al Aziz Mohamed El Gohary Abu Sinna (alias (a) Mohamed Atef, (b) Sheik Taysir Abdullah, (c) Abu Hafs Al Masri, (d) Abu Hafs Al Masri El Khabir, (e) Taysir). Date of birth: 17.1.1958. Place of birth: El Behira, Egypt. Nationality: Thought to be an Egyptian national. Other information: Reportedly deceased in Afghanistan in November 2001. Date of designation referred to in Article 2a (4) (b): 25.1.2001.' under the heading 'Natural persons' shall be replaced by the following:

'Sobhi Abdel Aziz Mohamed **El Gohary Abu Sinna** (alias (a) Sobhi Abdel Aziz Mohamed Gohary Abou Senah, (b) Mohamed Atef, (c) Sheik Taysir Abdullah, (d) Abu Hafs Al Masri, (e) Abu Hafs Al Masri El Khabir, (f) Taysir). Date of birth: 17.1.1958. Place of birth: El Behira, Egypt. Nationality: Egyptian. Other information: Confirmed to have died in Pakistan in 2001. Date of designation referred to in Article 2a (4) (b): 25.1.2001.'

(5) The entry 'Mustapha Ahmed Mohamed Osman Abu El Yazeed (alias (a) Mustapha Mohamed Ahmed, (b) Shaykh Sa'id). Date of birth: 27.2.1955. Place of birth: El Sharkiya, Egypt.' under the heading 'Natural persons' shall be replaced by the following:

'Mustapha Ahmed Mohamed **Osman Abu El Yazeed** (alias (a) Mustapha Mohamed Ahmed, (b) Shaykh Sa'id). Date of birth: 27.2.1955. Place of birth: El Sharkiya, Egypt. Nationality: Egyptian. Other information: Confirmed to have died in Afghanistan in May 2010. Date of designation referred to in Article 2a (4) (b): 6.10.2001.'

- (6) The entry 'Tariq Anwar El Sayed Ahmed (alias (a) Hamdi Ahmad Farag, (b) Amr Al-Fatih Fathi). Date of birth: 15.3.1963. Place of birth: Alexandria, Egypt. Other information: reportedly deceased in October 2001.' under the heading 'Natural persons' shall be replaced by the following:

'Tariq Anwar El Sayed **Ahmed** (alias (a) Hamdi Ahmad Farag, (b) Amr Al-Fatih Fathi, (c) Tarek Anwar El Sayed Ahmad). Date of birth: 15.3.1963. Place of birth: Alexandria, Egypt. Nationality: Egyptian. Other information: Reportedly deceased in October 2001. Date of designation referred to in Article 2a (4) (b): 6.10.2001.'

- (7) The entry 'Nasr Fahmi Nasr Hasanain (alias (a) Muhammad Salah, (b) Naser Fahmi Naser Hussein). Date of birth: 30.10.1962. Place of birth: Cairo, Egypt.' under the heading 'Natural persons' shall be replaced by the following:

'Nasr Fahmi Nasr **Hassannein** (alias (a) Muhammad Salah, (b) Naser Fahmi Naser Hussein). Date of birth: 30.10.1962. Place of birth: Cairo, Egypt. Nationality: Egyptian. Other information: Reportedly deceased. Date of designation referred to in Article 2a (4) (b): 6.10.2001.'

- (8) The 'Muhsin Moussa Matwalli Atwah Dewedar (alias (a) Al-Muhajir, Abdul Rahman, (b) Al-Namer, Mohammed K.A., (c) Abdel Rahman, (d) Abdul Rahman). Date of birth: 19.6.1964. Place of birth: Dakahliya, Egypt. Nationality: Egyptian. Other information: reportedly deceased in April 2006.' under the heading 'Natural persons' shall be replaced by the following:

'Muhsin Moussa Matwalli **Atwah Dewedar** (alias (a) Al-Muhajir, Abdul Rahman, (b) Al-Namer, Mohammed K.A., (c) Mohsen Moussa Metwaly Atwa Dwedar, (d) Abdel Rahman, (e) Abdul Rahman). Date of birth: 19.6.1964. Place of birth: Dakahliya, Egypt. Nationality: Egyptian. Other information: Confirmed to have died in Pakistan in April 2006. Date of designation referred to in Article 2a (4) (b): 17.10.2001.'

- (9) The entry 'Ri'ad (Raed) Muhammad Hasan MUHAMMAD HIJAZI (alias (a) Hijazi, Raed M. (b) Al-Hawen, Abu-Ahmad (c) Al-Shahid, Abu-Ahmad (d) Al-Maghribi, Rashid (the Moroccan) (e) Al-Amriki, Abu-Ahmad (the American)); date of birth: 30 December 1968; place of birth: California, United States of America; nationality: Jordanian national; national identification No: SSN: 548-91-5411 National number 9681029476; other information: originally from Ramlah; place of residence while in Jordan — al-Shumaysani (Sheisani) (area of Amman), behind the trade unions complex' under the heading 'Natural persons' shall be replaced by the following:

'Ri'ad Muhammad Hasan Muhammad **Hijazi** (alias (a) Hijazi, Raed M. (b) Al-Hawen, Abu-Ahmad (c) Al-Shahid, Abu-Ahmad (d) Raed Muhammad Hasan Muhammad Hijazi, (e) Al-Maghribi, Rashid (the Moroccan) (f) Al-Amriki, Abu-Ahmad (the American)). Date of birth: 30.12.1968. Place of birth: California, United States of America. Nationality: Jordanian. National identification No: 9681029476. Other information: (a) United States Social Security Number 548-91-5411; (b) In custody in Jordan as at March 2010; (c) Father's name is Mohammad Hijazi. Mother's name is Sakina. Date of designation referred to in Article 2a (4) (b): 17.10.2001.'

- (10) The entry 'Ladehyanoy, Mufti Rashid Ahmad (aka Ludhianvi, Mufti Rashid Ahmad; aka Ahmad, Mufti Rasheed; aka Wadehyanoy, Mufti Rashid Ahmad); Karachi, Pakistan' under the heading 'Natural persons' shall be replaced by the following:

'Mufti Rashid Ahmad **Ladehyanoy** (alias (a) Ludhianvi, Mufti Rashid Ahmad, (b) Ahmad, Mufti Rasheed, (c) Wadehyanoy, Mufti Rashid Ahmad). Nationality: Pakistani. Other information: (a) Founder of Al-Rashid Trust; (b) Reportedly deceased in Pakistan on 18 Feb. 2002. Date of designation referred to in Article 2a (4) (b): 17.10.2001.'

- (11) The entry 'Fazul Abdullah Mohammed (alias (a) Abdalla, Fazul, (b) Abdallah, Fazul, (c) Ali, Fadel Abdallah Mohammed, (d) Fazul, Abdalla, (e) Fazul, Abdallah, (f) Fazul, Abdallah Mohammed, (g) Fazul, Haroon, (h) Fazul, Harun, (i) Haroun, Fadhil, (j) Mohammed, Fazul, (k) Mohammed, Fazul Abdilahi, (l) Mohammed, Fouad, (m) Muhamad, Fadi Abdallah, (n) Abdullah Fazhl, (o) Fazhl Haroun, (p) Fazil Haroun, (q) Faziul Abdallah, (r) Fazul Abdalahi Mohammed, (s) Haroun Fazil, (t) Harun Fazul, (u) Khan Fazhl, (v) Farun Fahdl, (w) Harun Fahdl, (x) Abdulah Mohamed Fadl, (y) Fadil Abdallah Muhammad, (z) Abdallah Muhammad Fadhul, (aa) Fedel Abdallah Mohammad Fazul, (ab) Fadl Allah Abd Allah, (ac) Haroon Fadl Abd Allah, (ad) Mohamed Fadl, (ae) Abu Aisha, (af) Abu Seif Al Sudani, (ag) Haroon, (ah) Harun, (ai) Abu Luqman, (aj) Haroun, (ak) Harun Al-Qamry, (al) Abu Al-Fazul Al-Qamari, (am) Haji Kassim Fumu, (an) Yacub). Date of birth (a) 25.8.1972, (b) 25.12.1974, (c) 25.2.1974, (d) 1976, (e) February 1971. Place of birth: Moroni, Comoros Islands. Nationality: (a) Comoros, (b) Kenya. Other

information: (a) Reported to operate in Southern Somalia as of November 2007; (b) Reported to carry Kenyan and Comorian passports. (c) Believed to have been involved in the attacks on the United States embassies in Nairobi and Dar es Salaam in August 1998, and further attacks in Kenya in 2002; (d) Has reportedly undergone plastic surgery.' under the heading 'Natural persons' shall be replaced by the following:

'Fazul Abdullah **Mohammed** (*alias* (a) Abdalla, Fazul, (b) Abdallah, Fazul, (c) Ali, Fadel Abdallah Mohammed, (d) Fazul, Abdalla, (e) Fazul, Abdallah, (f) Fazul, Abdallah Mohammed, (g) Fazul, Haroon, (h) Fazul, Harun, (i) Haroun, Fadhil, (j) Mohammed, Fazul, (k) Mohammed, Fazul Abdilahi, (l) Mohammed, Fouad, (m) Muhammad, Fadil Abdallah, (n) Abdullah Fazhl, (o) Fazhl Haroun, (p) Fazil Haroun, (q) Faziul Abdallah, (r) Fazul Abdalahi Mohammed, (s) Haroun Fazil, (t) Harun Fazul, (u) Khan Fazhl, (v) Farun Fahdl, (w) Harun Fahdl, (x) Abdulah Mohamed Fadl, (y) Fadil Abdallah Muhammad, (z) Abdallah Muhammad Fadhul, (aa) Fedel Abdallah Mohammad Fazul, (ab) Fadl Allah Abd Allah, (ac) Haroon Fadl Abd Allah, (ad) Mohamed Fadl, (ae) Abu Aisha, (af) Abu Seif Al Sudani, (ag) Haroon, (ah) Harun, (ai) Abu Luqman, (aj) Haroun, (ak) Harun Al-Qamry, (al) Abu Al-Fazul Al-Qamari, (am) Haji Kassim Fumu, (an) Yacub). Address: Kenya. Date of birth (a) 25.8.1972, (b) 25.12.1974, (c) 25.2.1974, (d) 1976, (e) February 1971. Place of birth: Moroni, Comoros Islands. Nationality: Comorian. Other information: (a) Reported to operate in Southern Somalia as of November 2007; (b) Senior operative of Al-Qaida in charge of Al-Qaida in East Africa as of 2009; (c) Reported to possess multiple fraudulent Kenyan and Comorian passports; (d) Believed to have been involved in the attacks on the United States embassies in Nairobi and Dar es Salaam in August 1998, and further attacks in Kenya in 2002; (e) Has reportedly undergone plastic surgery. Date of designation referred to in Article 2a (4) (b): 17.10.2001.'

- (12) The entry 'Fahid Mohammed Ally Msalam (*alias* (a) Fahid Mohammed Ally, (b) Fahad Ally Msalam, (c) Fahid Mohammed Ali Msalam, (d) Mohammed Ally Msalam, (e) Fahid Mohammed Ali Musalaam, (f) Fahid Muhammad Ali Salem, (g) Fahid Mohammed Aly, (h) Ahmed Fahad, (i) Ali Fahid Mohammed, (j) Fahad Mohammad Ally, (k) Fahad Mohammed Ally, (l) Fahid Mohamed Ally, (m) Msalam Fahad Mohammed Ally, (n) Msalam Fahid Mohammad Ally, (o) Msalam Fahid Mohammed Ali, (p) Msalm Fahid Mohammed Ally, (q) Usama Al-Kini, (r) Mohammed Ally Mohammed, (s) Ally Fahid M). Address: Mombasa, Kenya. Date of birth: 19.2.1976. Place of birth: Mombasa, Kenya. Nationality: Kenya. Passport No: (a) A260592 (Kenyan passport), (b) A056086 (Kenyan passport), (c) A435712 (Kenyan passport), (d) A324812 (Kenyan passport), (e) 356095 (Kenyan passport). National identification No: 12771069 (Kenyan identity card). Other information: Confirmed to have died on 1.1.2009. Date of designation referred to in Article 2a (4) (b): 17.10.2001.' under the heading 'Natural persons' shall be replaced by the following:

'Fahid Mohammed Ally **Msalaam** (*alias* (a) Fahid Mohammed Ally, (b) Fahad Ally Msalam, (c) Fahid Mohammed Ali Msalam, (d) Mohammed Ally Msalam, (e) Fahid Mohammed Ali Musalaam, (f) Fahid Muhammad Ali Salem, (g) Fahid Mohammed Aly, (h) Ahmed Fahad, (i) Ali Fahid Mohammed, (j) Fahad Mohammad Ally, (k) Fahad Mohammed Ally, (l) Fahid Mohamed Ally, (m) Msalam Fahad Mohammed Ally, (n) Msalam Fahid Mohammad Ally, (o) Msalam Fahid Mohammed Ali, (p) Msalm Fahid Mohammed Ally, (q) Usama Al-Kini, (r) Mohammed Ally Mohammed, (s) Ally Fahid M). Date of birth: 9.4.1976. Place of birth: Mombasa, Kenya. Nationality: Kenya. Passport No: (a) A260592 (Kenyan passport), (b) A056086 (Kenyan passport), (c) A435712 (Kenyan passport), (d) A324812 (Kenyan passport), (e) 356095 (Kenyan passport). National identification No: 12771069 (Kenyan identity card). Other information: (a) Father's name is Mohamed Ally. Mother's name is Fauzia Mbarak; (b) Confirmed to have died in Pakistan on 1.1.2009. Date of designation referred to in Article 2a (4) (b): 17.10.2001.'

- (13) The entry 'Sheikh Ahmed Salim Swedan (*alias* (a) Ahmed Ally, (b) Sheikh Ahmad Salem Suweidan, (c) Sheikh Swedan, (d) Sheikh Ahmed Salem Swedan, (e) Ally Ahmad, (f) Muhamed Sultan, (g) Sheik Ahmed Salim Swedan, (h) Sleyum Salum, (i) Sheikh Ahmed Salam, (j) Ahmed The Tall, (k) Bahamad, (l) Sheik Bahamad, (m) Sheikh Bahamadi, (n) Sheikh Bahamad). Title: Sheikh. Date of birth: (a) 9.4.1969, (b) 9.4.1960, (c) 4.9.1969. Place of birth: Mombasa, Kenya. Nationality: Kenyan. Passport No: A163012 (Kenyan passport). National identification No: 8534714 (Kenyan identity card issued on 14.11.1996). Other information: Confirmed to have died on 1.1.2009. Date of designation referred to in Article 2a (4) (b): 17.10.2001.' under the heading 'Natural persons' shall be replaced by the following:

'Sheikh Ahmed Salim **Swedan** (*alias* (a) Ahmed Ally, (b) Sheikh Ahmad Salem Suweidan, (c) Sheikh Swedan, (d) Sheikh Ahmed Salem Swedan, (e) Ally Ahmad, (f) Muhamed Sultan, (g) Sheik Ahmed Salim Swedan, (h) Sleyum Salum, (i) Sheikh Ahmed Salam, (j) Ahmed The Tall, (k) Bahamad, (l) Sheik Bahamad, (m) Sheikh Bahamadi, (n) Sheikh Bahamad). Title: Sheikh. Date of birth: 9.4.1960. Place of birth: Mombasa, Kenya. Nationality: Kenyan. Passport No: A163012 (Kenyan passport). National identification No: 8534714 (Kenyan identity card issued on 14.11.1996). Other information: Confirmed to have died in Pakistan on 1.1.2009. Date of designation referred to in Article 2a (4) (b): 17.10.2001.'

- (14) The entry 'Yuldashev, Tohir (aka Yuldashev, Takhir), Uzbekistan' under the heading 'Natural persons' shall be replaced by the following:

Tohir Abdulkhalilovich **Yuldashev** (*alias* (a) Юлдашев Тахир Абдулхалилович (b) Yuldashev, Takhir). Date of birth: 1967. Place of birth: Namangan city, Uzbekistan. Nationality: Uzbek. Other information: (a) Former leader of Islamic Movement of Uzbekistan; (b) Confirmed to have died in Pakistan in August 2009. Date of designation referred to in Article 2a (4) (b): 17.10.2001.'

- (15) The entry 'Ali, Abbas Abdi, Mogadishu, Somalia' under the heading 'Natural persons' shall be replaced by the following:

'Abbas Abdi **Ali** (*alias* Ali, Abbas Abdi) Other information: (a) Associated with Ali Nur Jim'ale; (b) Reportedly deceased in 2004. Date of designation referred to in Article 2a (4) (b): 9.11.2001.'

- (16) The entry 'Ali Ahmed Nur Jim'ale (*alias* (a) Ahmed Ali Jimale, (b) Ahmad Nur Ali Jim'ale, (c) Ahmed Nur Jumale, (d) Ahmed Ali Jumali, (e) Ahmed Ali Jumale, (f) Sheikh Ahmed Jimale). Title: Sheikh. Address: (a) P.O. Box 3312, Dubai, United Arab Emirates, (b) P.O. Box 3313, Dubai, United Arab Emirates (previous address); (c) Djibouti, Republic of Djibouti. Date of birth: 1954. Place of birth: Eilbur, Somalia. Nationality: (a) Somali, (b) Djibouti resident. Passport No.: A0181988 (Somali Democratic Republic passport issued 1.10.2001 in Dubai, United Arab Emirates, and renewed 24.1.2008 in Djibouti, expires 22.1.2011). Other information: (a) Currently located also in Mogadishu, Somalia; (b) Profession: accountant and businessman; (c) Father's name is Ali Jumale, mother's name is Enab Raghe; (d) Reported to own or control Al Baraka Exchange L.L.C., Barakaat Telecommunications Co. Somalia Ltd., Barakaat Bank of Somalia and Barako Trading Company, LLC. Date of designation referred to in Article 2a (4) (b): 9.11.2001.' under the heading 'Natural persons' shall be replaced by the following:

'Ali Ahmed Nur **Jim'ale** (*alias* (a) Ahmed Ali Jimale, (b) Ahmad Nur Ali Jim'ale, (c) Ahmed Nur Jumale, (d) Ahmed Ali Jumali, (e) Ahmed Ali Jumale, (f) Sheikh Ahmed Jimale, (g) Ahmad Ali Jimale (h) Shaykh Ahmed Nur Jimale). Title: Sheikh. Address: Djibouti, Republic of Djibouti (since May 2007). Date of birth: 1954. Place of birth: Somalia. Nationality: Somali. Passport No.: A0181988 (Somali Democratic Republic passport issued on 1.10.2001 in Dubai, United Arab Emirates, and renewed on 24.1.2008 in Djibouti, expired on 22.1.2011). Other information: (a) Profession: accountant and businessman; (b) Father's name is Ali Jumale, mother's name is Enab Raghe; (c) Founder of the Barakaat network of companies including the Barakaat Group of Companies. Date of designation referred to in Article 2a (4) (b): 9.11.2001.'

- (17) The entry 'Hassan Dahir Aweys (*alias* (a) Ali, Sheikh Hassan Dahir Aweys, (b) Awes, Shaykh Hassan Dahir, (c) Hassen Dahir Aweys, (d) Ahmed Dahir Aweys, (e) Mohammed Hassan Ibrahim, (f) Aweys Hassan Dahir, (g) Hassan Tahir Oais, (h) Hassan Tahir Uways, (i) Hassan Dahir Awes, (j) Sheikh Aweys, (k) Sheikh Hassan, (l) Sheikh Hassan Dahir Aweys). Title: (a) Sheikh, (b) Colonel. Date of birth: 1935. Nationality: Somali. Other information: (a) Reported to be in Eritrea as of 12 November 2007; (b) Family background: from the Hawiya, Habergdir, Ayr clan; (c) Senior leader of Al-Itihaad Al- Islamiya (AIAI) (d) Subject to the measures set out in Regulation (EU) No 356/2010 concerning Somalia. Date of designation referred to in Article 2a (4)(b): 9.11.2001.' under the heading 'Natural persons' shall be replaced by the following:

'Hassan Dahir **Aweys** (*alias* (a) Ali, Sheikh Hassan Dahir Aweys, (b) Awes, Shaykh Hassan Dahir, (c) Hassen Dahir Aweys, (d) Ahmed Dahir Aweys, (e) Mohammed Hassan Ibrahim, (f) Aweys Hassan Dahir, (g) Hassan Tahir Oais, (h) Hassan Tahir Uways, (i) Hassan Dahir Awes, (j) Sheikh Aweys, (k) Sheikh Hassan, (l) Sheikh Hassan Dahir Aweys). Title: (a) Sheikh, (b) Colonel. Address: Somalia. Date of birth: 1935. Place of birth: Somalia. Nationality: Somali. Other information: (a) Reported to be in Eritrea as of November 2007; (b) Family background: from the Hawiye's Habergidir, Ayr clan; (c) Senior leader of Al-Itihaad Al- Islamiya (AIAI) and Hizbul Islam in Somalia (d) Since 12 April 2010 also subject to the measures set out in Regulation (EU) No 356/2010 concerning Somalia and Eritrea. Date of designation referred to in Article 2a (4)(b): 9.11.2001.'

