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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 6 December 2012

on the signing, on behalf of the European Union, of the Agreement in the form of an Exchange of Letters between the European Union and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union

(2012/763/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 29 January 2007, the Council authorised the Commission to open negotiations with certain other Members of the World Trade Organization under Article XXIV:6 of the General Agreement on Tariffs and Trade (GATT) 1994, in the course of the accession to the European Union of the Republic of Bulgaria and Romania.
- (2) Negotiations have been conducted by the Commission within the framework of the negotiating directives adopted by the Council.
- (3) Those negotiations have been concluded and an Agreement in the form of an Exchange of Letters between the European Union and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union (the 'Agreement') was initialled on 31 May 2012.
- (4) The Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement in the form of an Exchange of Letters between the European Union and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Republic of Bulgaria and Romania in the course of their accession to the European Union is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

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

Done at Brussels, 6 December 2012.

*For the Council**The President*

S. CHARALAMBOUS

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) No 1169/2012

of 10 December 2012

implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Implementing Regulation (EU) No 542/2012

THE COUNCIL OF THE EUROPEAN UNION,

No 2580/2001 applies, as required by Article 2(3) of that Regulation. When doing so it took account of observations submitted to the Council by those concerned.

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

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

Whereas:

(1) On 25 June 2012, the Council adopted Implementing Regulation (EU) No 542/2012 ⁽²⁾ implementing Article 2(3) of Regulation (EC) No 2580/2001, establishing an updated list of persons, groups and entities to which Regulation (EC) No 2580/2001 applies.

(2) The Council has provided all the persons, groups and entities for which it was practically possible with statements of reasons explaining why they were listed in Implementing Regulation (EU) No 542/2012.

(3) By way of a notice published in the *Official Journal of the European Union*, the Council informed the persons, groups and entities listed in Implementing Regulation (EU) No 542/2012 that it had decided to keep them on the list. The Council also informed the persons, groups and entities concerned that it was possible to request a statement of the Council's reasons for putting them on the list, where one had not already been communicated to them. In the case of certain person and groups, an amended statement of reasons was made available.

(4) The Council has carried out a complete review of the list of persons, groups and entities to which Regulation (EC)

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

(6) The list of the persons, groups and entities to which Regulation (EC) No 2580/2001 applies should be updated accordingly and Implementing Regulation (EU) No 542/2012 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

The list provided for in Article 2(3) of Regulation (EC) No 2580/2001 is replaced by the list set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 542/2012 is hereby repealed.

Article 3

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

⁽¹⁾ OJ L 344, 28.12.2001, p. 70.

⁽²⁾ OJ L 165, 26.6.2012, p. 12.

⁽³⁾ OJ L 344, 28.12.2001, p. 93.

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

Done at Brussels, 10 December 2012.

For the Council

The President

C. ASHTON

ANNEX

LIST OF PERSONS, GROUPS AND ENTITIES REFERRED TO IN ARTICLE 1

1. PERSONS

1. ABDOLLAHI Hamed (a.k.a. Mustafa Abdullahi), born 11.8.1960 in Iran. Passport: D9004878
2. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
3. AL YACOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
4. ARBABSAR Manssor (a.k.a. Mansour Arbabsar), born March 6 or 15, 1955 in Iran. Iranian and US national. Passport: C2002515 (Iran); Passport: 477845448 (USA). National ID no.: 07442833, expiry date 15.3.2016 (USA driving licence)
5. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the 'Hofstadgroep'
6. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) – member of 'al-Takfir' and 'al-Hijra'
7. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
8. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Abdul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
9. SHAHLAI Abdul Reza (a.k.a. Abdol Reza Shala'i, a.k.a. Abd-al Reza Shalai, a.k.a. Abdorreza Shahlai, a.k.a. Abdolreza Shahlai, a.k.a. Abdul-Reza Shahlai, a.k.a. Hajj Yusef, a.k.a. Hajj Yusif, a.k.a. Hajji Yasir, a.k.a. Hajji Yusif, a.k.a. Yusuf Abu-al-Karkh), born circa 1957 in Iran. Addresses: (1) Kermanshah, Iran, (2) Mehran Military Base, Ilam Province, Iran
10. SHAKURI Ali Gholam, born circa 1965 in Tehran, Iran
11. SOLEIMANI Qasem (a.k.a. Ghasem Soleymani, a.k.a. Qasmi Sulayman, a.k.a. Qasem Soleymani, a.k.a. Qasem Solaimani, a.k.a. Qasem Salimani, a.k.a. Qasem Solemani, a.k.a. Qasem Sulaimani, a.k.a. Qasem Sulemani), born 11.3.1957 in Iran. Iranian national. Passport: 008827 (Iran Diplomatic), issued 1999. Title: Major General