- (18) The entry 'Kahie, Abdullahi Hussein, Bakara Market, Dar Salaam Buildings, Mogadishu, Somalia.' under the heading 'Natural persons' shall be replaced by the following:

'Abdullahi Hussein **Kahie**. Address: 26 Urtegata Street, Oslo 0187 Norway. Date of birth: 22.9.1959. Place of birth: Mogadishu, Somalia. Nationality: Norwegian. Passport No.: (a) 26941812 (Norwegian passport issued on 23.11.2008, (b) 27781924 (Norwegian passport issued on 11.5.2010 valid until 11.5.2020. National identification No: 22095919778. Date of designation referred to in Article 2a (4)(b): 9.11.2001.'

- (19) The entry 'Ibrahim Ali Abu Bakr Tantoush (*alias* (a) Abd al-Muhsin, (b) Ibrahim Ali Muhammad Abu Bakr, (c) Abdul Rahman, (d) Abu Anas, (e) Ibrahim Abubaker Tantouche, (f) Ibrahim Abubaker Tantoush, (g) Abd al-Muhsi, (h) Abd al-Rahman, (i) Al-Libi). Address: Ganzour Sayad Mehala Al Far district. Date of birth: 1966. Place of birth: al Aziziyya, Libya. Nationality: Libyan. Passport No: 203037 (Libyan passport issued in Tripoli). Other information: (a) Affiliated with Afghan Support Committee (ASC) and Revival of Islamic Heritage Society (RIHS). (b) Civil status: divorced (Algerian ex-wife Manuba Bukifa).' under the heading 'Natural persons' shall be replaced by the following:

'Ibrahim Ali Abu Bakr **Tantoush** (*alias* (a) Abd al-Muhsin, (b) Ibrahim Ali Muhammad Abu Bakr, (c) Abdul Rahman, (d) Abu Anas, (e) Ibrahim Abubaker Tantouche, (f) Ibrahim Abubaker Tantoush, (g) Abd al-Muhsi, (h) Abd al-Rahman, (i) Al-Libi). Address: Johannesburg, South Africa. Date of birth: 1966. Place of birth: al Aziziyya, Libya. Nationality: Libyan. Passport No: 203037 (Libyan passport issued in Tripoli). Other information: (a) Associated with Afghan Support Committee (ASC), Revival of Islamic Heritage Society (RIHS) and the Libyan Islamic Fighting Group (LIFG). Date of designation referred to in Article 2a (4)(b): 11.1.2002.'

- (20) The entry 'Abu Bakr Al-Jaziri (*alias* Yasir Al-Jazari). Nationality: (a) Algerian, (b) Palestinian. Address: Peshawar, Pakistan. Other information: (a) Affiliated with Afghan Support Committee (ASC), (b) Al-Qaida facilitator and communication expert, (c) Arrested in April 2003.' under the heading 'Natural persons' shall be replaced by the following:

'Abu Bakr **Al-Jaziri** (*alias* Yasir Al-Jazari). Nationality: (a) Algerian, (b) Palestinian. Other information: (a) Finance chief of the Afghan Support Committee (ASC), (b) Al-Qaida facilitator and communication expert, (c) Believed to be in Algeria as at April 2010. Date of designation referred to in Article 2a (4)(b): 11.1.2002.'

- (21) The entry 'Abd El Kader Mahmoud Mohamed El Sayed (*alias* Es Sayed, Kader). Address: Via del Fosso di Centocelle 66, Rome, Italy. Date of birth: 26.12.1962. Place of birth: Egypt. Other information: (a) Italian Fiscal Code: SSYBLK62T26Z336L, (b) sentenced to 8 year imprisonment in Italy on 2.2.2004, fugitive.' under the heading 'Natural persons' shall be replaced by the following:

'Abd El Kader Mahmoud Mohamed **El Sayed** (*alias* (a) Es Sayed, Kader, (b) Abdel Khader Mahmoud Mohamed el Sayed). Date of birth: 26.12.1962. Place of birth: Egypt. Nationality: Egyptian. Other information: (a) Italian Fiscal Code: SSYBLK62T26Z336L, (b) Considered a fugitive from justice by the Italian authorities. Date of designation referred to in Article 2a (4)(b): 24.4.2002.'

- (22) The entry 'Samir Abd El Latif El Sayed Kishk. Date of birth: 14.5.1955. Place of birth: Gharbia, Egypt. Other information: Sentenced to 1 year and 11 months imprisonment in Italy on 20.3.2002. Deported to Egypt on 2.7.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Samir Abd El Latif El Sayed **Kishk** (*alias* Samir Abdellatif el Sayed Keshk). Date of birth: 14.5.1955. Place of birth: Gharbia, Egypt. Nationality: Egyptian. Other information: Deported from Italy to Egypt on 2.7.2003. Date of designation referred to in Article 2a (4)(b): 3.9.2002.'

- (23) The entry 'Habib Ben Ali Ben Said Al-Wadhani. Address: Via unica Borighero 1, San Donato M.se (MI), Italy. Date of birth: 1.6.1970. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: L550681 (Tunisian passport issued on 23.9.1997 which expired on 22.9.2002). Other information: Italian fiscal code: WDDHBB70H10Z352O.' under the heading 'Natural persons' shall be replaced by the following:

'Habib Ben Ali Ben Said **Al-Wadhani**. Date of birth: 1.6.1970. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: L550681 (Tunisian passport issued on 23.9.1997 which expired on 22.9.2002). Other information: (a) Italian fiscal code: WDDHBB70H10Z352O; (b) Member of Tunisian Combatant Group; (c) Reportedly deceased; (d) Mother's name is Aisha bint Mohamed. Date of designation referred to in Article 2a (4)(b): 3.9.2002.'

- (24) The entry 'Mohamad Iqbal Abdurrahman (*alias* (a) Rahman, Mohamad Iqbal; (b) A Rahman, Mohamad Iqbal; (c) Abu Jibril Abdurrahman; (d) Fikiruddin Muqti; (e) Fihiruddin Muqti, (f) 'Abu Jibril'). Date of birth: 17.8.1958. Place of birth: Tirpas-Selong Village, East Lombok, Indonesia. Nationality: Indonesian Other information: in December 2003 he was reportedly detained in Malaysia.' under the heading 'Natural persons' shall be replaced by the following:

'Mohamad Iqbal **Abdurrahman** (*alias* (a) Rahman, Mohamad Iqbal; (b) A Rahman, Mohamad Iqbal; (c) Abu Jibril Abdurrahman; (d) Fikiruddin Muqti; (e) Fihiruddin Muqti). Date of birth: 17.8.1958. Place of birth: Tirpas-Selong Village, East Lombok, Indonesia. Nationality: Indonesian. Date of designation referred to in Article 2a (4)(b): 28.1.2003.'

- (25) The entry 'Nurjaman Riduan Isamuddin (*alias* (a) Hambali, (b) Nurjaman, (c) Isomuddin, Nurjaman Riduan, (d) Hambali Bin Ending, (e) Encep Nurjaman, (f) Hambali Ending Hambali, (g) Isamuddin Riduan, (h) Isamudin Ridwan). Date of birth: 4.4.1964. Place of birth: Cianjur, West Java, Indonesia. Nationality: Indonesian. Other information: (a) Born: Encep Nurjaman, (b) In custody of the United States of America, as of July 2007.' under the heading 'Natural persons' shall be replaced by the following:

'Nurjaman Riduan **Isamuddin** (*alias* (a) Hambali, (b) Nurjaman, (c) Isomuddin, Nurjaman Riduan, (d) Hambali Bin Ending, (e) Encep Nurjaman (birth name), (f) Hambali Ending Hambali, (g) Isamuddin Riduan, (h) Isamudin Ridwan). Date of birth: 4.4.1964. Place of birth: Cianjur, West Java, Indonesia. Nationality: Indonesian. Other information: (a) Senior leader of Jemaah Islamiyah, (b) Brother of Gun Gun Rusman Gunawan; (c) In custody of the United States of America, as of July 2007. Date of designation referred to in Article 2a (4)(b): 28.1.2003.'

- (26) The entry 'Hekmatyar, Gulbuddin (*alias* Gulabudin Hekmatyar, Golboddin Hikmetyar, Gulbuddin Khekmatiyar, Gulbuddin Hekmatiar, Gulbuddin Hekhmartyar, Gulbudin Hekmetyar), date of birth: 1 August 1949, place of birth: Konduz Province, Afghanistan.' under the heading 'Natural persons' shall be replaced by the following:

'Gulbuddin **Hekmatyar** (*alias* (a) Gulabudin Hekmatyar, (b) Golboddin Hikmetyar, (c) Gulbuddin Khekmatiyar, (d) Gulbuddin Hekmatiar, (e) Gulbuddin Hekhmartyar, (f) Gulbudin Hekmetyar). Date of birth: 1.8.1949. Place of birth: Kunduz Province, Afghanistan. Nationality: Afghan. Other information: (a) Belongs to the Kharoti tribe; (b) Believed to be in the Afghanistan/Pakistan border area as at January 2011; (c) Father's name is Ghulam Qader. Date of designation referred to in Article 2a (4)(b): 20.2.2003.'

- (27) The entry 'Youssef Ben Abdul Baki Ben Youcef Abdaoui (*alias* (a) Abu Abdullah, (b) Abdellah, (c) Abdullah, (d) Abou Abdullah, (e) Abdullah Youssef). Address: (a) via Romagnosi 6, Varese, Italy; (b) Piazza Giovane Italia 2, Varese, Italy; (c) Via Torino 8/B, Cassano Magnago (VA), Italy; (d) Jabal Al-Rayhan, Al-Waslatiyyah, Kairouan, Tunisia. Date of birth: 4.9.1966. Place of birth: Kairouan, Tunisia. Nationality: Tunisian. Passport No: G025057 (Tunisian passport issued on 23.6.1999, expired on 5.2.2004). Other information: (a) Italian fiscal code: BDA YSF 66P04 Z352Q; (b) Inadmissible in Schengen area; (c) Resided in Italy as at June 2009; (d) Mother's name: Fatima Abdaoui. Date of designation referred to in Article 2a(4)(b): 25.6.2003' under the heading 'Natural persons' shall be replaced by the following:

'Youssef Ben Abdul Baki Ben Youcef **Abdaoui** (*alias* (a) Abu Abdullah, (b) Abdellah, (c) Abdullah, (d) Abou Abdullah, (e) Abdullah Youssef). Address: Via Torino 8/B, Cassano Magnago (VA), Italy. Date of birth: 4.9.1966. Place of birth: Kairouan, Tunisia. Nationality: Tunisian. Passport No: G025057 (Tunisian passport issued on 23.6.1999, expired on 5.2.2004). National Identification No: AO 2879097 (Italian Identity Card valid until 30.10.2012. Other information: (a) Italian fiscal code: BDA YSF 66P04 Z352Q; (b) Inadmissible to the Schengen area; (c) Mother's name is Fatima Abdaoui; (d) Member of an organization operating in Italy directly linked with The Organization of Al-Qaida in the Islamic Maghreb. Date of designation referred to in Article 2a(4)(b): 25.6.2003.'

- (28) The entry 'Mohamed Amine Akli (*alias* (a) Akli Amine Mohamed, (b) Killech Shamir, (c) Kali Sami, (d) Elias). Address: of no fixed address in Italy. Place of birth: Bordj el Kiffane, Algeria. Date of birth: 30.3.1972. Other information: in January 2003 sentenced in Italy to 4 years imprisonment.' under the heading 'Natural persons' shall be replaced by the following:

'Mohamed Amine **Akli** (*alias* (a) Akli Amine Mohamed, (b) Killech Shamir, (c) Kali Sami, (d) Elias). Address: Algeria. Place of birth: Bordj el Kiffane, Algeria. Date of birth: 30.3.1972. Nationality: Algerian. Other information: (a) Father's name is Lounes; (b) Mother's name is Kadidja; (c) Inadmissible to the Schengen area; (d) Deported from Spain to Algeria in August 2009. Date of designation referred to in Article 2a(4)(b): 25.6.2003.'

- (29) The entry 'Mehrez Ben Mahmoud Ben Sassi Al-Amdouni (*alias* (a) Fabio Fusco, (b) Mohamed Hassan, (c) Abu Thale). Address: of no fixed address in Italy. Date of birth: 18.12.1969. Place of birth: Asima-Tunis, Tunisia. Nationality: Tunisian. Passport No: G737411 (Tunisian passport issued on 24.10.1990, expired on 20.9.1997). Other information: reportedly arrested in Istanbul, Turkey and deported to Italy. Date of designation referred to in Article 2a (4) (b): 25.6.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Mehrez Ben Mahmoud Ben Sassi **Al-Amdouni** (*alias* (a) Fabio Fusco, (b) Mohamed Hassan, (c) Meherez Hamdouni, (d) Amdouni Mehrez ben Tah, (e) Meherez ben Ahdoud ben Amdouni, (f) Abu Thale). Address: Italy. Date of birth: (a) 18.12.1969, (b) 25.5.1968, (c) 18.12.1968, (d) 14.7.1969. Place of birth: (a) Asima-Tunis, Tunisia; (b) Naples, Italy; (c) Tunisia; (d) Algeria. Nationality: Tunisian. Passport No: G737411 (Tunisian passport issued on 24.10.1990, expired on 20.9.1997). Other information: (a) Father's name is Mahmoud ben Sasi, (b) Mother's name is Maryam bint al-Tijani, (c) Inadmissible to the Schengen area. Date of designation referred to in Article 2a (4) (b): 25.6.2003.'

- (30) The entry 'Chiheb Ben Mohamed Ben Mokhtar Al-Ayari (*alias* Hichem Abu Hchem). Address: Via di Saliceto 51/9, Bologna, Italy. Date of birth: 19.12.1965. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: L246084 (Tunisian passport issued on 10.6.1996, expired on 9.6.2001). Other information: Was extradited to Tunisia on 13.3.2006. Date of designation referred to in Article 2a (4) (b): 25.6.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Chiheb Ben Mohamed Ben Mokhtar **Al-Ayari** (*alias* (a) Hichem Abu Hchem, (b) Ayari Chihbe, (c) Ayari Chied, (d) Adam Hussainy, (e) Hichem, (f) Abu Hichem, (g) Moktar). Address: Via Bardo, Tunis, Tunisia. Date of birth: 19.12.1965. Place of birth: (a) Tunis, Tunisia; (b) Greece. Nationality: Tunisian. Passport No: L246084 (Tunisian passport issued on 10.6.1996, expired on 9.6.2001). Other information: (a) Extradited from Italy to Tunisia on 13 April 2006; (b) Mother's name is Fatima al-Tumi, (c) Inadmissible to the Schengen area. Date of designation referred to in Article 2a (4) (b): 25.6.2003.'

- (31) The entry 'Moussa Ben Omar Ben Ali Essaadi (*alias* (a) Dah Dah, (b) Abdelrahmman, (c) Bechir). Address: Via Milano 108, Brescia, Italy. Date of birth: 4.12.1964. Place of birth: Tabarka, Tunisia. Nationality: Tunisian. Passport No: L335915 (Tunisian passport issued on 8.11.1996, expired on 7.11.2001). Other information: Residing in Sudan since 2001. Date of designation referred to in Article 2a (4) (b): 25.6.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Moussa Ben Omar Ben Ali **Essaadi** (*alias* (a) Dah Dah, (b) Abdelrahmman, (c) Bechir). Address: Sudan. Date of birth: 4.12.1964. Place of birth: Tabarka, Tunisia. Nationality: Tunisian. Passport No: L335915 (Tunisian passport issued on 8.11.1996, expired on 7.11.2001). Other information: Considered a fugitive from justice by the Italian authorities (as of November 2009). Date of designation referred to in Article 2a (4) (b): 25.6.2003.'

- (32) The entry 'Rachid Fettar (*alias* (a) Amine del Belgio, (b) Djaffar). Address: Via degli Apuli 5, Milan, Italy (last known address). Date of birth: 16.4.1969. Place of birth: Boulogin, Algeria. Date of designation referred to in Article 2a (4) (b): 25.6.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Rachid **Fettar** (*alias* (a) Amine del Belgio, (b) Amine di Napoli, (c) Djaffar, (d) Taleb, (e) Abu Chahid). Address: 30 Abdul Rahman Street, Mirat Bab Al-Wadi, Algeria. Date of birth: 16.4.1969. Place of birth: Boulogin, Algeria. Nationality: Algerian. Other information: Extradited from Italy to Algeria. Date of designation referred to in Article 2a (4) (b): 25.6.2003.'

- (33) The entry 'Ibrahim Ben Hedhili Ben Mohamed Al-Hamami. Address: Via de' Carracci 15, Casalecchio di Reno (Bologna) Italy. Date of birth: 20.11.1971. Place of birth: Koubellat, Tunisia. Nationality: Tunisian. Passport No: Z106861 (Tunisian passport issued on 18.2.2004, expires on 17.2.2009). Other information: in January 2003 sentenced in Italy to 3 years imprisonment.' under the heading 'Natural persons' shall be replaced by the following:

'Ibrahim Ben Hedhili Ben Mohamed **Al-Hamami**. Address: Via Vistarini Number 3, Frazione Zorlesco, Casal Pusterlengo, Lodi, Italy. Date of birth: 20.11.1971. Place of birth: Koubellat, Tunisia. Nationality: Tunisian. Passport No: Z106861 (Tunisian passport issued on 18.2.2004, expired on 17.2.2009). Date of designation referred to in Article 2a (4) (b): 25.6.2003.'

- (34) The entry 'Mounir Ben Habib Ben Al-Taher Jarraya (*alias* Yarraya). Address: (a) Via Mirasole 11, Bologna, Italy, (b) Via Ariosto 8, Casalecchio di Reno (Bologna), Italy. Date of birth: 25.10.1963. Place of birth: Sfax, Tunisia. Nationality: Tunisian. Passport No: L065947 (Tunisian passport issued on 28.10.1995, expired on 27.10.2000). Other information: in January 2003 sentenced in Italy to 2 years 6 months imprisonment. On 10 May 2004 sentenced in Italy by the Appeal Court to 3 years and 6 months of imprisonment.' under the heading 'Natural persons' shall be replaced by the following:

'Mounir Ben Habib Ben Al-Taher **Jarraya** (*alias* (a) Mounir Jarraya, (b) Yarraya). Address: (a) Via Mirasole 11, Bologna, Italy, (b) 8 Via Ariosto, Casalecchio di Reno (Bologna), Italy. Date of birth: (a) 25.10.1963, (b) 15.10.1963. Place of birth: (a) Sfax, Tunisia, (b) Tunisia. Nationality: Tunisian. Passport No: L065947 (Tunisian passport issued on 28.10.1995, expired on 27.10.2000). Date of designation referred to in Article 2a (4) (b): 25.6.2003.'

- (35) The entry 'Faouzi Ben Mohamed Ben Ahmed Al-Jendoubi (*alias* (a) Said, (b) Samir). Address: (a) Via Agucchi 250, Bologna, Italy, (b) Via di Saliceto 51/9, Bologna, Italy. Date of birth: 30.1.1966. Place of birth: Beja, Tunisia. Nationality: Tunisian. Passport No: K459698 (Tunisian passport issued on 6.3.1999, expired on 5.3.2004). Other information: in January 2003 sentenced in Italy to 2 years imprisonment.' under the heading 'Natural persons' shall be replaced by the following:

'Faouzi Ben Mohamed Ben Ahmed **Al-Jendoubi** (*alias* (a) Jendoubi Faouzi, (b) Said, (c) Samir). Date of birth: 30.1.1966. Place of birth: (a) Tunis, Tunisia; (b) Morocco. Nationality: Tunisian. Passport No: K459698 (Tunisian passport issued on 6.3.1999, expired on 5.3.2004). Other information: (a) Mother's name is Um Hani al-Tujani; (b) Inadmissible to the Schengen area; (c) Reported untraceable by the Italian authorities since June 2002. Date of designation referred to in Article 2a (4) (b): 25.6.2003.'

- (36) The entry 'Najib Ben Mohamed Ben Salem Al-Waz (*alias* Ouaz Najib). Address: Vicolo dei Prati 2/2, Bologna, Italy. Date of birth: 12.4.1960. Place of birth: Hekaima Al-Mehdiya, Tunisia. Nationality: Tunisian. Passport No: K815205 (Tunisian passport issued on 17.9.1994, expired on 16.9.1999). Other information: Associated with Al-Haramain Islamic Foundation. Date of designation referred to in Article 2a(4)(b): 25.6.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Najib Ben Mohamed Ben Salem **Al-Waz** (*alias* (a) Ouaz Najib, (b) Ouaz Nagib). Address: Via Tovaglie Number 26, Bologna, Italy. Date of birth: 12.4.1960. Place of birth: Al Haka'imah, Governorate of Mahdia, Tunisia. Nationality: Tunisian. Passport No: K815205 (Tunisian passport issued on 17.9.1994, expired on 16.9.1999). Other information: (a) Mother's name is Salihah Amir; (b) Inadmissible to the Schengen area. Date of designation referred to in Article 2a(4) (b): 25.6.2003.'

- (37) The entry 'Shamil Salmanovich Basayev (Басаев Шамиль Салманович) (*alias* (a) Abdullakh Shamil Abu-Idris, (b) Shamil Basaev, (c) Basaev Chamil, (d) Basaev Shamil Shikhanovic, (e) Terek, (f) Lysy, (g) Idris, (h) Besznogy, (i) Amir, (j) Rasul, (k) Spartak, (l) Pantera-05, (m) Hamzat, (n) General, (o) Baisangur I, (p) Walid, (q) Al-Aqra, (r) Rizvan, (s) Berkut, (t) Assadula). Date of birth: 14.1.1965. Place of birth: (a) Dyshni-Vedeno, Vedensk district, Chechen-Ingush Autonomous Soviet Socialist Republic Russian Federation, (b) Vedenskiy District, Chechnya Republic, Russian Federation. Nationality: Russian. Passport No: 623334 (Russian passport, January 2002). National identification No: IY-OZH No 623334 (issued on 9.6.1989 by the Vedensk district). Other information: Confirmed to have died as of 2006. Date of designation referred to in Article 2a (4) (b): 12.8.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Shamil Salmanovich **Basayev** (Басаев Шамиль Салманович) (*alias* (a) Abdullakh Shamil Abu-Idris, (b) Shamil Basaev, (c) Basaev Chamil, (d) Basaev Shamil Shikhanovic, (e) Terek, (f) Lysy, (g) Idris, (h) Besznogy, (i) Amir, (j) Rasul, (k) Spartak, (l) Pantera-05, (m) Hamzat, (n) General, (o) Baisangur I, (p) Walid, (q) Al-Aqra, (r) Rizvan, (s) Berkut, (t) Assadula). Date of birth: 14.1.1965. Place of birth: (a) Dyshni-Vedeno, Vedensk district, Chechen-Ingush Autonomous Soviet Socialist Republic Russian Federation, (b) Vedenskiy District, Chechnya Republic, Russian Federation. Nationality: Russian. Passport No: 623334 (Russian passport, January 2002). National identification No: IY-OZH No 623334 (issued on 9.6.1989 by the Vedensk district). Other information: Confirmed to have died as of 2006. Date of designation referred to in Article 2a (4) (b): 12.8.2003.'

- (38) The entry 'Zulkepli Bin Marzuki. Address: Taman Puchong Perdana, State of Selangor, Malaysia. Date of birth: 3.7.1968. Place of birth: Selangor, Malaysia. Nationality: Malaysian. Passport No: A 5983063. National identification

No: 680703-10-5821. Other information: (a) Detained by Malaysian authorities 3 February 2007 and remained in custody as at April 2009. Date of designation referred to in Article 2a (4) (b): 9.9.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Zulkepli **Bin Marzuki**. Address: Taman Puchong Perdana, State of Selangor, Malaysia. Date of birth: 3.7.1968. Place of birth: Selangor, Malaysia. Nationality: Malaysian. Passport No: A 5983063. National identification No: 680703-10-5821. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'

- (39) The entry 'Abdul Hakim MURAD (alias (a) Murad, Abdul Hakim Hasim, (b) Murad, Abdul Hakim Ali Hashim, (c) Murad, Abdul Hakim Al Hashim, (d) Saeed Akman, (e) Saeed Ahmed); date of birth: 4 January 1968; place of birth: Kuwait; nationality: Pakistani.' under the heading 'Natural persons' shall be replaced by the following:

'Abdul Hakim **Murad** (alias (a) Murad, Abdul Hakim Hasim, (b) Murad, Abdul Hakim Ali Hashim, (c) Murad, Abdul Hakim al Hashim, (d) Saeed Akman, (e) Saeed Ahmed, (f) Abdul Hakim Ali al-Hashem Murad). Date of birth: 11.4.1968. Place of birth: Kuwait. Nationality: Pakistani. Passport No: (a) 665334 (Pakistani passport issued in Kuwait), (b) 917739 (Pakistani passport issued in Pakistan on 8.9.1991, expired on 7.8.1996). Other information: (a) Mother's name is Aminah Ahmad Sher al-Baloushi, (b) In custody of the United States. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'

- (40) The entry 'Yazid Sufaat (alias (a) Joe, (b) Abu Zufar). Address: Taman Bukit Ampang, Selangor, Malaysia. Date of birth: 20.1.1964. Place of birth: Johor, Malaysia. Nationality: Malaysian. Passport No: A 10472263. National identification No: 640120-01-5529. Other information: Detained by Malaysian authorities in December 2001 and released from detention on 24.11.2008. Date of designation referred to in Article 2a (4) (b): 9.9.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Yazid **Sufaat** (alias (a) Joe, (b) Abu Zufar). Address: Taman Bukit Ampang, Selangor, Malaysia. Date of birth: 20.1.1964. Place of birth: Johor, Malaysia. Nationality: Malaysian. Passport No: A 10472263. National identification No: 640120-01-5529. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'

- (41) The entry 'Yunos Umpara Moklis (alias (a) Muklis Yunos, (b) Mukhlis Yunos, (c) Saifullah Mukhlis Yunos, (d) Saifulla Moklis Yunos; (e) Hadji Onos). Date of birth: 7.7.1966. Place of birth: Lanao del Sur, Philippines. Nationality: Filipino. Other information: In prison in the Philippines as of April 2009. Date of designation referred to in Article 2a (4) (b): 9.9.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Yunos Umpara **Moklis** (alias (a) Muklis Yunos, (b) Mukhlis Yunos, (c) Saifullah Mukhlis Yunos, (d) Saifulla Moklis Yunos; (e) Hadji Onos). Address: Philippines. Date of birth: 7.7.1966. Place of birth: Lanao del Sur, Philippines. Nationality: Filipino. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'

- (42) The entry 'Zaini Zakaria (alias Ahmad). Address: Kota Bharu, Kelantan, Malaysia. Date of birth: 16.5.1967. Place of birth: Kelantan, Malaysia. Nationality: Malaysian. Passport No: A11457974. National identification No: 670516-03-5283. Other information: Arrested by Malaysian authorities on 18 December 2002 and detained until 12 February 2009. Date of designation referred to in Article 2a (4) (b): 9.9.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Zaini **Zakaria** (alias Ahmad). Address: Kota Bharu, Kelantan, Malaysia. Date of birth: 16.5.1967. Place of birth: Kelantan, Malaysia. Nationality: Malaysian. Passport No: A11457974. National identification No: 670516-03-5283. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'

- (43) The entry 'Djamel Moustfa (alias (a) Ali Barkani (Date of birth: 22.8.1973; place of birth: Morocco); (b) Kalad Belkasam (Date of birth: 31.12.1979); (c) Mostafa Djamel (Date of birth: 31.12.1979; place of birth: Mascara, Algeria); (d) Mostefa Djamel (Date of birth: 26.9.1973; place of birth: Mahdia, Algeria); (e) Mustafa Djamel (Date of birth: 31.12.1979; place of birth: Mascara, Algeria); (f) Balkasam Kalad (Date of birth: 26.8.1973; place of birth:

Algiers, Algeria); (g) Bekasam Kalad (Date of birth: 26.8.1973; place of birth: Algiers, Algeria); (h) Belkasam Kalad (Date of birth: 26.8.1973; place of birth: Algiers, Algeria); (i) Damel Mostafa (Date of birth: 31.12.1979; place of birth: Algiers, Algeria); (j) Djamel Mostafa, date of birth 31.12.1979 in Mascara, Algeria; (k) Djamel Mostafa (Date of birth 10.6.1982); (l) Djamel Mostafa (Date of birth 31.12.1979; place of birth: Mascara, Algeria); (m) Djamel Mostafa (Date of birth (a) 31.12.1979 (b) 22.12.1973; place of birth: Algiers, Algeria); (n) Fjamel Moustfa (Date of birth 28.9.1973; place of birth: Tiaret, Algeria); (o) Djamel Mustafa (Date of birth: 31.12.1979); (p) Djamel Mustafa (Date of birth: 31.12.1979; place of birth: Mascara, Algeria); (q) Mustafa). Address: Algeria. Date of birth: 28.9.1973. Place of birth: Tiaret, Algeria. Nationality: Algerian. Other information: (a) Name of father: Djelalli Moustfa; (b) Name of mother: Kadeja Mansore; (c) Algerian birth certificate, issued for Djamel Mostefa, date of birth 25.9.1973 in Mehdiya, Tiaret province, Algeria; (d) Driving licence No 20645897 (counterfeit Danish driving licence, made out to Ali Barkani, born on 22.8.1973 in Morocco); (e) In prison in Germany as of August 2006; (f) Deported to Algeria in September 2007. Date of designation referred to in Article 2a(4)(b): 23.9.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Djamel **Moustfa** (*alias* (a) Ali Barkani (Date of birth: 22.8.1973; place of birth: Morocco); (b) Kalad Belkasam (Date of birth: 31.12.1979); (c) Mostafa Djamel (Date of birth: 31.12.1979; place of birth: Mascara, Algeria); (d) Mostefa Djamel (Date of birth: 26.9.1973; place of birth: Mahdia, Algeria); (e) Mustafa Djamel (Date of birth: 31.12.1979; place of birth: Mascara, Algeria); (f) Balkasam Kalad (Date of birth: 26.8.1973; place of birth: Algiers, Algeria); (g) Bekasam Kalad (Date of birth: 26.8.1973; place of birth: Algiers, Algeria); (h) Belkasam Kalad (Date of birth: 26.8.1973; place of birth: Algiers, Algeria); (i) Damel Mostafa (Date of birth: 31.12.1979; place of birth: Algiers, Algeria); (j) Djamel Mostafa, date of birth 31.12.1979 in Mascara, Algeria; (k) Djamel Mostafa (Date of birth 10.6.1982); (l) Djamel Mostafa (Date of birth 31.12.1979; place of birth: Mascara, Algeria); (m) Djamel Mostafa (Date of birth (a) 31.12.1979 (b) 22.12.1973; place of birth: Algiers, Algeria); (n) Fjamel Moustfa (Date of birth 28.9.1973; place of birth: Tiaret, Algeria); (o) Djamel Mustafa (Date of birth: 31.12.1979); (p) Djamel Mustafa (Date of birth: 31.12.1979; place of birth: Mascara, Algeria); (q) Mustafa). Address: Algeria. Date of birth: 28.9.1973. Place of birth: Tiaret, Algeria. Nationality: Algerian. Other information: (a) Father's name is Djelalli Moustfa; (b) Mother's name is Kadeja Mansore; (c) Algerian birth certificate, issued for Djamel Mostefa, date of birth 25.9.1973 in Mehdiya, Tiaret province, Algeria; (d) Driving licence No 20645897 (counterfeit Danish driving licence, made out to Ali Barkani, born on 22.8.1973 in Morocco); (e) Associated with Ismail Abdallah Sbaitan Shalabi, Mohamed Abu Dhes and Aschraf Al-Dagma; (f) Deported from Germany to Algeria in September 2007. Date of designation referred to in Article 2a(4)(b): 23.9.2003.'

- (44) The entry 'Mokhtar Belmokhtar (*alias* (a) Belaouar Khaled Abou El Abass, (b) Belaouar Khaled Abou El Abass, (c) Belmokhtar Khaled Abou El Abes, (d) Khaled Abou El Abass, (e) Khaled Abou El Abbes, (f) Khaled Abou El Abes, (g) Khaled Abulabbas Na Oor, (h) Mukhtar Belmokhtar, (i) Abou Abbes Khaled, (j) Belaoua, (k) Belaour). Date of birth: 1.6.1972. Place of birth: Ghardaia, Algeria. Nationality: Algerian. Other information: (a) Son of Mohamed and Zohra Chemkha, (b) Active in Northern Mali. Date of designation referred to in Article 2a (4) (b): 11.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Mokhtar **Belmokhtar** (*alias* (a) Belaouar Khaled Abou El Abass, (b) Belaouar Khaled Abou El Abass, (c) Belmokhtar Khaled Abou El Abes, (d) Khaled Abou El Abass, (e) Khaled Abou El Abbes, (f) Khaled Abou El Abes, (g) Khaled Abulabbas Na Oor, (h) Mukhtar Belmokhtar, (i) Abou Abbes Khaled, (j) Belaoua, (k) Belaour). Date of birth: 1.6.1972. Place of birth: Ghardaia, Algeria. Nationality: Algerian. Other information: (a) Father's name is Mohamed and mother's name is Zohra Chemkha, (b) Member of the Council of the The Organization of AL-Qaida in the Islamic Maghreb (AQIM); (c) Head of Katibat el Moulathamoune active in AQIM's 4th region (Sahel/Sahara). Date of designation referred to in Article 2a (4) (b): 11.11.2003.'

- (45) The entry 'Said Ben Abdelhakim Ben Omar Al-Cherif (*alias* (a) Djallal, (b) Youcef, (c) Abou Salman). Address: Corso Lodi 59, Milan, Italy. Date of birth: 25.1.1970. Place of birth: Menzel Temime, Tunisia. Nationality: Tunisian. Passport No: M307968 (Tunisian passport issued on 8.9.2001, expired on 7.9.2006). Other information: Detained in Italy as at February 2008. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Said Ben Abdelhakim Ben Omar **Al-Cherif** (*alias* (a) Cherif Said, (b) Binhamoda Hokri, (c) Hcrif Ataf, (d) Bin Homoda Chokri, (e) Atef Cherif, (f) Sherif Ataf, (g) Ataf Cherif Said, (h) Cherif Said, (i) Cherif Said, (j) Djallal, (k) Youcef, (l) Abou Salman, (m) Said Tmimi). Address: Corso Lodi 59, Milan, Italy. Date of birth: (a) 25.1.1970, (b) 25.1.1971, (c) 12.12.1973. Place of birth: (a) Menzel Temime, Tunisia; (b) Tunisia; (c) Sosa, Tunisia; (d) Solisse, Tunisia; (e) Tunis, Tunisia; (f) Algeria; (g) Aras, Algeria. Nationality: Tunisian. Passport No: M307968 (Tunisian passport issued on 8.9.2001, expired on 7.9.2006). Other information: Mother's name is Radhiyah Makki. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (46) The entry 'Imad Ben Al-Mekki Ben Al-Akhdar Al-Zarkaoui (*alias* (a) Zarga, (b) Nadra). Address: Via Col. Aprosio 588, Vallecrosia (IM), Italy. Date of birth: 15.1.1973 Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: M174950 (Tunisian passport issued on 27.4.1999 which expired on 26.4.2004). Other information: Detained in Italy since 11.4.2008. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Imed Ben Mekki **Zarkaoui** (*alias* (a) Dour Nadre, (b) Dour Nadre, (c) Daour Nadre, (d) Imad ben al-Mekki ben al-Akhdar al-Zarkaoui, (f) Zarga, (g) Nadra). Address: 41-45, Rue Estienne d'Orves, Pré Saint Gervais, France. Date of birth: (a) 15.1.1973, (b) 15.1.1974, (c) 31.3.1975. Place of birth: (a) Tunis, Tunisia; (b) Morocco; (c) Algeria. Nationality: Tunisian. Passport No: M174950 (Tunisian passport issued on 27.4.1999 which expired on 26.4.2004). Other information: Mother's name is Zina al-Zarkaoui. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (47) The entry 'Kamal Ben Maeldi Ben Hassan Al-Hamraoui (*alias* (a) Kamel, (b) Kimo). Address: (a) Via Bertesi 27, Cremona, Italy, (b) Via Plebiscito 3, Cremona, Italy. Date of birth: 21.10.1977. Place of birth: Beja, Tunisia. Nationality: Tunisian. Passport No: P229856 (Tunisian passport issued on 1.11.2002, expired on 31.10.2007). Other information: sentenced to three years and four months of imprisonment in Brescia on 13.7.2005. Subject to a decree of expulsion, suspended on 17.4.2007 by the European Court of Human Rights. Free as of September 2007.' under the heading 'Natural persons' shall be replaced by the following:

'Kamal Ben Maeldi Ben Hassan **Al-Hamraoui** (*alias* (a) Hamroui Kamel ben Mouldi, (b) Hamraoui Kamel, (c) Kamel, (d) Kimo). Address: (a) Via Bertesi 27, Cremona, Italy, (b) Via Plebiscito 3, Cremona, Italy. Date of birth: (a) 21.10.1977, (b) 21.11.1977. Place of birth: (a) Beja, Tunisia; (b) Morocco; (c) Tunisia. Nationality: Tunisian. Passport No: P229856 (Tunisian passport issued on 1.11.2002, expired on 31.10.2007). Other information: (a) Mother's name is Khamisah al-Kathiri; (b) Subject to a decree of expulsion, suspended on 17.4.2007 by the European Court of Human Rights; (c) Re-arrested in Italy on 20 May 2008; (d) Inadmissible to the Schengen area. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (48) The entry 'Radi Abd El Samie Abou El Yazid El Ayashi, (*alias* Mera'l). Address: Via Cilea 40, Milan, Italy (domicile). Date of birth: 2.1.1972. Place of birth: El Gharbia (Egypt). Other information: sentenced to 10 years of imprisonment by the Court of first instance of Milan on 21.9.2006. In custody in Italy as of September 2007.' under the heading 'Natural persons' shall be replaced by the following:

'Radi Abd El Samie Abou El Yazid **El Ayashi**, (*alias* Mera'i). Address: Via Cilea 40, Milan, Italy (domicile). Date of birth: 2.1.1972. Place of birth: El Gharbia (Egypt). Other information: (a) In custody in Italy, due for release on 6.1.2012; (b) Subject to expulsion from Italy after serving the sentence. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (49) The entry 'Hamadi Ben Abdul Azis Ben Ali Bouyehia (*alias* Gamel Mohamed). Address: Corso XXII Marzo 39, Milan, Italy. Date of birth: (a) 29.5.1966 (b) 25.5.1966 (Gamel Mohamed). Place of birth: (a) Tunisia, (b) Morocco (Gamel Mohamed). Nationality: Tunisian. Passport No: L723315 (Tunisian passport issued on 5.5.1998 which expired on 4.5.2003). Other information: Detained in Italy as at July 2008. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Hamadi Ben Abdul Azis Ben Ali **Bouyehia** (*alias* (a) Gamel Mohamed, (b) Abd el Wanis Abd Gawwad Abd el Latif Bahaa, (c) Mahmoud Hamid). Address: Corso XXII Marzo 39, Milan, Italy. Date of birth: (a) 29.5.1966 (b) 25.5.1966 (Gamel Mohamed), (c) 9.5.1986 (Abd el Wanis Abd Gawwad Abd el Latif Bahaa). Place of birth: (a) Tunis, Tunisia, (b) Morocco (Gamel Mohamed), (c) Egypt (Abd el Wanis Abd Gawwad Abd el Latif Bahaa). Nationality: Tunisian. Passport No: L723315 (Tunisian passport issued on 5.5.1998 which expired on 4.5.2003). Other information: In prison in Italy until 28 July 2011. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (50) The entry 'Mohammad Tahir Hammid (*alias* Abdelhamid Al Kurdi). Title: Imam. Address: Via della Martinella 132, Parma, Italy. Date of birth: 1.11.1975. Place of birth: Poshok, Iraq. Other information: sentenced to one year and 11 months of imprisonment by the Italian judicial authority on 19.4.2004. Released on 15.10.2004. A deportation order was issued on 18.10.2004. Fugitive as of September 2007.' under the heading 'Natural persons' shall be replaced by the following:

'Mohammad Tahir **Hammid** (*alias* Abdelhamid Al Kurdi). Title: Imam. Date of birth: 1.11.1975. Place of birth: Poshok, Iraq. Other information: (a) A deportation order was issued by the Italian authorities on 18.10.2004; (b) Considered a fugitive from justice by the Italian authorities as of September 2007. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (51) The entry 'Lotfi Ben Abdul Hamid Ben Ali Al-Rihani (*alias* (a) Abderrahmane, (b) Lofti Ben Abdul Hamid Ben Ali Al-Rihani). Address: Via Bolgeri 4, Barni (Como), Italy (previous address as at mid-2002). Date of birth: 1.7.1977. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: L886177 (Tunisian passport issued on 14.12.1998 which expired on 13.12.2003). Other information: Location and status unknown since mid-2002. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Lotfi Ben Abdul Hamid Ben Ali **Al-Rihani** (*alias* (a) Lofti ben Abdul Hamid ben Ali al-Rihani, (b) Abderrahmane). Date of birth: 1.7.1977. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: L886177 (Tunisian passport issued on 14.12.1998 which expired on 13.12.2003). Other information: Mother's name is Habibah al-Sahrawi. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (52) The entry 'Daki Mohammed. Address: Via Melato 11, Reggio Emilia, Italy. Date of birth: 29.3.1965. Place of birth: Morocco. Other information: Deported from Italy to Morocco on 10.12.2005.' under the heading 'Natural persons' shall be replaced by the following:

'Mohammed **Daki**. Address: Casablanca, Morocco. Date of birth: 29.3.1965. Place of birth: Casablanca, Morocco. Nationality: Moroccan. Passport No: (a) G 482731 (Moroccan passport), (b) L446524 (Moroccan passport). National identification No: BE-400989 (Moroccan National Identity Card). Other information: (a) Father's name is Lahcen; (b) Mother's name is Izza Brahim; (c) Deported from Italy to Morocco on 10.12.2005. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (53) The entry 'Mohamed Amin Mostafa. Address: Via della Martinella 132, Parma, Italy. Date of birth: 11.10.1975. Place of birth: Kirkuk, Iraq. Other information: Sentenced to 7 years imprisonment on 21.9.2006. Currently detained in Italy.' under the heading 'Natural persons' shall be replaced by the following:

'Mohamed Amin **Mostafa**. Address: Via della Martinella 132, Parma, Italy. Date of birth: 11.10.1975. Place of birth: Kirkuk, Iraq. Other information: Under administrative control measure in Italy scheduled to expire on 15 January 2012. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (54) The 'Nessim Ben Mohamed Al-Cherif Ben Mohamed Saleh Al-Saadi (*alias* (a) Nassim Saadi, (b) Abou Anis). Address: (a) Via Monte Grappa 15, Arluno (Milan), Italy; (b) Via Cefalonia 11, Milan, Italy (domicile, last known address). Date of birth: 30.11.1974. Place of birth: Haidra Al-Qasreen, Tunisia. Nationality: Tunisian. Passport No: M788331 (Tunisian passport issued on 28.9.2001, expired on 27.9.2006). Other information: (a) In detention in Italy as at April 2009; (b) Father's name is Mohamed Sharif; (c) Mother's name is Fatima. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Nessim Ben Mohamed Al-Cherif Ben Mohamed **Saleh Al-Saadi** (*alias* (a) Nassim Saadi, (b) Dia el Haak George, (c) Diael Haak George, (d) El Dia Haak George, (e) Abou Anis, (f) Abu Anis). Address: (a) Via Monte Grappa 15, Arluno (Milan), Italy; (b) Via Cefalonia 11, Milan, Italy (domicile, last known address). Date of birth: (a) 30.11.1974, (b) 20.11.1974. Place of birth: (a) Haidra Al-Qasreen, Tunisia; (b) Lebanon; (c) Algeria. Nationality: Tunisian. Passport No: M788331 (Tunisian passport issued on 28.9.2001, expired on 27.9.2006). Other information: (a) In detention in Italy until 27.4.2012; (b) Father's name is Mohamed Sharif; (c) Mother's name is Fatima. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (55) The entry 'Nouredine Ben Ali Ben Belkassem Al-Drissi. Address: Via Plebiscito 3, Cremona, Italy. Date of birth: 30.4.1964. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: L851940 (Tunisian passport issued on 9.9.1998, expired on 8.9.2003). Other information: sentenced to seven years and six months of imprisonment by the Court of first instance of Cremona on 15.7.2006. This sentence was appealed and a new trial will be held by the Court of Appeal of Brescia. Detained in Italy as of September 2007.' under the heading 'Natural persons' shall be replaced by the following:

'Noureddine Ben Ali Ben Belkassem **Al-Drissi** (*alias* (a) Drissi Noureddine, (b) Abou Ali, (c) Faycal). Address: Via Plebiscito 3, Cremona, Italy. Date of birth: 30.4.1964. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: L851940 (Tunisian passport issued on 9.9.1998, expired on 8.9.2003). Other information: (a) Under administrative control measure in Italy until 5 May 2010; (b) Inadmissible to the Schengen area; (c) Mother's name is Khadijah al-Drissi. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (56) The entry 'Al-Azhar Ben Khalifa Ben Ahmed Rouine (*alias* (a) Salmame, (b) Lazhar). Address: Vicolo S. Giovanni, Rimini, Italy (domicile). Date of birth: 20.11.1975. Place of birth: Sfax, Tunisia. Nationality: Tunisian. Passport No: P182583 (Tunisian passport issued on 13.9.2003, expired on 12.9.2007). Other information: Location unknown as at July 2008. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Al-Azhar Ben Khalifa Ben Ahmed **Rouine** (*alias* (a) Salmame, (b) Lazhar). Address: Tunisia. Date of birth: 20.11.1975. Place of birth: Sfax, Tunisia. Nationality: Tunisian. Passport No: P182583 (Tunisian passport issued on 13.9.2003, expired on 12.9.2007). Other information: (a) Considered a fugitive from justice by the Italian authorities as at July 2008; (b) Under administrative control measure in Tunisia as at 2010. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (57) The entry 'Mourad Ben Ali Ben Al-Basheer Al-Trabelsi (*alias* Abou Djarrah). Address: Via Geromini 15, Cremona, Italy. Date of birth: 20.5.1969 Place of birth: Menzel Temime, Tunisia. Nationality: Tunisian. Passport No: G827238 (Tunisian passport issued on 1.6.1996 which expired on 31.5.2001). Other information: Was extradited to Tunisia on 13.12.2008. Date of designation referred to in Article 2a (4) (b): 12.11.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Mourad Ben Ali Ben Al-Basheer **Al-Trabelsi** (*alias* (a) Aboue Chiba Brahim, (b) Arouri Taoufik, (c) Ben Salah Adnan, (d) Sassi Adel, (e) Salam Kamel, (f) Salah Adnan, (g) Arouri Faisel, (h) Bentaib Amour, (i) Adnan Salah, (j) Hasnaoui Mellit, (k) Arouri Taoufik ben Taieb, (l) Aboue Chiba Brahim, (m) Farid Arouri, (n) Ben Magid, (o) Maci Ssasi, (p) Salah ben Anan, (q) Hasnaoui Mellit, (r) Abou Djarrah). Address: Libya Street Number 9, Manzil Tmim, Nabeul, Tunisia. Date of birth: (a) 20.5.1969, (b) 2.9.1966, (c) 2.9.1964, (d) 2.4.1966, (e) 2.2.1963, (f) 4.2.1965, (g) 2.3.1965, (h) 9.2.1965, (i) 1.4.1966, (j) 1972, (k) 9.2.1964, (l) 2.6.1964, (m) 2.6.1966, (n) 2.6.1972. Place of birth: (a) Manzil Tmim, Tunisia; (b) Libya; (c) Tunisia; (d) Algeria; (e) Morocco; (f) Lebanon. Nationality: Tunisian. Passport No: G827238 (Tunisian passport issued on 1.6.1996 which expired on 31.5.2001). Other information: (a) Extradited from Italy to Tunisia on 13.12.2008; (b) Inadmissible to the Schengen area; (c) Mother's name is Mabruk al-Yazidi. Date of designation referred to in Article 2a (4) (b): 12.11.2003.'

- (58) The entry 'Saifi Ammari (*alias* (a) El Para (combat name), (b) Abderrezak Le Para, (c) Abou Haidara, (d) El Ourassi, (e) Abderrezak Zaimeche, (f) Abdul Rasak Ammane Abu Haidra, (g) Abdalarak). Address: Algeria. Date of birth: (a) 1.1.1968, (b) 24.4.1968. Place of birth: (a) Kef Rih, Algeria, (b) Guelma, Algeria. Nationality: Algerian. Other information: In detention in Algeria since October 2004.' under the heading 'Natural persons' shall be replaced by the following:

'Saifi **Ammari** (*alias* (a) El Para (combat name), (b) Abderrezak Le Para, (c) Abou Haidara, (d) El Ourassi, (e) Abderrezak Zaimeche, (f) Abdul Rasak Ammane Abu Haidra, (g) Abdalarak). Address: Algeria. Date of birth: (a) 1.1.1968, (b) 24.4.1968. Place of birth: (a) Kef Rih, Algeria, (b) Guelma, Algeria. Nationality: Algerian. Other information: Former member of the GSPC listed as The Organization of Al-Qaida in the Islamic Maghreb. Date of designation referred to in Article 2a (4) (b): 4.12.2003.'

- (59) The entry 'Safet Ekrem Durguti. Address: 175 Bosanska Street, Travnik, Bosnia and Herzegovina. Date of birth: 10.5.1967. Place of birth: Orahovac, Kosovo. Nationality: Bosnia and Herzegovina. Passport No: 4725900 (Bosnia and Herzegovina passport, issued in Travnik on 20.10.2005 and valid until 20.10.2009). National identification: (a) JMB 1005967953038 (Bosnia and Herzegovina national identity number), (b) 04DFC71259 (Bosnia and Herzegovina identity card), (c) 04DFA8802 Bosnia and Herzegovina driving license issued by the Ministry of Interior of the Central Bosnia Canton, Travnik, Bosnia and Herzegovina). Other information: (a) Father's name: Ekrem; (b) Founder and head of Al-Haramain Islamic Foundation from 1998 until 2002; (c) Reportedly located in Bosnia and Herzegovina as at December 2008, also reported to travel often in the area of Kosovo; (d) Working as a teacher at Elci Ibrahim Pasha's Madrasah, Travnik, Bosnia and Herzegovina. Date of designation referred to in Article 2a (4) (b): 26.12.2003.' under the heading 'Natural persons' shall be replaced by the following:

'Safet Ekrem **Durguti**. Address: 175 Bosanska Street, Travnik, Bosnia and Herzegovina. Date of birth: 10.5.1967. Place of birth: Orahovac, Kosovo. Nationality: Bosnia and Herzegovina. Passport No: 6371551 (Bosnia and Herzegovina biometric passport issued in Travnik, issued on 9.4.2009, valid until 4.9.2014. National identification: (a) JMB 1005967953038 (Bosnia and Herzegovina personal identification number), (b) 04DFC71259 (Bosnia and Herzegovina identity card), (c) 04DFA8802 Bosnia and Herzegovina driving license issued by the Ministry of Interior of the Central Bosnia Canton, Travnik, Bosnia and Herzegovina). Other information: (a) Father's name is Ekrem; (b) Founder and head of Al-Haramain Islamic Foundation from 1998 until 2002; (c) Working as a teacher at Elci Ibrahim Pasha's Madrasah, Travnik, Bosnia and Herzegovina. Date of designation referred to in Article 2a (4) (b): 26.12.2003.'

- (60) The entry 'Djamel Lounici (*alias* Jamal Lounici). Date of birth: 1.2.1962. Place of birth: Algiers, Algeria. Nationality: Algerian. Other information: (a) Son of Abdelkader and Johra Birouh; (b) Released from prison in Italy on 23.5.2008; (c) Resided in Algeria as at November 2008. Date of designation referred to in Article 2a (4) (b): 16.1.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Djamel **Lounici** (*alias* Jamal Lounici). Address: Algeria. Date of birth: 1.2.1962. Place of birth: Algiers, Algeria. Nationality: Algerian. Other information: (a) Father's name is Abdelkader and mother's name is Johra Birouh; (b) Returned from Italy to Algeria where he resides since November 2008; (c) Son in law of Othman Deramchi. Date of designation referred to in Article 2a (4) (b): 16.1.2004.'

- (61) The entry 'Abd Al Wahab Abd Al Hafiz (*alias* (a) Ferdjani Mouloud, (b) Mourad, (c) Rabah Di Roma, (d) Abdel Wahab Abdelhafid (e) Said). Address: Via Lungotevere Dante, Rome, Italy (domicile). Date of birth: (a) 7.9.1967, (b) 30.10.1958 (c) 30.10.1968 Place of birth: Algiers, Algeria. Other information: Fugitive as at June 2009. Date of designation referred to in Article 2a (4) (b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Abd Al Wahab **Abd Al Hafiz** (*alias* (a) Ferdjani Mouloud, (b) Mourad, (c) Rabah Di Roma, (d) Abdel Wahab Abdelhafid (e) Said). Date of birth: 7.9.1967, (b) 30.10.1968. Place of birth: (a) Algiers, Algeria; (b) Algeria. Other information: (a) Arrest warrant issued by the Italian authorities; (b) Considered a fugitive from justice by the Italian authorities as at of June 2009. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (62) The entry 'Abderrahmane Kifane. Address: via Padre Massimiliano Kolbe 25, Sant'Anastasia (NA), Italy. Date of birth: 7.3.1963. Place of birth: Casablanca, Morocco. Nationality Moroccan. Date of designation referred to in Article 2a (4) (b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Abderrahmane **Kifane**. Address: 25 via Padre Massimiliano Kolbe, Sant'Anastasia (NA), Italy. Date of birth: 7.3.1963. Place of birth: Casablanca, Morocco. Nationality Moroccan. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (63) The entry 'Ali Mohamed El Heit (*alias* (a) Kamel Mohamed, (b) Ali Di Roma (c) Ali Il Barbuti). Date of birth: (a) 20.3.1970, (b) 30.1.1971. Place of birth: Rouiba, Algeria.. Address: (a) via D. Fringuello 20, Rome, Italy, (b) 3 via Ajraghi Milan, Italy (domicile). Other information: (a) Residing in Algeria as at May 2009, (b) Mother's name is Hamadche Zoulich. Date of designation referred to in Article 2a (4) (b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Ali Mohamed **El Heit** (*alias* (a) Kamel Mohamed, (b) Ali di Roma (c) Ali Il Barbuti). Date of birth: (a) 20.3.1970, (b) 30.1.1971. Place of birth: Rouiba, Algeria. Address: 3 Via Ajraghi Milan, Italy. Other information: Mother's name is Hamadche Zoulich. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (64) The entry 'Fethi Ben Hassen Ben Salem Al-Haddad (*alias* (a) Fethi ben Assen Haddad, (b) Fathy Hassan Al Haddad). Address: (a) Via Fulvio Testi 184, Cinisello Balsamo (MI), Italy, (b) Via Porte Giove 1, Mortara (PV), Italy (domicile). Date of birth: (a) 28.6.1963. (b) 28.3.1963. Place of birth: Tataouene, Tunisia. Nationality Tunisian. Passport No: L183017 (Tunisian passport issued on 14.2.1996, expired on 13.2.2001). Other information: (a) Italian fiscal code: HDDFTH63H28Z352V, (b) Arrested on 16.12.2006. Released on 22.03.2007. Date of designation referred to in Article 2a (4) (b): 17.3.2004' under the heading 'Natural persons' shall be replaced by the following:

'Fethi Ben Hassen Ben Salem **Al-Haddad** (*alias* (a) Fethi ben Assen Haddad, (b) Fathy Hassan al Haddad). Address: (a) 184 Via Fulvio Testi, Cinisello Balsamo (MI), Italy, (b) 1 Via Porte Giove, Mortara (PV), Italy (domicile). Date of birth: (a) 28.6.1963. (b) 28.3.1963. Place of birth: Tataouene, Tunisia. Nationality Tunisian. Passport No: L183017 (Tunisian passport issued on 14.2.1996, expired on 13.2.2001). Other information: Italian fiscal code: HDDFTH63H28Z352V. Date of designation referred to in Article 2a (4) (b): 17.3.2004'

- (65) The entry 'Farid Aider (*alias* (a) Achour Ali, (b) Terfi Farid, (c) Abdallah). Address: (a) Via Milanese, 5 — 20099 Sesto San Giovanni (MI), Italy, (b) via Italia 89/A, Paderno Dugnano (MI), Italy (domicile), (c) via Provinciale S. Maria Cubito 790, Marano di Napoli (NA), Italy (domicile). Date of birth: 12.10.1964. Place of birth: Algiers, Algeria. Other information: Fiscal code: DRAFRD64R12Z301.: Date of designation referred to in Article 2a(4)(b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Farid **Aider** (*alias* (a) Achour Ali, (b) Terfi Farid, (c) Abdallah). Date of birth: 12.10.1964. Place of birth: Algiers, Algeria. Nationality: Algerian. Other information: (a) Italian Fiscal Code DRAFRD64R12Z301; (b) Arrest warrant issued by the Italian authorities on 16.11.2007; (c) Considered a fugitive from justice by the Italian authorities as of 14.12.2007. Date of designation referred to in Article 2a(4)(b): 17.3.2004.'

- (66) The entry 'Abdelhadi Ben Debka (*alias* (a) L'Hadi Bendebka, (b) El Hadj Ben Debka, (c) Abd Al Hadi, (d) Hadi). Address: (a) Via Garibaldi 70, San Zenone al Po (PV), Italy, (previous address as at 17.12.2001); (b) Via Manzoni 33, Cinisello Balsamo (MI); Italy (previous address as at March 2004). Date of birth: 17.11.1963. Place of birth: Algiers, Algeria. Nationality: Algerian. Other information: (a) Detained in Italy as at September 2007, (b) Resided in Algeria as at November 2008. Date of designation referred to in Article 2a (4) (b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Abdelhadi **Ben Debka** (*alias* (a) L'Hadi Bendebka, (b) El Hadj ben Debka, (c) Abd Al Hadi, (d) Hadi). Address: Algeria. Date of birth: 17.11.1963. Place of birth: Algiers, Algeria. Nationality: Algerian. Other information: Deported from Italy to Algeria on 13.9.2008. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (67) The entry 'Moustafa Abbes (*alias* (a) Mostafa Abbes, (b) Mostafa Abbas, (c) Mustafa Abbas (d) Moustapha Abbes). Address: Via Padova 82, Milan, Italy (previous address as at March 2004). Date of birth: 5.2.1962. Place of birth: (a) Osniens, Algeria, (b) France. Nationality: Algerian. Other information: (a) Released from prison in Italy on 30.1.2006, (b) Resided in Algeria as at November 2008. Date of designation referred to in Article 2a (4) (b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Moustafa **Abbes** (*alias* (a) Mostafa Abbes, (b) Mostafa Abbas, (c) Mustafa Abbas (d) Moustapha Abbes). Address: Algeria. Date of birth: 5.2.1962. Place of birth: (a) Osniens, Algeria, (b) France. Nationality: Algerian. Other information: Brother of Youcef Abbes. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (68) The entry 'Othman Deramchi (*alias* Abou Youssef). Address: (a) Via Milanese 5, 20099 Sesto San Giovanni (MI), Italy (previous address as at March 2004); (b) Piazza Trieste 11, Mortara, Italy (previous address as at October 2002). Date of birth: 7.6.1954. Place of birth: Tighennif, Algeria. Nationality: Algerian. Italian fiscal code: DRMTMN54H07Z301T. Other information: Resided in Algeria as at November 2008. Date of designation referred to in Article 2a (4) (b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Othman **Deramchi** (*alias* Abou Youssef). Address: Algeria. Date of birth: 7.6.1954. Place of birth: Tighennif, Algeria. Nationality: Algerian. Other information: (a) Italian fiscal code DRMTMN54H07Z301T; (b) Deported from Italy to Algeria on 22.8. 2008, (c) Father in law of Djamel Lounici. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (69) The entry 'Yacine Ahmed Nacer (*alias* (a) Yacine Di Annaba, (b) Il Lungo, (c) Naslano). Date of birth: 2.12.1967. Place of birth: Annaba, Algeria. Address:(a) rue Mohamed Khemisti 6, Annaba, Algeria, (b) vicolo Duchessa 16, Naples, Italy, (c) via Genova 121, Naples, Italy (domicile).(d) via San Bartolomeo, 12 Carvano (VA), Italy. Other information: (a) Residing in Algeria as at May 2009, (b) Father's name is Ahmed Nacer Abderrahmane, mother's name is Hafsi Mabtouka. Date of designation referred to in Article 2a (4) (b): 17.3.2004.' under the heading 'Natural persons' shall be replaced by the following:

'Yacine Ahmed **Nacer** (*alias* (a) Yacine di Annaba, (b) Il Lungo, (c) Naslano). Address: 6 rue Mohamed Khemisti, Annaba, Algeria. Date of birth: 2.12.1967. Place of birth: Annaba, Algeria. Nationality: Algerian. Other information: (a) Reportedly residing in Algeria as of 2009; (b) Father's name is Ahmed Nacer Abderrahmane and Mother's name is Hafsi Mabtouka. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (70) The entry 'Youcef Abbes (*alias* Giuseppe). Address: (a) Via Padova 82, Milan, Italy, (b) Via Manzoni 33, Cinisello Balsamo (MI), Italy. Date of birth: 5.1.1965. Place of birth: Bab el Oued, Algeria. Nationality: Algerian. Other information: Reportedly deceased in 2000.' under the heading 'Natural persons' shall be replaced by the following:

'Youcef **Abbes** (*alias* Giuseppe). Date of birth: 5.1.1965. Place of birth: Bab el Oued, Algiers, Algeria. Nationality: Algerian. Other information: (a) Considered a fugitive from justice by the Italian authorities as of 5 July 2008; (b) Reportedly deceased in 2000; (c) Father's name is Mokhtar; (d) Mother's name is Abbou Aicha; (e) Brother of Moustafa Abbes. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

- (71) The entry 'Sajid Mohammed Badat (*alias* (a) Abu Issa, (b) Saajid Badat, (c) Sajid Badat, (d) Muhammed Badat, (e) Sajid Muhammad Badat, (f) Saajid Mohammad Badet, (g) Muhammed Badet, (h) Sajid Muhammad Badet, (i) Sajid Mahomed Badat). Date of birth: (a) 28.3.1979, (b) 8.3.1976. Place of birth: Gloucester, United Kingdom. Passport No: (a) 703114075 (United Kingdom passport), (b) 026725401 (United Kingdom passport). Other information: Currently in custody in the United Kingdom. Previous address is Gloucester, United Kingdom.' under the heading 'Natural persons' shall be replaced by the following:

'Sajid Mohammed **Badat** (*alias* (a) Abu Issa, (b) Saajid Badat, (c) Sajid Badat, (d) Muhammed Badat, (e) Sajid Muhammad Badat, (f) Saajid Mohammad Badet, (g) Muhammed Badet, (h) Sajid Muhammad Badet, (i) Sajid Mahomed Badat). Date of birth: 28.3.1979. Place of birth: Gloucester, United Kingdom. Nationality: British. Passport No: (a) 703114075 (United Kingdom passport), (b) 026725401 (United Kingdom passport, expired on 22.4.2007), (c) 0103211414 (United Kingdom passport). Other information: Released from prison in the United Kingdom in November 2010. Date of designation referred to in Article 2a (4) (b): 15.12.2005.'