2. GROUPS AND ENTITIES

1. 'Abu Nidal Organisation' – 'ANO' (a.k.a. 'Fatah Revolutionary Council', a.k.a. 'Arab Revolutionary Brigades', a.k.a. 'Black September', a.k.a. 'Revolutionary Organisation of Socialist Muslims')
2. 'Al-Aqsa Martyrs' Brigade'
3. 'Al-Aqsa e.V.'
4. 'Al-Takfir' and 'Al-Hijra'
5. 'Babbar Khalsa'
6. 'Communist Party of the Philippines', including 'New People's Army' – 'NPA', Philippines
7. 'Gama'a al-Islamiyya' (a.k.a. 'Al-Gama'a al-Islamiyya') ('Islamic Group' – 'IG')
8. 'İslami Büyük Doğu Akıncılar Cephesi' – 'İBDA-C' ('Great Islamic Eastern Warriors Front')
9. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
10. 'Hizbul Mujahideen' – 'HM'
11. 'Hofstadgroep'
12. 'Holy Land Foundation for Relief and Development'
13. 'International Sikh Youth Federation' – 'ISYP'
14. 'Khalistan Zindabad Force' – 'KZF'

15. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
 16. 'Liberation Tigers of Tamil Eelam' – 'LTTE'
 17. 'Ejército de Liberación Nacional' ('National Liberation Army')
 18. 'Palestinian Islamic Jihad' – 'PIJ'
 19. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 20. 'Popular Front for the Liberation of Palestine – General Command' (a.k.a. 'PFLP – General Command')
 21. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 22. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 23. 'Sendero Luminoso' – 'SL' ('Shining Path')
 24. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 25. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
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COMMISSION IMPLEMENTING REGULATION (EU) No 1170/2012**of 3 December 2012****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The Customs Code Committee has not issued an opinion within the time limits set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

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, 3 December 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
<p>An article consisting of a garland of artificial flowers of different colours, an imitation of a so-called 'lei'.</p> <p>Each flower consists of two single coloured pieces of woven textile material cut in the form of flower petals. Each flower is separated from the next flower by a transparent plastic tube imitating the flower-stem. A thin thread links the plastic tubes and the flowers to form a circle with a diameter of approximately 30 cm imitating a circular flower garland.</p> <p>(see photograph No 662) (*)</p>	6702 90 00	<p>Classification is determined by General Rules 1, 3(a) and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 6702 and 6702 90 00.</p> <p>The article resembles a garland of flowers and is designed to be worn around the neck as an imitation of a 'lei'.</p> <p>The article is not excluded by Note 3(b) to Chapter 67, because the artificial flowers are not obtained in one piece, since each flower consists of two pieces of textile material cut in the form of flower petals, and because assembling the petals and stems by means of a thin thread is a similar method to binding, glueing or fitting the parts into one another. The article resembles in form a natural product (see also the HS Explanatory Notes to heading 6702, (1) and (3)), regardless of whether the details exactly match the natural product.</p> <p>Classification under heading 7117 as imitation jewellery is excluded as the article is not an imitation of jewellery but an imitation of a flower garland that is worn around the neck, a so-called 'lei'. Therefore, the article is not covered by the terms of heading 7117 (imitation jewellery).</p> <p>Classification under heading 9505 as festive, carnival or other entertainment article is also excluded as the article is not exclusively designed, manufactured and recognised as a festive article. It does not contain any imprints, ornaments, symbols or inscriptions and accordingly is not to be used for a specific festivity (see also the CN Explanatory Notes to heading 9505). Moreover, the 'lei' serves to decorate a person and not a room, table etc. It is neither a part of a fancy dress that is used for carnival (see also the HS Explanatory Notes to heading 9505, (A) (1) and (3)).</p> <p>Classification under heading 6307 as other made-up textile article is also excluded, because heading 6702 (articles made of artificial flowers) is the heading providing the more specific description within the meaning of General Rule 3(a) for the interpretation of the Combined Nomenclature.</p> <p>The article is therefore to be classified under CN code 6702 90 00 as 'article made of artificial flowers, of other materials than plastics'.</p>

(*) The photograph is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 1171/2012**of 3 December 2012****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that, subject to the measures in force in the Union relating to double checking systems and to prior and retrospective surveillance of textile

products on importation into the Union, binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, may continue to be invoked for a period of 60 days by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Subject to the measures in force in the Union relating to double checking systems and to prior and retrospective surveillance of textile products on importation into the European Union, binding tariff information issued by the customs authorities of Member States which is not in accordance with this Regulation, may continue to be invoked for a period of 60 days, under Article 12(6) of Regulation (EEC) No 2913/92.

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, 3 December 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>Made-up textile article for the storage of small items.</p> <p>The article is made of two nearly rectangular, equal-sized knitted pieces of textile fabric, which are superimposed and sewn together at three sides.</p> <p>At the top end, the edges are turned and sewn as to form a tunnel, with a drawstring and a cord stopper as tightening element. At the bottom end, it has two rounded edges.</p> <p>When tightened, the article obtains the shape of a bag, of a length of approximately 12,5 cm and a width, measured at the bottom, of approximately 6,5 cm and which becomes narrower towards the top.</p> <p>(see photograph No 665) (*)</p>	6307 90 10	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Notes 7(f) and 8(a) to Section XI, Note 1 to Chapter 63 and the wording of CN codes 6307, 6307 90 and 6307 90 10.</p> <p>The article is not designed to contain any specific item. It is neither specially shaped nor internally fitted. Since from the design of the article it cannot be deducted which purpose it would serve, this article cannot be considered to be a 'similar container' within the meaning of heading 4202. Consequently classification under heading 4202 is excluded.</p> <p>The article is therefore to be classified under CN code 6307 90 10, as 'other made-up knitted textile article'.</p>

(*) The photograph is purely for information.



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COMMISSION IMPLEMENTING REGULATION (EU) No 1172/2012
of 3 December 2012
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of

goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

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, 3 December 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
<p>Wipes made of non-wovens with a size of approximately 15 cm x 20 cm, put up in individual plastic bags for retail sale.</p> <p>The wipes are impregnated with water (98,32 %), propylene glycol (1 %), perfume (0,3 %), tetrasodium EDTA (0,2 %), aloe vera extract (0,1 %), bronopol (0,05 %), citric acid (0,02 %), mixture of methylchloroisothiazolinone and methylisothiazolinone (0,01 %).</p> <p>According to the information provided, the product is used as a refreshing wipe.</p>	3307 90 00	<p>Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, Note 2 to Section VI, Note 4 to Chapter 33 and the wording of CN codes 3307 and 3307 90 00.</p> <p>As the product does not contain soap or detergent classification under heading 3401 is excluded (see Harmonised System Explanatory Notes to heading 3401, exclusion (c)).</p> <p>As the product is used as a refreshing wipe, rather than for the care of the skin, and contains perfume, classification under heading 3304 is excluded.</p> <p>Although the product contains a small amount of aloe vera extract, which has a skin care function, this does not give the product its essential character.</p> <p>The product fulfils the conditions set out in Note 4 to Chapter 33 (see also the Harmonised System Explanatory Notes to heading 3307, point (V) (5)).</p> <p>The product is therefore to be classified under heading 3307 as other perfumery, cosmetic or toilet preparations, not elsewhere specified or included.</p>

COMMISSION IMPLEMENTING REGULATION (EU) No 1173/2012**of 4 December 2012****entering a name in the register of protected designations of origin and protected geographical indications (Queso Camerano (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Spain's application to register the name 'Queso Camerano' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

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

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

Done at Brussels, 4 December 2012.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 101, 4.4.2012, p. 6.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3. Cheeses

SPAIN

Queso Camerano (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 1174/2012**of 5 December 2012****approving a minor amendment to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Abbacchio Romano (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission has examined Italy's application for the approval of an amendment to the specification for the protected geographical indication 'Abbacchio Romano' registered under Commission Regulation (EC) No 507/2009 ⁽²⁾.
- (2) The purpose of the application is to amend the specification by amending the deadline for affixing the identification mark on the lambs.
- (3) The Commission has examined the amendment in question and decided that it is justified. Since the

amendment is a minor one within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission may approve it without recourse to the procedure laid down in Articles 5, 6 and 7 of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected geographical indication 'Abbacchio Romano' is hereby amended in accordance with Annex I to this Regulation.