COMMISSION IMPLEMENTING REGULATION (EU) No 578/2011**of 16 June 2011****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 17 June 2011.

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

Done at Brussels, 16 June 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 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	MK	31,8
	TR	54,0
	ZZ	42,9
0707 00 05	TR	97,3
	ZZ	97,3
0709 90 70	TR	115,7
	ZZ	115,7
0805 50 10	AR	78,8
	BR	40,6
	CL	79,9
	TR	76,6
	ZA	78,8
	ZZ	70,9
0808 10 80	AR	108,0
	BR	77,2
	CL	89,5
	CN	84,6
	NZ	106,4
	US	178,7
	UY	55,4
	ZA	90,6
0809 10 00	ZZ	98,8
	TR	158,2
0809 20 95	ZZ	158,2
	TR	383,4
	XS	175,4
	ZZ	279,4

⁽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

COUNCIL IMPLEMENTING DECISION

of 30 May 2011

on granting Union financial assistance to Portugal

(2011/344/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 407/2010 of 11 May 2010 establishing a European financial stabilisation mechanism ⁽¹⁾, and in particular Article 3(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Portugal has recently come under increasing pressure in financial markets, creating rising concerns about the sustainability of its public finances. Indeed, the current crisis has had a dramatic impact also on public finances, which ultimately led to a sharp increase in sovereign spreads. Amidst consecutive downgradings by credit rating agencies of Portuguese bonds, the country became unable to refinance itself at rates compatible with long-term fiscal sustainability. In parallel, the banking sector, which is heavily dependent on external financing, particularly within the euro area, was increasingly cut off from market funding.

(2) In view of this severe economic and financial disturbance caused by exceptional circumstances beyond the control of the government, Portugal officially requested financial assistance from the European Union, the Member States whose currency is the euro, and the International Monetary Fund (IMF) on 7 April 2011 with a view to supporting a policy programme to restore confidence and enable the return of the economy to sustainable growth, and to safeguarding financial stability in Portugal, the euro area and the Union. On 3 May 2011, an agreement was reached between the Government and the joint Commission/IMF/ECB mission in respect of a comprehensive three-year policy

programme for the period up to mid-2014, to be laid down in a Memorandum of Economic and Financial Policies ('MEFP') and a Memorandum of Understanding on Specific Economic Policy Conditionality ('MoU'). This policy programme was supported by the two largest opposition parties.

(3) This draft economic and financial adjustment programme ('the Programme') submitted by Portugal to the Commission and the Council aims at restoring confidence in the sovereign and in the banking sector and supporting growth and employment. It foresees comprehensive action on three fronts. First, deep and frontloaded structural reforms to boost potential growth, create jobs, and improve competitiveness (including through fiscal devaluation). In particular, the Programme contains reforms of the labour market, the judicial system, network industries, and housing and services sectors, with a view to strengthening the economy's growth potential, improving competitiveness and facilitating economic adjustment. Second, a credible and balanced fiscal consolidation strategy, supported by structural fiscal measures and better fiscal control over Public-Private-Partnerships ('PPPs') and state-owned enterprises ('SOEs'), aiming at putting the gross public debt-to-GDP ratio on a firm downward path in the medium term. The authorities are committed to reducing the deficit to 3 % of GDP by 2013. Third, a financial sector strategy based on recapitalisation and deleveraging, with efforts to safeguard the financial sector against disorderly deleveraging through market-based mechanisms supported by back-up facilities.

(4) Under the Commission's current projections for nominal GDP growth (- 1,2 % in 2011, - 0,5 % in 2012, 2,5 % in 2013 and 3,9 % in 2014), the fiscal targets are consistent with a path for the debt-to-GDP ratio of 101,7 % in 2011, 107,4 % in 2012, 108,6 % in 2013 and 107,6 % in 2014. The debt-to-GDP ratio would therefore be stabilised in 2013 and be placed on a declining path thereafter, assuming further progress in the reduction of the deficit. Debt dynamics are affected by several below-the-line operations, which are projected to increase the debt-to-GDP ratio by 1¼ percentage points ('pps') of GDP in 2011 and by ¾ pps per year between 2012 and 2014. These include sizeable acquisitions of financial assets, notably for possible bank recapitalisation and financing to SOEs amounting

⁽¹⁾ OJ L 118, 12.5.2010, p. 1.

to ½ % of GDP per year between 2011 and 2014. On the other hand, privatisation proceeds totalling around 3 % of GDP up to the year 2013 will support debt reduction efforts.

- (5) The assessment by the Commission, in liaison with the European Central Bank ('ECB') and together with the IMF, is that Portugal needs financing of a total amount of EUR 78 billion (78 000 million) over the period from June 2011 to mid 2014. Notwithstanding the significant fiscal adjustment, the financing gap for the sovereign may amount to EUR 63 billion over the period of the Programme. This assumes no access to the medium- and long-term debt market until the first half of 2013. Portugal is assumed to be able to roll-over part of its existing stock of short-term debt, while the programme also provides for a financing buffer in case of unexpected deviations from the Commission's baseline financing scenario. Portugal is encouraged to maintain and adjust its financial market operations, seeking to develop market access and confidence. The financial sector strategy contained in the programme to restore confidence in the Portuguese banking system on a sustainable basis requires banking groups to bring their core tier 1 capital ratio to 9 % by the end of 2011 and to 10 % by the end of 2012 and to maintain it thereafter. The programme contains a banking support scheme of up to EUR 12 billion to provide the necessary capital in case market solutions cannot be found. Actual funding needs may, however, be substantially lower, in particular if market conditions improve significantly and no severe unexpected banking losses materialise during the period of the Programme.
- (6) The Programme would be financed through contributions from external sources. The Union's assistance to Portugal would reach up to EUR 52 billion under the European Financial Stabilisation Mechanism ('EFSM') established by Regulation (EU) No 407/2010 and from contributions from the European Financial Stability Facility. In addition, Portugal has requested a loan of SDR 23,742 billion (equivalent to EUR 26 billion at the exchange rate of 5 May 2011) from the IMF under an Extended Fund Facility. The support from the EFSM needs to be supplied on terms and conditions similar to those of the IMF. The Union financial assistance should be managed by the Commission.
- (7) The Council should review on a regular basis the economic policies implemented by Portugal.
- (8) The specific economic policy conditions agreed with Portugal should be laid down in a Memorandum of Understanding on Specific Economic Policy Conditionality (the 'Memorandum of Understanding'). The detailed financial terms should be laid down in a Loan Facility Agreement.
- (9) The Commission, in liaison with the ECB, should verify at regular intervals that the economic policy conditions attached to the assistance are fulfilled, through missions and regular reporting by the Portuguese authorities.

- (10) Throughout the implementation of the Programme, the Commission should provide additional policy advice and technical assistance in specific areas.
- (11) The operations which the Union financial assistance helps to finance must be compatible with Union policies and comply with Union legislation. Interventions in support of financial institutions must be carried out in accordance with Union rules on competition.
- (12) The assistance should be provided with a view to supporting the successful implementation of the Programme,

HAS ADOPTED THIS DECISION:

Article 1

1. The Union shall make available to Portugal a loan amounting to a maximum of EUR 26 billion, with a maximum average maturity of 7,5 years.
2. The financial assistance shall be made available during three years starting from the first day after the entry into force of this Decision.
3. The Union financial assistance shall be made available by the Commission to Portugal in a maximum of 14 instalments. An instalment may be disbursed in one or several tranches. The maturities of the tranches under the first instalment may be longer than the maximum average maturity referred to in paragraph 1. In such cases, the maturities of further tranches shall be set so that the maximum average maturity referred to in paragraph 1 be achieved once all instalments have been disbursed.
4. The first instalment shall be released subject to the entry into force of the Loan Facility Agreement and the Memorandum of Understanding. Any subsequent loan releases shall be conditional upon a favourable review by the Commission, in consultation with the ECB, of Portugal's compliance with the general economic policy conditions as defined by this Decision and the Memorandum of Understanding.
5. Portugal shall pay the cost of funding of the Union for each tranche plus a margin of 215 basis points, which results in conditions similar to those of the IMF support.
6. In addition, the costs referred to in Article 7 of Regulation (EU) No 407/2010 shall be charged to Portugal.
7. If required in order to finance the loan, the prudent use of interest rate swaps with counterparties of the highest credit quality and advanced borrowing shall be permitted.
8. The Commission shall decide on the size and release of further instalments. The Commission shall decide on the size of the tranches.

Article 2

1. The assistance shall be managed by the Commission in a manner consistent with Portugal's undertakings.

2. The Commission, in consultation with the ECB, shall agree with the Portuguese authorities the specific economic policy conditions attached to the financial assistance as set out in Article 3. Those conditions shall be laid down in a Memorandum of Understanding to be signed by the Commission and the Portuguese authorities consistent with the undertakings referred to in paragraph 1. The detailed financial terms shall be laid down in a Loan Facility Agreement to be concluded with the Commission.

3. The Commission, in liaison with the ECB, shall verify at regular intervals (at least quarterly) that the economic policy conditions attached to the assistance are fulfilled, and report to the Economic and Financial Committee before disbursement of each instalment. To this end, the Portuguese authorities shall cooperate in full with the Commission and the ECB, and shall place all the necessary information at their disposal. The Commission shall keep the Economic and Financial Committee informed of possible refinancing of the borrowings, or changes to the financial conditions.

4. Portugal shall adopt and implement additional consolidation measures to ensure macro-financial stability, in case such measures will be necessary during the programme of assistance. The Portuguese authorities shall consult the Commission and the ECB in advance of the adoption of any such additional measures.

Article 3

1. The draft economic and financial adjustment programme (the 'Programme') prepared by the Portuguese authorities is hereby approved.

2. The disbursement of each instalment after the first one shall be made on the basis of a satisfactory implementation of the Programme and, more particularly, the specific economic policy conditions laid down in the Memorandum of Understanding. These shall include, inter alia, the measures provided for in paragraphs 4 to 8 of this Article.

3. The general government deficit shall not exceed EUR 10 068 million (equivalent to 5,9 % of GDP based on current projections) in 2011, EUR 7 645 million (4,5 % of GDP) in 2012 and EUR 5 224 million (3,0 % of GDP) in 2013, in line with the excessive deficit procedure (EDP) requirements. For the calculation of this deficit, the possible budgetary costs of bank support measures in the context of the government's financial sector strategy shall not be taken into account. Consolidation shall be achieved by means of high-quality permanent measures and minimising the impact on vulnerable groups.

4. Portugal shall adopt the measures specified in paragraphs 5 to 8 before the end of the indicated year, with exact deadlines for the years 2011-2014 being specified in the Memorandum of Understanding. Portugal shall stand ready to take additional consolidation measures to reduce the deficit to below 3 % of GDP by 2013 in case of deviations from targets.

5. Portugal shall adopt the following measures before the end of 2011, in line with specifications in the Memorandum of Understanding:

- (a) Portugal shall implement fully the fiscal consolidation measures foreseen in the 2011 budget amounting to around EUR 9 billion and additional measures introduced before May 2011 worth more than EUR 400 million. These measures aim at a reduction of the general government deficit within the time-frame referred to in paragraph 3. The revenue measures foreseen in the 2011 budget, worth EUR 3,4 billion, shall be complemented by an increase in social contributions via stricter inspection and compulsory contribution of trainees. In addition to the expenditure measures foreseen in the 2011 budget, additional measures including savings in the health sector, lower subsidies for state-owned enterprises ('SOEs'), and reductions in social transfers shall be implemented.
- (b) Portugal shall adopt measures reinforcing a credible budgetary strategy and strengthening the budgetary framework. Portugal shall fully implement the measures foreseen in the new Budgetary Framework Law, including setting up a medium-term budgetary framework, prepare a thorough fiscal strategy analysis and establish an independent Fiscal Council. The local and regional financing frameworks shall be aligned to the new Budgetary Framework Law. Portugal shall step up reporting and monitoring of public finances, including, in particular, of arrears. Portugal shall start the systematic and regular analysis of fiscal risks as part of the budget process, including the risks stemming from Public Private Partnerships ('PPPs') and SOEs.
- (c) Portugal shall adopt the first batch of measures aimed at strengthening labour market functioning by limiting severance payments and making working time arrangements more flexible.
- (d) In the energy sector, Portugal shall take measures to facilitate entry, promote the establishment of the Iberian gas market and review the support and compensation schemes for the production of electricity. For other network industries, in particular transport, telecommunications and postal services, Portugal shall adopt additional measures to promote competition and flexibility.
- (e) Portugal shall take urgently action to foster competition and the economy's adjustment capacity. This includes the abolition of special rights of the State in companies, a revision of competition law to make it more effective, lighter requirements for establishment and cross-border provision in services sectors.
- (f) Portugal shall improve practices and rules for public procurement contributing to a more competitive business environment and to more efficient public spending.

6. Portugal shall adopt the following measures during 2012, in line with specifications in the Memorandum of Understanding:

- (a) The 2012 budget shall include a budget neutral recalibration of the tax system with a view to lowering labour costs and boosting competitiveness.
- (b) The budget for 2012 shall include fiscal consolidation measures amounting to at least EUR 5,1 billion and aiming at a reduction of the general government deficit within the time-frame referred to in Article 3(3).
- (c) The budget shall provide for a reduction of expenditure in 2012 of at least EUR 3,5 billion including: a comprehensive reorganisation of the central administration eliminating duplicities and other inefficiencies; cuts in education and health; lower transfers to regional and local authorities; a reduction in public sector employment; adjustments in pensions; and reductions in capital expenditure and in other expenditure as set out in the Programme.
- (d) On the revenue side, the budget shall include revenue measures totalling around EUR 1,5 billion in a full year including, inter alia: broadening the corporate and personal income tax bases by reducing tax deductions and special regimes; ensuring the convergence of personal income tax deductions applied to pensions and labour income; changes in property taxation by substantially reducing exemptions; broadening VAT bases by reducing exemptions and rearranging the lists of goods and services subject to reduced, intermediate and higher rates; and, an increase in excises. These measures shall be complemented by action to fight tax evasion, fraud and informality.
- (e) Portugal shall put in place a strengthened legal and institutional framework for assessing fiscal risks prior to engaging in a PPP contract. Similarly, Portugal shall adopt a law to regulate the creation and the functioning of SOEs at the central, regional and local levels. Portugal shall not engage in any new PPP contract or create an SOE until the reviews and the new legal structure are in place.
- (f) Local government administration in Portugal has currently 308 municipalities and 4 259 parishes. Portugal shall develop a consolidation plan to reorganise and significantly reduce the number of such entities. These changes will come into effect by the beginning of the next local election cycle.
- (g) Portugal shall modernise the revenue administration by creating a single entity, reducing the number of municipal offices and addressing remaining bottlenecks in the tax appeal system.
- (h) Portugal shall introduce legislation to reform the unemployment insurance system, including a reduction of the maximum duration of unemployment insurance benefits to 18 months, a cap on unemployment benefits to 2,5

times the social support index, a reduction in benefits over the unemployment spell, a reduction of the minimum contributory period, and an extension to certain categories of self-employed. Active labour market policies shall be strengthened after a review of current practices and an agreed action plan.

- (i) The system of severance payments shall be brought in line with practices in other EU Member States, based on the specification in the Memorandum of Understanding.
- (j) Regulations on overtime pay shall be eased and increased flexibility of working time arrangements introduced in line with the Memorandum of Understanding.
- (k) Portugal shall promote wage developments consistent with the objectives of fostering job creation and improving firms' competitiveness with a view to correcting macro-economic imbalances. Any increase in minimum wages will take place only if justified by economic and labour market developments. Measures shall be taken to address weaknesses in the current wage bargaining schemes, including legislation to redefine the criteria and modalities of the extension of collective agreements and to facilitate firm-level agreements.
- (l) An action plan shall be prepared to improve the quality of secondary and vocational education.
- (m) The functioning of the judicial system shall be improved by implementing the measures proposed under the Judicial Reform Map and by conducting and auditing of the backlog cases in order to target measures to eliminate court backlog and foster alternative dispute settlements.
- (n) The competition framework shall be improved by reinforcing the independence and resources of the national regulator authorities. Professional services shall be liberalised by improving the professional qualification framework and by eliminating restrictions on regulated professions.
- (o) Regulated tariffs in electricity and gas retail markets shall be eliminated.

7. Portugal shall adopt the following measures during 2013, in line with specifications in the Memorandum of Understanding:

- (a) The 2013 budget shall include fiscal consolidation measures amounting to at least EUR 3,2 billion aiming at a reduction of the general government deficit within the time-frame referred to in Article 3(3). In particular, on the expenditure side the budget shall provide for a reduction in expenditure in 2013 of at least EUR 2,5 billion, including: reducing expenditures in the central administration, education and health; transfers to local and regional authorities; reducing the number of employees in the public sector; and, lowering costs by SOEs.

- (b) The budget shall include revenue measures including notably further broadening of corporate and personal income tax bases, higher excises taxes and changes in property taxation, yielding close to EUR 0,8 billion of additional revenue. Portugal shall improve the business environment by reducing administrative burden through the extension to all sectors of the economy of simplification reforms (Points of Single Contact and Zero authorisation projects) and by alleviating SME's credit constraints including with the implementation of Directive 2011/7/EU of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions ⁽¹⁾).
- (c) Portugal shall complete the elimination of the court backlog.
8. With a view to restoring confidence in the financial sector, Portugal shall adequately recapitalise and orderly deleverage its banking sector and bring closure to the Banco Português de Negócios case. In that regard, Portugal shall develop and agree with the Commission, the ECB and the IMF a strategy for the future structure and functioning of the Portuguese banking groups so that financial stability is preserved. In particular, and in line with exact deadlines for the years 2011-2014 being specified in the Memorandum of Understanding, Portugal shall:
- (a) amend legislation in order to facilitate the issuance of government guaranteed bank bonds for an appropriate amount in accordance with the Memorandum of Understanding;
- (b) adopt the necessary regulatory requirements by end-May 2011 regarding increases in minimum core tier 1 capital adequacy ratio to 9 % by end-2011 and 10 % by end-2012 (to be maintained thereafter);
- (c) ensure that banks by end-June 2011 devise institution-specific medium-term funding plans to achieve a stable market-based funding position in line with periodic target leverage ratios established by the Bank of Portugal and the ECB. The feasibility of these funding plans and their implications for leverage ratios will be examined by the Bank of Portugal and the ECB, in consultation with the Commission and the IMF staff on quarterly basis.
- (d) indicate clear periodic target leverage ratios for banks and step up the solvency and deleveraging assessment framework during 2011;
- (e) ensure that the state-owned Caixa Geral de Depósitos will be streamlined to increase the capital base of its core banking arm as needed and launch a process to sell Banco Português de Negócios on an accelerated schedule. To this end, Portugal shall submit a new plan to the Commission for approval under State aid control rules;
- (f) amend by end-2011 legislation concerning early intervention and resolution of banks as well as legislation concerning the Deposit Guarantee Fund and the Guarantee Fund for Mutual Agricultural Credit Institutions, with a view to protecting depositors and facilitate restructuring. In particular, these funds should retain the ability to fund the resolution of distressed credit institutions, but not to recapitalise them. Such funding shall be capped at the amount of guaranteed deposits that would have to be paid out in liquidation and be permissible only if it does not prejudice the ability of these funds to perform their primary function;
- (g) amend by end-November 2011 the Insolvency Law to provide that guaranteed depositors and/or the funds (directly or through subrogation) will be granted a priority ranking over unsecured creditors in the credit institution's insolvent estate and to better support effective rescue of viable firms;
- (h) undertake to encourage private investors to maintain their overall exposures on a voluntary basis.
9. In order to ensure the smooth implementation of the Programme's conditionality, and to help to correct imbalances in a sustainable way, the Commission shall provide continued advice and guidance on fiscal, financial market and structural reforms. Within the framework of the assistance to be provided to Portugal, together with the IMF and in liaison with the ECB, it shall periodically review the effectiveness and economic and social impact of the agreed measures, and shall recommend necessary corrections with a view to enhancing growth and job creation, securing the necessary fiscal consolidation and minimising harmful social impacts, particularly regarding the most vulnerable members of Portuguese society.
- Article 4*
- Portugal shall open a special account with the Bank of Portugal for the management of the Union financial assistance.
- Article 5*
- This Decision is addressed to the Portuguese Republic.
- Article 6*
- This Decision shall be published in the *Official Journal of the European Union*.
- Done at Brussels, 30 May 2011.
- For the Council*
The President
CSÉFALVAY Z.

⁽¹⁾ OJ L 48, 23.2.2011, p. 1.

COUNCIL IMPLEMENTING DECISION 2011/345/CFSP
of 16 June 2011
implementing Decision 2011/137/CFSP concerning restrictive measures in view of the situation in
Libya

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Article 1

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

The entry for the person set out in the Annex to this Decision shall be deleted from the list set out in Annex IV to Decision 2011/137/CFSP.

Article 2

Having regard to Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya ⁽¹⁾, and in particular Article 8(2) thereof,

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

Whereas:

Done at Brussels, 16 June 2011.

In view of the developments in Libya, the list of persons and entities subject to restrictive measures set out in Annex IV to Decision 2011/137/CFSP should be amended,

For the Council
The President
MARTONYI J.

⁽¹⁾ OJ L 58, 3.3.2011, p. 53.

ANNEX

Person referred to in Article 1

14. ZARTI, Mustafa.

COMMISSION DECISION

of 20 July 2010

on the State aid C 33/09 (ex NN 57/09, CP 191/09) implemented by Portugal in the form of a State guarantee to BPP

(notified under document C(2010) 4932)

(Only the Portuguese text is authentic)

(Text with EEA relevance)

(2011/346/EU)

THE EUROPEAN COMMISSION,

Commission sent an official reminder pursuant to Article 5(2) of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty ⁽³⁾.

Having regard to the Treaty on the Functioning of the European Union (TFEU), and in particular the first subparagraph of Article 108(2) thereof,

Having regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

Having called on interested parties to submit their comments pursuant to those provisions ⁽¹⁾ and having regard to their comments,

Whereas:

(1) This decision concerns State aid granted by Portugal in the form of a State guarantee in favour of Banco Privado Português (hereinafter 'BPP').

1. PROCEDURAL ASPECTS

(2) On 13 March 2009 the Commission approved by decision ('the Rescue Aid Decision') ⁽²⁾ a State guarantee underwriting a EUR 450 million loan granted to BPP by six Portuguese banks on 5 December 2008. The measure was authorised for a period of 6 months on the basis of Article 87(3)(b) of the EC Treaty (now Article 107(3)(b) TFEU), on the assumption that the Portuguese authorities would implement their commitment to submit a restructuring plan within 6 months (i.e. by 5 June 2009).

(3) On 15 July 2009 the Commission called on the Portuguese authorities to urgently submit the restructuring plan for BPP. Since the requested plan was not submitted, by letter dated 6 October 2009 the

(4) On 10 November 2009 the Commission initiated the formal investigation procedure with respect to the alleged State aid measure. In the same decision the Commission issued an information injunction requesting Portugal to submit the restructuring plan by 22 December 2009.

(5) The Commission decision to initiate the procedure was published in the *Official Journal of the European Union* on 6 March 2010 ⁽⁴⁾. The Commission invited interested parties to submit comments on the aid measure. Comments were submitted by letter dated 6 April 2010 by a third party who wished to remain anonymous.

(6) The Commission requested information from Portugal by letter of 12 March 2010, to which Portugal replied by letter dated 13 April 2010, registered as received on 14 April 2010.

(7) The comments from interested parties were transmitted to Portugal by letter of 15 April 2010. Portugal replied to these comments by letter dated 13 May 2010, registered on 14 May 2010.

(8) The Commission requested further information on 29 April 2010, which Portugal submitted by letter dated 13 May 2010. Portugal provided further information on 15 and 21 June 2010.

⁽¹⁾ OJ C 56, 6.3.2010, p. 10.

⁽²⁾ OJ C 174, 28.7.2009, p. 1.

⁽³⁾ OJ L 83, 27.3.1999, p. 1.

⁽⁴⁾ See footnote 1.

2. THE BENEFICIARY AND THE MEASURE

2.1. The beneficiary

- (9) BPP is a financial institution based in Portugal providing private banking, corporate advisor and private equity services. BPP's clients are private and institutional depositors, including five mutual agricultural credit banks (*caixas de crédito agrícola mútuo*), one savings bank (*caixa económica*), several pension funds, insurance companies and others. BPP is present in Portugal, Spain and to a lesser extent in Brazil and in South Africa.
- (10) BPP's shares are not listed in a stock exchange and, hence, the market price of its shares is not observable. As of 30 June 2008, total assets on BPP's balance sheet amounted to EUR 2,9 billion, representing less than 1 % of the total assets of the Portuguese banking sector. BPP is 100 %-owned by the group Privado Holding SGPS (*sociedade gestora de participações sociais*) S.A. As of 30 June 2008, the majority of the shares of this holding company (51,5 %) were held by 12 shareholders. In 2009 the Privado Holding group had 187 employees, 148 of whom worked for BPP.

2.2. Financial difficulties of the bank

- (11) According to the Portuguese authorities, BPP developed liquidity difficulties owing to the deterioration of the global economic situation, which significantly reduced the bank's ability to manage its liquidity.
- (12) On 24 November 2008 BPP informed the Portuguese Central Bank ('Bank of Portugal') that it risked being unable to meet its payment obligations. BPP was then allowed to suspend all its payments as from 1 December 2008.
- (13) On 5 December 2008 BPP received a EUR 450 million loan backed by a State guarantee, under the conditions specified below. The loan and the guarantee covered only BPP's liabilities as registered in the balance sheet on 24 November 2008 and the loan was to be used only to reimburse depositors and other creditors and not to cover liabilities of other entities of the group.

2.3. The emergency aid measure

- (14) On 5 December 2008 BPP signed a loan agreement ('the loan agreement'), backed by a State guarantee, for EUR 450 million, with six major Portuguese banks (Banco Comercial Português, S.A., Caixa Geral de

Depósitos, S.A., Banco Espírito Santo, S.A., Banco BPI, S.A., Banco Santander Totta, S.A., Caixa Central – Caixa Central de Crédito Agrícola Mútuo CRL) ('the bank syndicate'). The loan had a maturity of 6 months, renewable up to 2 years, and bore an interest rate of EURIBOR + 100 basis points. The remuneration for the loan was determined on the basis of the cost of funding for the creditor banks at the time of the transaction.

- (15) According to the Portuguese authorities, without a State guarantee no lender was willing to finance BPP at a reasonable rate, given its difficult financial situation. The State guarantee that accompanied the loan was granted in accordance with Law No 112/97, i.e. outside the Portuguese guarantee scheme (Law 60-A/2008) which had been approved by the Commission on 29 October 2008 ⁽⁵⁾. In particular, the Portuguese authorities stated that the general guarantee scheme, which is limited to solvent banks, would be an inappropriate framework for the State intervention in favour of BPP, given the increasing financial deterioration of the bank and the specific risks linked to this transaction.
- (16) The remuneration for the State guarantee was fixed at 20 basis points, taking into consideration the collateral presented by BPP.
- (17) The collateral consists of: (i) first right of pledge on several assets as specified in a contract concluded by Portugal, BPP and Bank of Portugal; and (ii) first mortgage on immovable assets owned by BPP. This collateral was estimated by the Portuguese authorities to be worth around EUR 672 million when the loan agreement and the guarantee agreement were signed ⁽⁶⁾. The provision of collateral is regulated by an agreement subscribed by the Treasury, BPP and the Bank of Portugal, in which the latter was appointed as custodian and collateral manager on behalf of the Treasury. According to the Portuguese authorities, the Portuguese State holds, under national law, privileged and priority rights over the collateral.
- (18) During the period of validity of the loan covered by the State guarantee, BPP committed not to sell, provide as collateral or otherwise dispose of its present and future assets.
- (19) In the context of the Commission's examination of the emergency aid measure, Portugal committed to provide a restructuring plan for BPP within 6 months of the State intervention (i.e. by 5 June 2009).

⁽⁵⁾ Decision of 29 October 2008 in Case NN 60/08 – *Guarantee scheme for credit institutions in Portugal*.

⁽⁶⁾ The Portuguese authorities presented a new Bank of Portugal estimate, dated 7 May 2010, evaluating the collateral at EUR 582 million.

- (20) In its decision of 13 March 2009 the Commission approved the measure for a period of 6 months from the granting of the State guarantee, i.e. until 5 June 2009. The Commission also considered the submission of the restructuring plan by 5 June 2009 as necessary given the exceptionally low level of remuneration.
- (21) In order to prolong the validity of the guarantee beyond the initial period of 6 months, the Portuguese authorities committed to submit a specific notification to the Commission.
- (22) Portugal has not fulfilled the above-mentioned commitments.

2.4. Extension of the emergency aid measure

- (23) By e-mail dated 23 June 2009 Portugal informed the Commission that it had taken the decision to extend the State guarantee for a further period of 6 months (*Despacho* No 13364-A/2009 of the Ministry of Finance of 5 June 2009). However, Portugal neither notified that extension nor sought the Commission's approval.
- (24) Since the Commission decision approved the aid only until 5 June 2009, the rescue aid became unlawful on 6 June 2009.
- (25) A recovery plan was submitted to the Bank of Portugal by BPP's administrators on 24 April 2009.
- (26) By letter dated 5 June 2009 the Portuguese authorities explained to the Commission that the delay in submitting a restructuring plan for BPP was due to the fact that the recovery and restructuring plan proposed by BPP had not been accepted by the Bank of Portugal.
- (27) On 9 June 2009 the Ministry of Finance and Public Administration published a document entitled '*Esclarecimento do Ministério das Finanças e da Administração Pública – Decisão relativa ao Banco Privado Português*' ('Clarifications by the Ministry of Finance and Public Administration – Decision regarding Banco Privado Português') (hereinafter 'the document of 9 June 2009'), which stated that the recovery and restructuring plan submitted on 24 April 2009 by BPP to the Bank of Portugal proposed, among other things, a recapitalisation operation with a State contribution of between EUR 150 and 200 million in the form of ordinary shares, preferential shares and supplementary obligations with no return. This plan was not accepted as it was considered 'not to comply with the recapitalisation regulations defined in Law No 63-A/2008, or with the guidance on this topic from the European Union aimed at ensuring compliance with Community competition rules, given that State aid is present in this case'.

- (28) The document of 9 June 2009 also reported that a large number of BPP's clients had placed their savings under the management of the bank, which had invested them in financial instruments spread over dozens of vehicle companies based in offshore jurisdictions ('Absolute Return' instruments). Despite the risk inherent in these products, BPP had fixed a remuneration rate and had guaranteed all the capital invested by these clients upon maturity. This guarantee of return was never communicated to the supervisory authorities; nor was it included and recorded on the bank's balance sheet. By concealing this liability, the bank's shareholders were spared from having to inject more capital to meet the legal and regulatory requirements in force. Additionally, according to the document of 9 June 2009, the investigation by the Portuguese Securities Market Commission (*Comissão do Mercado de Valores Mobiliários – CMVM*) and the Bank of Portugal found serious irregularities that amount to criminal practice on the part of BPP.

2.5. The situation of the Absolute Return investment products

- (29) In the document of 9 June 2009, the Portuguese authorities also stated that they were studying with the supervisory authorities a solution to minimise losses for BPP's clients holding Absolute Return instruments whose investments were jeopardised. The solution envisaged by the Government would include, among other things, the following features: (1) the creation of a new financial instrument, representative of the current indirect Absolute Return portfolio, to replace the investors' current positions; (2) the financial instrument would be issued and managed by an entity independent of BPP and owned and managed by national banking institutions.

2.6. The formal investigation procedure and the second extension of the emergency aid measure

- (30) On 15 July 2009 the Commission invited the Portuguese authorities to urgently submit the restructuring plan for BPP, even in a provisional form, recalling that the rescue aid had become unlawful since 6 June 2009.
- (31) Since the requested plan was not submitted, by letter dated 6 October 2009 the Commission sent an official reminder pursuant to Article 5(2) of Regulation (EC) No 659/1999.
- (32) On 10 November 2009 the Commission initiated the formal investigation procedure with respect to the alleged State aid measure. In the same decision the Commission issued an information injunction requiring Portugal to submit the restructuring plan by 22 December 2009.

- (33) The Commission decision to initiate the procedure was published in the *Official Journal of the European Union* ⁽⁷⁾. The Commission invited interested parties to submit comments on the aid measure.
- (34) On 3 December 2009 the Portuguese authorities informed the Commission that the State guarantee would be extended for a further 6 months. According to the Portuguese authorities the State was forced to renew the guarantee as an immediate disruption of BPP would clearly have compromised the solution currently under consideration. Since BPP was obviously in no condition to repay the loan, the banks that had granted the loan to BPP agreed to extend its maturity by another 6 months, without changing the current terms and without additional financing, on the condition that the corresponding State guarantee was also extended.
- (35) On 5 December 2009 the State guarantee was consequently extended for a further 6 months. The extension was not notified to the Commission: the Portuguese authorities merely informed the Commission that the guarantee on the loan would be renewed.
- (36) On 25 February 2010 the Portuguese authorities sent a letter explaining the elements that the Government considered should provide a basis for a solution to the problems created by BPP for a significant proportion of its clients, namely investors in the Absolute Return investment product.
- (37) In the same letter the Portuguese authorities informed the Commission that on 11 December 2009 the Government had decided to:
- (i) establish a closed and non-harmonised Special Investment Fund (*Fundo Especial de Investimento* – FEI), made up of the resources (gross assets and liabilities) held in the Absolute Return investment product, characterised by the following: (a) passive management of the Special Investment Fund; (b) in-kind share subscription; (c) 4-year term with possibility of extension up to a maximum of 10 years by decision of the assembly of shareholders (1 share = 1 vote); (d) voluntary membership of clients;
 - (ii) renew the State loan guarantee of EUR 450 million until the Special Investment Fund was established;
- (iii) activate the Deposit Guarantee Fund (*Fundo de Garantia de Depósitos* – FGD), which guarantees repayment in full of the value of the cash credit balances of each depositor, where that value does not exceed EUR 100 000, and the Investor Compensation System (*Sistema de Indemnização aos Investidores* – SII), which guarantees compensation of up to a maximum of EUR 25 000 per investor, under the terms laid down by law, and does not involve any State resources;
 - (iv) grant insurance cover of up to EUR 250 000 to clients who joined the FEI, provided they were covered by the FGD and SII criteria; thus, the negative difference, if any, between the client's revenue – in the form of reimbursements from the FGD and the SII and payments from the FEI – and the nominal value of the investment, up to a ceiling of EUR 250 000, at 24 November 2008, is insured by the State.
- (38) The commitment taken on by the Portuguese State in relation to FEI's investors, as resulting from its legal system, will be applicable only on the date of the Fund's extinction, which is 4 years from the date of its establishment – 30 March 2014 ⁽⁸⁾.
- (39) On 1 February 2010 the Portuguese Securities Market Commission (CMVM) granted authorisation for the establishment of the FEI as described above, with Privado Fundos – Sociedade Gestora de Fundos de Investimento, S.A. responsible for managing the Fund and Banif – Banco de Investimento, S.A. serving as depository for the Fund.
- (40) The FEI was established on 30 March 2010.
- (41) On 16 April 2010 the Bank of Portugal issued a communication stating that BPP's banking licence had been revoked by decision of 15 April, given the impossibility of restructuring or recapitalising the bank. On 22 April the Bank of Portugal then requested the liquidation of BPP at the competent court (Tribunal de Comércio de Lisboa), presenting at the same time a proposal for the appointment of a liquidation committee. The liquidation of BPP follows the Portuguese liquidation rules specifically applicable to banking institutions. The Portuguese authorities estimate that the various legal steps set out under the relevant legislation mean that the liquidation may take approximately 1 year.

⁽⁷⁾ See footnote 1.

⁽⁸⁾ According to the Portuguese authorities this date may be extended up to a maximum period of 10 years from the date of the establishment of the FEI.

- (42) On 13 May 2010 the Portuguese authorities communicated to the Commission that, on the basis of the loan agreement ⁽⁹⁾, the guarantee had been called in by the bank syndicate and had been executed on 7 May, when Portugal had reimbursed EUR 450 million to the six banks. The Portuguese State stated that it had already taken the necessary steps to enforce its privileged and priority rights as creditor over the collateral relating to the guarantee, having presented its claims to the relevant court ⁽¹⁰⁾.

3. COMMISSION DECISION ON THE FORMAL INVESTIGATION PROCEDURE

- (43) In its decision of 10 November 2009 initiating the formal investigation procedure, the Commission set out its preliminary assessment and doubts as to the compatibility of the measures at hand with the internal market. The measures in question were:

- The pricing of the guarantee, which was below the level normally required pursuant to the Banking Communication ⁽¹¹⁾. The Commission doubted that the remuneration was appropriate taking into account the risk. The Commission only authorised such pricing based on Portugal's commitment to submit a restructuring plan which would, in the longer term, adequately address this advantage.
- The fact that Portugal had not submitted the restructuring plan despite being formally reminded to do so by the letter dated 6 October 2009.
- The extension of the guarantee (on 5 June 2009) beyond the 6 months initially approved by the Commission.

4. OBSERVATIONS FROM PORTUGAL

- (44) In their comments on the initiation of the formal investigation procedure, the Portuguese authorities argued that they were not unaware of the commitment they undertook vis-à-vis the Commission to deliver a plan for the restructuring of BPP. However, according to their submission of 13 April 2010, the ultimate responsibility for presenting the restructuring plan rested with BPP (with approval by the Bank of Portugal) and the responsibility of the Portuguese State was only to transmit the plan to the Commission. The Portuguese authorities did not present the restructuring plan to the

Commission simply because the plan presented by BPP was not approved by the Bank of Portugal. The injunction laid down in the Commission Decision of 10 November 2009 could not therefore be fulfilled, notwithstanding the political efforts by the Portuguese State to ensure that BPP actually met its obligations vis-à-vis the Bank of Portugal, the State and, ultimately, the Commission.

- (45) As regards the State aid to BPP, Portugal argues that it was, and is, compatible with the internal market pursuant to Article 107(3)(b) TFEU insofar as it was granted to guarantee the stability of the national financial system, by analogy with what was happening in the European context.

- (46) As regards the extensions of the State guarantee on the EUR 450 million loan, Portugal argues that they did not constitute new State aid as there was no change to the situation underlying the Commission's approval of the State aid measure. The State guarantee, extended twice, remained unaltered in its conditions: (i) there was no increase in the value of the loan; (ii) there was no modification to the obligations met by the loan ⁽¹²⁾; (iii) under the guarantee contract, the guarantee would only expire thirty days after the date of the last payment of capital and interest and the Commission was aware that the loan agreement was for 2 years ⁽¹³⁾.

- (47) As for the non-notification of the extensions of the State guarantee, the Portuguese authorities argue that the renewal of the loan agreement was not dependent on the Portuguese State but on the bank syndicate and BPP, and that failure to extend the guarantee would have led to the same negative repercussions for the Portuguese financial system that had fully justified the Commission's approval of the State aid measure. Furthermore, Portugal considers that the extensions of the guarantee were automatic under the contract regulating the loan agreement, although they were formalised nonetheless for reasons of legal certainty vis-à-vis the bank syndicate.

- (48) Further, according to the Portuguese authorities, the extensions (even if they are considered to constitute new aid) did not give rise to an economic advantage, because BPP was not, in practice, operating, at least from 1 December 2008 onward. Thus the measure, with or without the extensions, did not 'grant an economic advantage to BPP or strengthen its position in relation to its competitors for the simple reason that BPP was not operating on the market and, consequently, was not in competition with other banks' ⁽¹⁴⁾. Portugal therefore considers that the measure affected neither competition nor trade among Member States.