Article 2

Annex II to this Regulation contains the Single Document setting out the main points of the specification.

Article 3

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

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

Done at Brussels, 5 December 2012.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 151, 16.6.2009, p. 27.

ANNEX I

The specification for the protected geographical indication 'Abbacchio Romano' is amended as follows:

The amendment consists in extending the deadline for applying the 'Abbacchio Romano' PGI identification mark on the lamb. Consequently it will be applied within 20 days of the birth of the animal instead of 10.

ANNEX II

AMENDMENT APPLICATION

Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

Amendment application in accordance with Article 9

‘ABBACCHIO ROMANO’

EC No: IT-PGI-0105-0972-23.2.2012

PGI (X) PDO ()

1. Heading in the specification affected by the amendment

- ☐ Name of product
- ☐ Description of product
- ☐ Geographical area
- ☒ Proof of origin
- ☐ Method of production
- ☐ Link
- ☐ Labelling
- ☐ National requirements
- ☐ Other [to be specified]

2. Type of amendment(s)

- ☒ Amendment to Single Document or Summary Sheet
- ☐ Amendment to Specification of registered PDO or PGI for which neither the Single Document nor the Summary has been published
- ☐ Amendment to Specification that requires no amendment to the published Single Document (Article 9(3) of Regulation (EC) No 510/2006)
- ☐ Temporary amendment to Specification resulting from imposition of obligatory sanitary or phytosanitary measures by public authorities (Article 9(4) of Regulation (EC) No 510/2006)

3. Amendment(s):

Agenda 4.4. Proof of origin: the ‘Abbacchio Romano’ PGI identification mark must be affixed within 20 days of the birth of the animal, instead of 10 days.

This requirement is prompted by the need to avoid infections of the auricle, which have, in some cases, led to carcasses being destroyed, causing economic damage to the farmer. This mainly occurs in warm periods.

SINGLE DOCUMENT

Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

‘ABBACCHIO ROMANO’

EC No: IT-PGI-0105-0972-23.2.2012

PGI (X) PDO ()

1. Name

‘Abbacchio Romano’

2. Member State or Third Country

Italy

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 1.1. — Fresh meat (and offal)

3.2. *Description of product to which the name in (1) applies*

The 'Abbacchio Romano' PGI is exclusively restricted to lambs born, raised and slaughtered in the zone indicated at 4. On release for consumption the meat has the following characteristics:

colour: light pink with white fat cover;

texture: fine texture;

consistency: solid, lightly marbled with fat.

Release for consumption can be of the whole carcass or in the following other cuts: whole; half-carcass (obtained by sagittal sectioning); spalla (shoulder); leg; chops; head and pluck (heart, lungs and liver).

Carcasses must display the following features on slaughter: cold weight, without skin, with head and pluck: 8 kg maximum; colour of flesh: light pink (particular emphasis is put on the internal muscles of the abdominal wall); consistency of muscular masses: solid (absence of serosity); colour of fat: white; consistency of fat: solid (with particular emphasis on the fat mass above the point of attachment of the tail, at 18–20 °C ambient temperature); fat cover: moderate over the external surface of the carcass but not excessive over the kidneys.

3.3. *Raw materials (for processed products only)*

This is the meat and parts of male and female lambs of the most widespread genetic types to be found in the delimited area, i.e. the Sarda, Comisana, Sopravvissana, Massese and Merinizzata Italiana breeds and crosses. The lambs are slaughtered at between 28 and 40 days old, up to 8 kg dead weight. Furthermore, the animals intended for the production of the PGI 'Abbacchio Romano' must be identified within 20 days of birth by a tag or button affixed to the left ear, the front of which shows the identification code of the holding in letters and figures and the back the lamb's serial number.

3.4. *Feed (for products of animal origin only)*

The lambs must be fed with their mothers' milk (natural suckling). Supplementary grazing on natural foods and wild plants is permitted.

The mother ewes graze on the natural and sown pasture and meadow land typical of the production zone (point 4). Dried fodder and concentrates are also permitted, but synthetic substances and genetically modified organisms are not.

3.5. *Specific steps in production that must take place in the defined geographical area*

The lambs must be born, raised and slaughtered in the Region of Lazio.