⁽⁹⁾ The loan agreement provided that the dissolution or insolvency of BPP would trigger the early reimbursement of the guaranteed amount from BPP (Article 16). According to the Portuguese authorities, the revocation of BPP's licence by the Bank of Portugal implies such dissolution and, therefore, under the contract the loan amounts became due and were called in by the bank acting as agent under the loan agreement.

⁽¹⁰⁾ See page 8 of the reply of 15 June 2010.

⁽¹¹⁾ Commission Communication on 'The application of State aid rules to measures taken in relation to financial institutions in the context of the current global financial crisis' (the 'Banking Communication') (OJ C 270, 25.10.2008, p. 8).

⁽¹²⁾ Reply II – 1 and 2 of 15 June 2010.

⁽¹³⁾ Reply II – 1.2 of 13 April 2010.

⁽¹⁴⁾ Reply of 15 June 2010.

(49) In its observations on the comments of the interested parties (see below), the Portuguese authorities stated that the EUR 450 million loan was used in a transparent way in order to avoid systemic contagion and to meet BPP's liabilities as registered in the balance sheet on 24 November 2008.

(50) The Portuguese authorities also observe that Portugal will assert its rights over the collateral attached to the guarantee as part of BPP's liquidation proceedings. In view of its status as a privileged creditor of BPP, Portugal is confident that it will be able to recoup the full amount of EUR 450 million it disbursed to the creditor banks. In this respect, the Portuguese authorities note that the value of the collateral was, as of 7 May 2010, more than 20 % higher than the total amount of the guaranteed loan.

(51) As regards the State's commitment to compensate losses up to EUR 250 000 of Absolute Return clients who joined the FEI, Portugal argues that this commitment does not constitute State aid since: (i) it does not entail the transfer of any State resources to the FEI's management company or to any other body active on the market; (ii) it is a regular and accepted mechanism that is a logical extension of the system for compensating investors; (iii) it does not entail any economic advantage for investors, to whom it is directed generically and in exclusive terms, in accordance with national and European legal requirements, or any distortion of competition on the market or in relations between Member States.

(52) Furthermore, Portugal argues that actual payments to FEI clients following this commitment will be minimal, if indeed any are made at all. The Portuguese authorities consider the EUR 250 000 insurance cover to be a measure to instil confidence in FEI clients, which however will not lead to actual disbursement in most scenarios. Under a conservative scenario, based on the assumption that the assets in the FEI deteriorate further from their value in October 2009 over the next 4 years, Portugal calculates that the maximum disbursement per client would be approximately EUR 68 000. In more favourable scenarios, there would be no disbursement at all.

5. OBSERVATIONS FROM OTHER INTERESTED PARTIES

(53) Pursuant to Article 6 of the Commission Decision of 10 November 2009 to open the formal investigation procedure, the Commission received comments, on 6 April 2010, from duly identified third parties who wished to remain anonymous. In their comments on the initiation of the formal investigation procedure the interested parties pointed out that none of the conditions under which the State guarantee on the loan was granted (maximum duration of 6 months and the submission of

a restructuring plan) had been respected. Therefore, according to the observations submitted, the aid was illegal and the Commission should order Portugal to discontinue the guarantee. Moreover, the EUR 450 million, instead of being used for the restructuring of the bank, was used to reimburse certain clients of BPP, penalising all the others.

6. ASSESSMENT

6.1. Qualification of the measures as State aid

(54) Article 107(1) TFEU states:

'Save as otherwise provided in this Treaty, any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the internal market.'

(55) In order for Article 107(1) TFEU to be applicable, there needs to be an aid measure imputable to the State which is granted through State resources, affects trade between Member States and distorts competition in the internal market by conferring a selective advantage on certain undertakings.

6.1.1. The State guarantee on the EUR 450 million loan

(56) The Commission recalls that it has already established in the Rescue Aid Decision of 13 March 2009 that the State guarantee constitutes State aid⁽¹⁵⁾. The measure is financed through State resources as it consists of a State guarantee granted by Portugal. Indeed, the reimbursement made by the Portuguese State to the bank syndicate on 13 May 2010 (see recital 42 above) clearly demonstrates that State resources were involved.

(57) As also already established in the Rescue Aid Decision of 13 March 2009⁽¹⁶⁾, the State guarantee allowed BPP to obtain better financial conditions for the loan obtained than those normally available in the market for companies in similar circumstances, in the unlikely event, as admitted by the Portuguese authorities, that such loans would have been available at all. In this regard, the Rescue Aid Decision already stated that the fee of 20 basis points was well below the level resulting from the application of the European Central Bank's recommendation of 20 October 2008. Despite the high level of collateralisation, the Commission concluded that the remuneration for the State guarantee was considerable lower than would generally be considered as adequate for distressed banks. This remuneration was considered appropriate only for the rescue phase, subject to the submission of a restructuring plan before 5 June 2009.

⁽¹⁵⁾ Recitals 21 to 24 of the Decision.

⁽¹⁶⁾ Recitals 34, 38 and 39.

(58) Unlike other banks, which did not benefit from the State guarantee on loans, BPP obtained an economic advantage in that the fee charged for the State guarantee was clearly below the market level.

(59) The argument put forward by the Portuguese authorities that BPP was not operating in the market after 1 December 2008 cannot be accepted. Given that BPP's banking licence was only revoked by the Bank of Portugal on 15 April 2010, BPP could have entered or re-entered the market at short notice. Indeed, recovery plans for BPP submitted between December 2008 and April 2009 show the bank's potential to continue exercising an economic activity as a consequence of the rescue measure. Given BPP's activities and position in national and international financial markets, this advantage potentially affects competition and trade between Member States within the meaning of Article 107(1) TFEU. Only from 15 April 2010, with the revocation of the banking licence, did BPP lose any ability to re-enter the market and to potentially distort competition and affect trade between Member States.

(60) On the basis of the foregoing, the Commission concludes that the State guarantee conferred an economic advantage on BPP through the use of State resources imputable to Portugal. This advantage is liable to affect competition and trade between Member States within the meaning of Article 107(1) TFEU. The measure therefore constitutes State aid.

6.1.2. The EUR 250 000 guarantee for FEI clients

(61) As described above, the beneficiaries of this measure are the clients of BPP who invested in the Absolute Return products and opted to join the FEI. Without the solution implemented by Portugal, FEI clients would risk not being reimbursed or, more likely, being reimbursed a lesser amount than under the guarantee. According to Portugal's own estimates, it is likely that their return as FEI clients is increased by the guarantee. Therefore FEI clients have received an advantage from the measure.

(62) However, the simple fact of depositing funds does not necessarily constitute a commercial activity within the meaning of State aid rules, and indeed, according to the submission made by Portugal, the majority of the FEI participants are individuals who are not undertakings. However, insofar as the FEI amounts covered by the State guarantee serve to benefit undertakings, they may constitute State aid.

(63) Nevertheless, the figures provided by Portugal clearly show that disbursement by the State will be well below

the *de minimis* threshold of EUR 200 000 over 3 years⁽¹⁷⁾, once account is taken of the cover provided by the Investor Compensation System and by the Deposit Guarantee Fund as well as of the likely value that, under prudent assumptions, the investors will recover from the underlying assets.

6.2. Compatibility pursuant to Article 107(3)(b) TFEU

6.2.1. The State guarantee on the EUR 450 million loan

(64) Portugal argues that the aid element should be assessed on the basis of Article 107(3)(b) TFEU, which enables the Commission to declare aid compatible with the internal market if it is aimed at remedying 'a serious disturbance in the economy of a Member State'. The Commission recalls that the General Court has stressed that Article 107(3)(b) TFEU needs to be applied restrictively and must tackle a disturbance in the entire economy of a Member State⁽¹⁸⁾.

(65) The Commission has already acknowledged that the current global financial crisis can create a serious disturbance in the economy of a Member State and that measures supporting banks may be considered apt to remedy this disturbance. This assessment has been confirmed in the Banking Communication⁽¹⁹⁾, the Recapitalisation Communication⁽²⁰⁾, the Impaired Asset Communication⁽²¹⁾ and the Restructuring Communication⁽²²⁾ adopted by the Commission. Article 107(3)(b) TFEU may therefore serve as a legal basis for aid measures taken to address this systemic crisis. As regards more specifically the Portuguese economy, this was also the appropriate legal basis for the various Commission decisions approving the

⁽¹⁷⁾ Commission Regulation (EC) No 1998/2006 of 15 December 2006 on the application of Articles 87 and 88 of the Treaty to *de minimis* aid (OJ L 379, 28.12.2006, p. 5).

⁽¹⁸⁾ See, as regards the principles, Joined Cases T-132/96 and T-143/96 *Freistaat Sachsen and Volkswagen AG v Commission* [1999] ECR II-3663, paragraph 167, followed in Commission Decision of 20 May 1998 in Case C 47/96, *Crédit Lyonnais* (OJ L 221, 8.8.1998, p. 28, paragraph 10.1), Commission Decision of 18 February 2004 in Case C 28/02 *Bankgesellschaft Berlin* (OJ L 116, 4.5.2005, p. 1, recital 153 *et seq*) and Commission Decision of 27 June 2007 in Case C 50/06 *BAWAG* (OJ L 83, 26.3.2008, p. 7, recital 166). See also Commission Decision of 5 December 2007 in Case NN 70/07, *Northern Rock* (OJ C 43, 16.2.2008, p. 1), Commission Decision of 30 April 2008 in Case NN 25/08 *Rescue aid to WestLB* (OJ C 189, 26.7.2008, p. 3) and Commission Decision of 4 June 2008 in Case C 9/08 *SachsenLB* (OJ L 104, 24.4.2009, p. 34).

⁽¹⁹⁾ Communication on the application of State aid rules to measures taken in relation to financial institutions in the context of the current global financial crisis (OJ C 270, 25.10.2008, p. 8).

⁽²⁰⁾ Communication from the Commission – The recapitalisation of financial institutions in the current financial crisis: limitation of aid to the minimum necessary and safeguards against undue distortions of competition (OJ C 10, 15.1.2009, p. 2).

⁽²¹⁾ Communication from the Commission on the treatment of impaired assets in the Community banking sector (OJ C 72, 26.3.2009, p. 1).

⁽²²⁾ Commission communication on the return to viability and the assessment of the restructuring measures in the financial sector in the current crisis under the State aid rules (OJ C 195, 19.8.2009, p. 9).

measures undertaken by the Portuguese authorities to combat the financial crisis, in particular its approval of the Portuguese recapitalisation scheme and the extension thereof, the last such decision dating from March 2010 ⁽²³⁾.

- (66) As regards the case at hand, the Commission also notes that, in its Rescue Aid Decision, the applicability of Article 107(3)(b) TFEU was assessed and considered to be applicable, as BPP's failure to comply with its financial obligations could negatively affect the whole Portuguese financial system (see recitals 33 to 45 of the Rescue Aid Decision).
- (67) Whilst not submitting the restructuring plan, notwithstanding repeated requests and an information injunction, as described in recitals 30 to 32 above, Portugal extended the guarantee twice without prior notification to and approval of the Commission.
- (68) The Portuguese authorities' arguments that the Commission was aware that, under the contract, the guarantee might be provided for 2 years and that there was no material change to the State guarantee cannot be accepted. The Rescue Aid Decision linked the approval of the State guarantee to implementation of the commitment by the Portuguese authorities to present the restructuring plan within 6 months. This commitment was not complied with by the Portuguese authorities.
- (69) Further, the existence of a contractually stipulated renewal of the State guarantee based on a decision by the bank syndicate and BPP cannot discharge Portugal from the precise and explicit obligations arising from the commitments it offered to the Commission, and on which the Rescue Aid Decision was based, or from its obligations pursuant to Article 108(3) TFEU.
- (70) Portugal's position regarding the obligation to present the restructuring plan, arguing that its only duty was to transmit that plan to the Commission, cannot be accepted either in light of the commitments on which the Rescue Aid Decision was based. In any event, the fact remains that the restructuring plan was not presented within the required timeframe set out in the Rescue Aid Decision and therefore the basis on which approval was given was not upheld.

⁽²³⁾ See the approval of the Recapitalisation scheme of credit institutions in Portugal, Commission Decision of 20 May 2009 in Case N 556/08 (OJ C 152, 7.7.2009, p. 4, in particular recitals 65 to 67) and its extension in Commission Decision of 17 March 2010, in Case N 80/10 (OJ C 119, 7.5.2010, p. 2).

- (71) It follows that the pricing of the guarantee was below the level normally required under the Banking Communication for it to be considered as compatible aid, and that the Commission only authorised that level of pricing in the Rescue Aid Decision on the basis of a commitment by Portugal to submit a restructuring or liquidation plan which would adequately minimise the distortion of competition. No such plan having been presented by 5 June 2009, the Commission therefore concludes that neither the guarantee provided by Portugal on 5 December 2008 nor its continuation after 5 June 2009 is compatible with the internal market.
- (72) Although Portugal presented no restructuring plan for BPP, the Portuguese authorities have provided information proving that the liquidation procedure which began on 15 April 2010 with the revocation of BPP's banking licence will lead to its liquidation. Moreover, no compensation will be awarded to the shareholders of BPP other than any amounts stemming from the liquidation procedure itself. Based on this information, the Commission considers that there will be no risk of distortion of competition in the future regarding BPP. However, this conclusion does not remedy the incompatibility of the measure granted by Portugal for the period between 5 December 2008 and 15 April 2010.

Amount of aid

- (73) In order to determine a market price for the loan interest, the Commission has based its assessment on the Communication from the Commission on the revision of the method for setting the reference and discount rates ⁽²⁴⁾. The Commission establishes reference rates which are supposed to reflect the average level of interest rates charged in the market on medium and long-term loans backed by normal securities. This reference rate is a floor rate which may be increased in situations involving a particular risk, for example an undertaking in difficulties or where the security normally required by banks is not provided. In exceptional circumstances the aid element of the guarantee may turn out to be as high as the amount effectively covered by that guarantee.
- (74) The guarantee enabled BPP to obtain better financial terms for the loan than those normally available on the financial markets. The Commission considers that the aid element of the guarantee can be calculated as the difference between the interest rate that BPP should have paid for a loan under market conditions, i.e. without a guarantee, and the interest rate at which the guaranteed loan was actually provided. This difference can be deemed to correspond to the premium a market economy guarantor would have asked for these guarantees.

⁽²⁴⁾ OJ C 14, 19.1.2008, p. 6.

(75) In the present case the Commission considers that, without the guarantee, BPP would have paid an interest rate at least equal to the reference interest rate plus 400 basis points because it was a company in difficulty providing a high level of collateralisation. The Commission considers the spread of 400 basis points to be appropriate given the high collateralisation of the loan (see recital 17), which increased the likelihood that the lender would be able to recover at least part of the loan notwithstanding the very distressed situation of BPP. The aid element of the guarantee thus consists in the difference between the reference interest rate plus 400 basis points and the interest rate at which the guaranteed loan was provided (i.e. EURIBOR + 100 basis points), after deduction of the price actually paid for the guarantee, i.e. 20 basis points.

(76) In this context the Commission also notes that Portugal has stated that it has already filed the necessary claims in order to enforce its privileged and priority rights over the collateral it holds over BPP and that it will continue to do so until it has recovered the full amount of the loan⁽²⁵⁾. The Commission considers that Portugal has an obligation to do so in order to enforce the provisions in the guarantee agreement; any failure to enforce its rights over the collateral in order to recover the full amount of the loan would constitute State aid in favour of BPP.

6.3. Use of the EUR 450 million loan by BPP

(77) The interested third party who submitted comments on the Commission Decision to open a formal investigation alleged that the EUR 450 million loan, instead of being used for the restructuring of BPP, was used to reimburse certain clients of the bank, penalising all the others. The Commission received information from the Portuguese authorities showing that the loan was used to reimburse creditors of BPP whose credits were due or whose credit lines were expiring and who decided not to extend the credits or renew the credit lines. The Commission did not find any substantiated evidence to sustain the allegations of the interested third party.

7. CONCLUSION

(78) In the light of the foregoing, the Commission concludes that the State guarantee conferred on BPP constitutes State aid within the meaning of Article 107(1) TFEU, which cannot be declared compatible with the internal market.

8. RECOVERY

(79) According to Article 14(1) of Regulation (EC) No 659/1999, where negative decisions are taken in cases of unlawful aid, the Commission shall decide that the Member State concerned shall take all necessary measures to recover the aid from the beneficiary. Only aid which is incompatible with the internal market must be recovered.

(80) The purpose of recovery is to restore the situation that existed prior to the granting of the aid. This is achieved once the incompatible aid is repaid by BPP, which therefore forfeits the advantage which it enjoyed over its competitors. The amount to be recovered should be such as to eliminate the economic advantage given to BPP.

(81) According to point 3.1 of the Commission Notice on the application of Articles 87 and 88 of the EC Treaty to State aid in the form of guarantees (hereinafter 'Commission Notice on guarantees')⁽²⁶⁾, in the case of an individual State guarantee, the aid element must be assessed by reference to the terms of the guarantee and loan. In the light of the severe financial difficulties of BPP at the time the guarantee was given, it was highly unlikely that the company would have been able to obtain a bank loan on the market without State intervention.

(82) For the exact quantification of the amount of aid, given that no appropriate market price can be determined for remuneration of the State guarantee, a reasonable benchmark has to be defined. As set out in the first indent of point 3.2 of the Commission Notice on guarantees, the 'cash grant equivalent' of a loan guarantee in a given year can be calculated in the same way as the grant equivalent of a soft loan. Hence the aid amount can be calculated as the difference between a theoretical market interest rate and the interest rate obtained by means of the State guarantee, after any premiums paid have been deducted.

(83) In the case at hand, given BPP's financial difficulties and taking into account the collateral provided, BPP should have paid for a loan under market conditions, i.e. without a guarantee, the reference interest rate plus a risk premium of 400 basis points. The aid amount should therefore be calculated as the difference between this theoretical market rate and the interest rate at which the guaranteed loan was actually provided (i.e. EURIBOR + 100 basis points), after deduction of the price actually paid for the guarantee, i.e. 20 basis points.

(84) As regards the full amount of the loan itself, according to the Portuguese authorities, the Portuguese State has thus far taken all the necessary measures and steps in order to enforce its priority rights over the collateral it holds from BPP (the value of which has been estimated at significantly above the loan value)⁽²⁷⁾. The Commission assumes that the Portuguese State will continue to enforce those rights, thereby obtaining the full loan amount within the liquidation process as it has itself stated in its reply of 15 June 2010⁽²⁸⁾.

⁽²⁶⁾ OJ C 155, 20.6.2008.

⁽²⁷⁾ See page 8 of the reply of the Portuguese authorities of 15 June 2010.

⁽²⁸⁾ See page 13.

⁽²⁵⁾ See pages 8 and 13 of the reply of 15 June 2010.

(85) The amount referred to in recital 83 constitutes the amount to be recovered, plus the interest effectively accrued on that amount from the date on which the aid was put at the disposal of the beneficiary (5 December 2008) until its actual recovery. That interest cannot be lower than the amount calculated pursuant to Article 9 of Commission Regulation (EC) No 794/2004 of 21 April 2004 implementing Council Regulation (EC) No 659/1999 ⁽²⁹⁾,

HAS ADOPTED THIS DECISION:

Article 1

The State aid involved in the guarantee relating to a EUR 450 million loan unlawfully granted by Portugal, in breach of Article 108(3) of the Treaty on the Functioning of the European Union, in favour of Banco Privado Português is incompatible with the internal market.

Article 2

1. Portugal shall recover the aid referred to in Article 1 from the beneficiary.
2. The sums to be recovered shall bear interest from the date on which they were put at the disposal of the beneficiary until their actual recovery.
3. The interest shall be calculated on a compound basis in accordance with Chapter V of Regulation (EC) No 794/2004.

Article 3

1. Recovery of the aid referred to in Article 1 shall be immediate and effective.
2. Portugal shall ensure that this Decision is implemented within 4 months following the date of notification of this Decision.

Article 4

1. Within 2 months following notification of this Decision, Portugal shall submit the following information to the Commission:

- (a) the total amount (principal and interest) to be recovered from the beneficiary;
- (b) a detailed description of the measures already taken and planned to comply with this Decision;
- (c) documents demonstrating that the Portuguese State has enforced its priority rights over the collateral offered by Banco Privado Português in the context of the guarantee.

2. Portugal shall keep the Commission informed of the progress of the national measures taken to implement this Decision until recovery of the aid referred to in Article 1 has been completed. It shall immediately submit, on simple request by the Commission, information on the measures already taken and planned to comply with this Decision. It shall also provide detailed information concerning the amounts of aid and interest already recovered from the beneficiary.

Article 5

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 20 July 2010.

For the Commission
Joaquín ALMUNIA
Vice-President

⁽²⁹⁾ OJ L 140, 30.4.2004, p. 1.

COMMISSION IMPLEMENTING DECISION

of 16 June 2011

establishing the financial contribution by the Union for the implementation of an epidemiological survey and bluetongue surveillance measures in the context of the emergency measures taken to combat this disease in the Netherlands in 2006 and 2007

*(notified under document C(2011) 4146)***(Only the Dutch text is authentic)**

(2011/347/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field ⁽¹⁾, and in particular Article 3(4) and 3(6) thereof,

Whereas:

(1) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.

(2) Decision 2009/470/EC lays down the procedures governing the financial contribution from the Union towards specific veterinary measures, including emergency measures. With a view to helping to eradicate bluetongue as rapidly as possible the Union should contribute financially to eligible expenditure borne by the Member States. Article 3(6) first indent of that Decision lays down rules on the percentage that must be applied to the costs incurred by the Member States.

(3) Commission Regulation (EC) No 349/2005 ⁽²⁾ lays down rules on the Community financing of emergency measures and of the campaign to combat certain animal diseases under Council Decision 90/424/EEC. Article 3 of that Regulation lays down rules on the expenditure eligible for Union financial support.

(4) Commission Decision 2007/20/EC ⁽³⁾ on a financial contribution by the Community towards the eradication of bluetongue in the Netherlands in 2006 and 2007

granted a financial contribution from the Union to the Netherlands towards the costs incurred for the implementation of an epidemiological survey and bluetongue surveillance. In accordance with that Decision, a first tranche of EUR 4 675 was paid.

(5) On 29 April 2008, the Netherlands submitted an official request for reimbursement as set out in Article 7(1) and 7(2) of Regulation (EC) No 349/2005. The Commission's observations, method of calculating the eligible expenditure and final conclusions were communicated to the Netherlands by e-mail dated 19 October 2010.

(6) The payment of the financial contribution from the Union must be subject to the condition that the planned activities were actually implemented and that the authorities provided all the necessary information within the set deadlines.

(7) The Dutch authorities have fully complied with their technical and administrative obligations as set out in Article 3(4) of Decision 2009/470/EC and Article 7 of Regulation (EC) No 349/2005.

(8) In view of the above considerations, the total amount of the financial support from the Union to the eligible expenditure incurred associated with the eradication of bluetongue in the Netherlands in 2006 and 2007 should now be fixed.

(9) 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 financial contribution from the Union towards the expenditure associated with eradicating bluetongue in the Netherlands in 2006 and 2007 is fixed at EUR 207 931,25. It constitutes a financing decision in the meaning of Article 75 of the Financial Regulation.

⁽¹⁾ OJ L 155, 18.6.2009, p. 30.

⁽²⁾ OJ L 55, 1.3.2005, p. 12.

⁽³⁾ OJ L 7, 12.1.2007, p. 41.

Article 2

The balance of the financial contribution is fixed at EUR 203 256,25.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 16 June 2011.

For the Commission

John DALLI

Member of the Commission

IV

(Acts adopted before 1 December 2009 under the EC Treaty, the EU Treaty and the Euratom Treaty)

COUNCIL DECISION**of 10 November 2009**

on the signing, on behalf of the Community, and provisional application of the Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation

(2011/348/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 170 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Commission has negotiated, on behalf of the Community, an Agreement on Scientific and Technological Cooperation with the Hashemite Kingdom of Jordan (hereinafter referred to as 'the Agreement').
- (2) The negotiations resulted in the Agreement initialled on 28 January 2009.
- (3) It is necessary to sign the Agreement subject to its conclusion at a later date,

HAS DECIDED AS FOLLOWS:

Article 1

The signing of the Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific

and Technological Cooperation is hereby approved on behalf of the Community, subject to its conclusion.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community, subject to its conclusion.

Article 3

The Agreement shall be applied on a provisional basis as provided for in Article 7(2) of the Agreement upon signature, pending the completion of the procedures for its formal conclusion.

Done at Brussels, 10 November 2009.

For the Council

The President

A. BORG

AGREEMENT**between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation**

THE EUROPEAN COMMUNITY, hereinafter referred to as the 'Community',

of the one part, and

THE HASHEMITE KINGDOM OF JORDAN, hereinafter referred to as 'Jordan',

of the other part,

hereinafter referred to as the 'Parties',

CONSIDERING the Treaty establishing the European Community, and in particular Article 170 in conjunction with Article 300(2), first subparagraph, first sentence, and paragraph 3, first subparagraph, thereof;

CONSIDERING the importance of science and technology for the economic and social development of the Parties and the reference which was made in Article 43 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, which entered into force on 1 May 2002;

CONSIDERING the European Neighbourhood Policy and the EU strategy to strengthen the relations with the neighbourhood countries, in the framework of which the Parties have met and agreed on an Action Plan, one of which priorities was 'to strengthen cooperation in science and technology'. The Joint Action Plan of the European Neighbourhood Policy is in line with the Government of Jordan's Executive Programme (2007 to 2009) for Kuluna Al Urdun/the National Agenda, which aims to develop a sustainable socioeconomic reform process;

WHEREAS the Community and Jordan undertook common research, technological development and demonstration activities, in various fields of common interest, and that it would be to their mutual advantage that each of them takes part in the activities of research and development of the other, on a reciprocity basis;

WISHING to establish a formal framework for cooperation in scientific and technological research which would make it possible to extend and intensify cooperative efforts in the fields of common interest and to encourage the use of the results of this cooperation considering their mutual economic and social interests;

WISHING to open the European Research Area to non-member countries and in particular to the Mediterranean partner countries,

HAVE AGREED AS FOLLOWS:

*Article 1***Scope and principles**

1. The Parties shall encourage, develop and facilitate cooperative activities between the Community and Jordan in fields of common interest where they are pursuing research and development activities in science and technology.

2. Cooperative activities shall be conducted on the basis of the following principles:

- Promotion of a knowledge based society to foster the social and economic development of both Parties;
- Mutual benefit based on an overall balance of advantages;
- Reciprocal access to the activities of research programmes and projects undertaken by each Party;

— Timely exchange of information which may facilitate cooperative activities;

— Appropriate exchange and protection of intellectual property rights;

— Participation and funding in compliance with the relevant laws and regulations of the Parties.

*Article 2***Means of cooperation**

1. Legal entities established in Jordan, as defined in Annex I, including either physical persons or private or public legal persons, shall participate in indirect cooperative activities of the European Community's Framework programme for research and technological development and demonstration

activities (hereinafter referred to as the 'Framework programme'), subject to the terms and conditions established by, or referred to in Annexes I and II.

Legal entities established in the Member States of the Community, as defined in Annex I, shall participate in Jordan's research programmes and projects in themes equivalent to those of the Framework programme under the same conditions as those applicable to legal entities of Jordan, subject to the terms and conditions established by, or referred to in Annexes I and II.

2. Cooperation may also take the following forms and means:

- Regular discussions on the orientations and priorities for research policies and planning in Jordan and the Community;
- Discussions on cooperation, developments and prospects;
- Timely provision of information concerning the implementation of programmes and research projects of Jordan and of the Community, and concerning the results of work undertaken within the framework of this Agreement;
- Joint meetings;
- Visits and exchanges of research workers, engineers and technicians, including for training purposes;
- Exchanges and sharing of equipment, materials and testing services;
- Contacts between programme or project managers of Jordan and the Community;
- Participation of experts in seminars, symposia and workshops;
- Exchanges of information on practices, laws, regulations, and programmes relevant to cooperation under this Agreement;
- Research and technological development training;
- Reciprocal access to scientific and technological information within the scope of this cooperation;

- Any other modality that would be adopted by the European Community-Jordan Joint Scientific and Technological Cooperation Committee, as defined in Article 4, and deemed in conformity with the policies and procedures applicable in both Parties.

Article 3

Enhancement of cooperation

1. The Parties will make every effort, within the framework of their applicable legislation, to facilitate the free movement and residence of research workers participating in the activities covered by this Agreement and to facilitate cross-border movement of goods intended for use in such activities.
2. Where in accordance with its own rules the Community unilaterally grants funding to a legal entity of Jordan participating in a Community indirect cooperative activity, Jordan will ensure that no charge or levy shall be imposed upon that transaction.

Article 4

Management of the Agreement

European Community-Jordan Joint Scientific and Technological Cooperation Committee

1. The coordination and facilitation of activities under this Agreement shall be performed on behalf of Jordan, by the Higher Council for Science and Technology and, on behalf of the Community, by the European Commission, acting as executive agents of the Parties (hereinafter referred to as 'Executive Agents').
2. The Executive Agents shall establish a joint committee called 'European Community-Jordan Joint Scientific and Technological Cooperation Committee' (hereinafter 'the Joint Committee'), whose functions shall include:
 - Ensuring, evaluating and reviewing the implementation of this Agreement, as well as modifying its Annexes or adopting new ones to take into consideration evolutions of the Parties' scientific policies, subject to the fulfilment by each of the Parties of its internal procedures for that purpose;
 - Identifying, on an annual basis, potential sectors where cooperation should be developed and improved and examine any measure to that end;
 - Regularly discussing the future orientations and priorities of research policies and research planning in Jordan and the Community and the prospects for future cooperation within this Agreement;

— Making recommendations to the Parties with regard to the implementation of this Agreement, including the identification and recommendation of additions to the activities referred to in Article 2, paragraph 2 and concrete measures to improve the mutual access provided for under Article 1, paragraph 2.

3. The Joint Committee, which shall be composed of representatives of the Executive Agents, shall adopt its rules of procedure.

4. The Joint Committee shall normally meet once a year, alternatively in the Community and in Jordan. Extraordinary meetings shall be held whenever necessary and agreed between the Parties. The conclusions and recommendations of the Joint Committee will be sent for information to the Association Committee of the Euro-Mediterranean Agreement between the European Union and the Hashemite Kingdom of Jordan.

Article 5

Financing

The reciprocal participations in research activities under this Agreement are set according to the conditions defined in Annex I and are subject to the legislation, regulations, policies and conditions of implementation of the programmes in force in the territory of each Party.

When one Party provides financial support to Participants of the other Party in connection with indirect cooperative activities, any grants and financial or other contributions from the funding Party to Participants of the other Party in support of those activities shall be granted tax and customs exemption.

Article 6

Dissemination and use of the results and information

The dissemination and the use of the achieved and/or exchanged results as well as those of information, management, attribution and exercise of intellectual property rights resulting from the research activities undertaken under this Agreement are subject to the conditions provided for in Annex II.

Article 7

Final provisions

1. Annexes I and II form an integral part of this Agreement. All questions or disputes related to the interpretation or implementation of this Agreement shall be settled by mutual agreement of the Parties.

2. This Agreement shall enter into force when the Parties will have notified to each other the completion of their internal procedures for its conclusion. Pending the completion by the Parties of said procedures, the Parties shall provisionally apply this Agreement upon its signature. Should a Party notify the other that it shall not conclude the Agreement, it is hereby mutually agreed that projects and activities launched under this provisional application and that are still in progress at the time of the abovementioned notification shall continue until their completion under the conditions laid down in this Agreement.

3. Either of the Parties may terminate this Agreement at any time upon 6 months' notice. Projects and activities in progress at the time of termination of this Agreement shall continue until their completion under the conditions laid down in this Agreement.

4. This Agreement shall remain in force until such time as either Party gives notice in writing to the other Party of its intention to terminate this Agreement. In such case this Agreement shall cease to have effect 6 months after the receipt of such notification.

5. Should one of the Parties decide to revise its research programmes and projects referred to in paragraph 1 of Article 1 that Party's Executive Agent shall notify the Executive Agent of the other Party of the exact content of these revisions. By derogation from paragraph 3 of this Article, this Agreement may be terminated under mutually agreed conditions should either of the Parties notify the other within 1 month after the adoption of the revisions referred to in this paragraph of its intention to terminate this Agreement.

6. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Hashemite Kingdom of Jordan. This shall not prevent the conduct of cooperative activities on the high seas, outer space, or the territory of third countries, in accordance with international law.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by the European Community and the Hashemite Kingdom of Jordan respectively, have signed this Agreement.

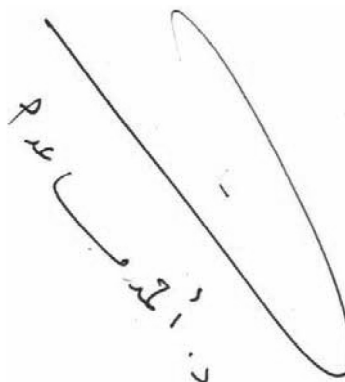
Done in duplicate at Brussels, this thirtieth day of November 2009 in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Arabic languages, each text being equally authentic.

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




عن المجتمع الأوروبي

За Хашемитското кралство Йордания
 Por el Reino Hachemí de Jordania
 Za Jordánské hášimovské království
 For Det Hashemitiske Kongerige Jordan
 Für das Haschemitische Königreich Jordanien
 Jordaania Hašimiidi Kuningriigi nimel
 Για το Χασεμιτικό Βασίλειο της Ιορδανίας
 For the Hashemite Kingdom of Jordan
 Pour le Royaume hachémite de Jordanie
 Per il Regno Hashemita di Giordania
 Jordānijas Hāšimītu Karalistes vārdā –
 Jordanijos Hašimitų Karalystės vardu
 A Jordán Hasimita Királyság részéről
 Ghar-Renju Haxemita tal-Gordan
 Voor het Hasjemitisch Koninkrijk Jordanië
 W imieniu Jordáńskiego Królestwa Haszymidzkiego
 Pelo Reino Hachemita da Jordânia
 Pentru Regatul Hașemit al Iordaniei
 Za Jordánske hášimovské král'ovstvo
 Za Hašemitsko kraljevino Jordanijo
 Jordanian hašemiittisen kuningaskunnan puolesta
 För Hashemitiska konungariket Jordanien



عن المملكة الأردنية الهاشمية

ANNEX I

TERMS AND CONDITIONS FOR THE PARTICIPATION OF LEGAL ENTITIES ESTABLISHED IN MEMBER STATES OF THE EUROPEAN UNION AND IN JORDAN

For the purpose of this Agreement, a legal entity means any natural person, or any legal person created under the national law of its place of establishment or under Community law or international law, having legal personality and being entitled to have rights and obligations of any kind in its own name.

I. Terms and conditions for the participation of legal entities established in Jordan in indirect actions of the Framework programme

1. Participation of legal entities established in Jordan in indirect actions of the Framework programme shall follow the conditions laid down by the European Parliament and the Council according to Article 167 of the Treaty establishing the European Community.

In addition, legal entities established in Jordan may participate in indirect actions undertaken according to Article 164 of the Treaty establishing the European Community.

2. The Community may grant funding to legal entities established in Jordan participating in indirect actions referred to in point 1 under the terms and conditions laid down by the decision taken by the European Parliament and the Council (Regulation (EC) No 1906/2006 of the European Parliament and of the Council of 18 December 2006) laying down the rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework Programme and for the dissemination of research results (2007 to 2013) ⁽¹⁾ according to Article 167 of the Treaty establishing the European Community, the European Community's Financial Regulations and any other applicable Community legislation.
3. A grant agreement or contract concluded by the Community with any legal entity established in Jordan in order to perform an indirect action shall provide for controls and audits to be carried out by, or under the authority of, the European Commission or the Court of Auditors of the European Communities.

In a spirit of cooperation and mutual interest, the relevant Authorities of Jordan shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.

II. Terms and conditions for the participation of legal entities established in Member States of the European Union in Jordan research programmes and projects

1. Any legal entity established in the Community, created under the national law of one of the Member States of the European Union or under Community law, may participate in projects of Jordan research and development programmes jointly with Jordan legal entities.
2. Subject to point 1 and to Annex II, the rights and obligations of legal entities established in the Community participating in Jordan research projects within research and development programmes, the terms and conditions applicable for the submission and evaluation of proposals and for the granting and conclusion of contracts in such projects shall be subject to Jordanian laws, regulations and government directives governing the operation of research and development programmes, as applicable to Jordan's legal entities and assuring equitable treatment, taking into account the nature of the cooperation between Jordan and the Community in this field.

Funding of legal entities established in the Community participating in the relevant Jordanian projects within research and development programmes shall be subject to Jordan's laws, regulations and government directives governing the operation of said programmes, as applicable to non-Jordanian legal entities.

III. Information on participation opportunities

Jordan and the European Commission will regularly make available information on current programmes and participation opportunities for the benefits of legal entities established in the two Parties.

⁽¹⁾ OJ L 391, 30.12.2006, p. 1.

ANNEX II

PRINCIPLES ON THE ALLOCATION OF INTELLECTUAL PROPERTY RIGHTS**I. Application**

For the purposes of this Agreement, 'intellectual property' shall have the meaning given in Article 2 of the Convention establishing the World Intellectual Property Organisation, done at Stockholm on 14 July 1967.

For the purposes of this Agreement, 'knowledge' shall mean the results, including information, whether or not they can be protected, as well as copyrights or rights pertaining to such information following applications for, or the issue of patents, designs, plant varieties, supplementary protection certificates or similar forms of protection.

II. Intellectual property rights of legal entities of the Parties participating in indirect cooperative activities

1. Each Party shall ensure that its treatment of the intellectual property rights and obligations of legal entities established in the other Party's territories participating in indirect cooperative activities carried out pursuant to this Agreement and the related rights and obligations arising from such participation, shall be consistent with the relevant laws and regulations and international conventions that are applicable to the Parties, including the Agreement on Trade-Related Aspects of Intellectual Property Rights, Annex 1C of the Marrakech Agreement Establishing the World Trade Organisation as well as the Paris Act of 24 July 1971 of the Berne Convention for the Protection of Literary and Artistic Works and the Stockholm Act of 14 July 1967 of the Paris Convention for the Protection of Industrial Property.
2. Each Party shall ensure that the participants in indirect cooperative activities of the other Party shall have the same treatment with regard to Intellectual Property as is accorded to the participants of the first Party under the relevant rules of participation of each research programme or project, or its applicable laws and regulations.

III. Intellectual property rights of the Parties

1. Except if otherwise specifically agreed by the Parties, the following rules shall apply to knowledge generated by the Parties in the course of activities carried out within Article 2 of this Agreement:
 - (a) the Party generating such knowledge shall be the owner of that knowledge. Where their respective share of the work cannot be ascertained, they shall have joint ownership of such knowledge;
 - (b) the Party owning that knowledge shall grant access rights to it to the other Party for carrying out activities referred to in Article 2 of this Agreement. Such access rights shall be granted on a royalty-free basis.
2. Except if otherwise specifically agreed by the Parties, the following rules shall apply to scientific literary works of the Parties:
 - (a) in the case where a Party publishes scientific and technical data, information and results, by means of journals, articles, reports, books, including video and software, arising and relating to activities carried out pursuant to this Agreement, a worldwide, non-exclusive, irrevocable, royalty-free license shall be granted to the other Party to translate, reproduce, adapt, transmit and publicly distribute such works;
 - (b) all copies of data and information, protected by copyright, that have to be publicly distributed and prepared under this section shall indicate the names of the author(s) of the work unless an author explicitly declines to be named. They shall also bear a clearly visible acknowledgement of the cooperative support of the Parties.
3. Except if otherwise specifically agreed by the Parties, the following rules shall apply to undisclosed information of the Parties:
 - (a) when communicating to the other Party information relating to activities carried out pursuant to this Agreement, each Party shall identify the information it wishes to remain undisclosed through confidential insignias or legends;
 - (b) the receiving Party may under its own responsibility communicate undisclosed information to bodies or persons under its authority for the specific purposes of implementing this Agreement;
 - (c) with the prior written consent of the Party providing undisclosed information, the receiving Party may disseminate such undisclosed information more widely than otherwise permitted in point (b). The Parties shall cooperate in developing procedures for requesting and obtaining prior written consent for such wider dissemination, and each Party will provide such approval to the extent permitted by its domestic policies, regulations and laws;

- (d) non-documentary undisclosed or other confidential information provided in seminars and other meetings between representatives of the Parties arranged under this Agreement, or information arising from the attachment of staff, use of facilities or indirect actions, shall remain confidential when the recipient of such undisclosed or other confidential or privileged information was made aware of the confidential character of the information communicated at the time such communication was made, according to point (a);
 - (e) each Party shall endeavour to ensure that undisclosed information received by it under points (a) and (d) is controlled as provided herein. If one of the Parties becomes aware that it will be, or may be reasonably expected to become, unable to meet the non-dissemination provisions laid down in points (a) and (d), it shall immediately inform the other Party. The Parties shall thereafter consult to define an appropriate course of action.
-

IV *Acts adopted before 1 December 2009 under the EC Treaty, the EU Treaty and the Euratom Treaty*

2011/348/EC:

★ **Council Decision of 10 November 2009 on the signing, on behalf of the Community, and provisional application of the Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation** 107

Agreement between the European Community and the Hashemite Kingdom of Jordan on Scientific and Technological Cooperation 108

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