3.6. *Specific rules on slicing, grating, packaging, etc.*

—

3.7. *Specific rules concerning labelling*

The product must be released for consumption bearing the specific logo in order to identify it and guarantee its origin.

Marking must be carried out at the abattoir. The meat is displayed for the sale in the cuts described in point 3.2.

In addition to the Community graphic symbol and indications and the information required by law, the packaging must carry on the label the following indications in clear and legible print:

— the name 'Abbacchio Romano' must appear in clear indelible letters that are significantly larger than and markedly different from all other writing. It must be followed by 'Indicazione Geografica Protetta' and/or 'IGP',

— the logo must be impressed on the carcass surface so that it lies on the outward side of the cuts,

— the logo takes the form of a square made up of three coloured lines, green, white and red, interrupted above by a wavy red line linked to a red oval within the square containing a stylised lamb's head. The square is interrupted below by the red capital letters 'IGP'. Within the lower part of the square are the words 'Abbachio' in yellow capitals and 'Romano' in red capitals.

The name 'Abbacchio Romano' must be in Italian.

4. Concise definition of the geographical area

The entire territory of the Region of Lazio.

5. Link with the geographical area

5.1. Specificity of the geographical area

The soil and climate characteristics of the entire Region of Lazio provide optimum conditions for rearing sheep without causing stress to the animals. The region has various types of relief, such as limestone mountains, volcanic mountains, hills and alluvial plains, an annual average temperature of 13 °C – 16 °C and annual rainfall of at least 650 mm along the coastal strip, 1 000-1 500 mm on the inland plains and up to 1 800-2 000 mm on the Terminillo and in the Simbruini mountain range.

The lambs are reared in the free-range and semi-free range and are fed with their mothers' milk. The mother ewes graze on the natural and sown pasture and meadow land typical of the production zone (point 4). The lambs and ewes are not subjected to forced feeding, environmental stress or hormonal treatment designed to boost production; traditional mountain grazing in the summer is permitted.

5.2. Specificity of the product

The meat is distinguished by its light pink colour and white fat cover; fine texture; solid consistency, lightly marbled with fat. These characteristics have made 'Abbacchio Romano' so well known in the regional gastronomy that it plays a fundamental role in the cooking of Rome and the Region of Lazio and has spawned about a hundred different dishes.

5.3. Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)

The 'Abbacchio Romano' has had, since time immemorial, a strong link with the region's countryside, which is proven not only by the importance of sheep raising for the economy and traditions of the Region of Lazio as a whole but also and above all by its long-standing reputation with consumers. The natural and sown pasture land confers distinctive qualities on the milk of the mother ewes that the lambs feed on, the synergy being exceptionally favourable for both the quality and also the uniformity of the characteristics of the meat. The PGI product has such a considerable impact on the regional gastronomy and plays such a fundamental role in the cooking of Rome and the Region of Lazio that it is the basis of approximately a hundred different dishes. At social level, the link between the product and the geographical area is proven by the numerous rural festivals, feasts and shows in the Region of Lazio that are centred on the 'Abbacchio Romano'. It is worth noting that the Roman word 'abbacchio' is used uniformly in the Region of Lazio. As a matter of fact, according to the Chiappino Dictionary of Roman dialect, the term 'abbacchio' refers to a suckling lamb or a lamb that has recently stopped suckling and 'agnello' a lamb of almost one year of age that has been shorn twice already. In Florence both are called 'agnello' (lamb). Roman terms such as 'sbacchiatura' and 'abbacchiatura' (slaughter of such animals) are also used for a number of operations carried out on the 'abbacchio'.

Reference to publication of the specification

<http://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/3335>

by going directly to the home page of the Ministry of Agricultural, Food and Forestry Policy (www.politicheagricole.it) and clicking on 'Qualità e sicurezza' (in the top right-hand corner of the screen) and then on 'Disciplinari di Produzione all'esame dell'UE'.

COMMISSION IMPLEMENTING REGULATION (EU) No 1175/2012**of 7 December 2012****entering a name in the register of protected designations of origin and protected geographical indications (Sale Marino di Trapani (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and food-stuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Sale Marino di Trapani' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

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

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

Done at Brussels, 7 December 2012.

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

Dacian CIOLOȘ
Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 99, 3.4.2012, p. 18.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.8. Other products listed in Annex I to the Treaty

ITALY

Sale Marino di Trapani (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1176/2012

of 7 December 2012

entering a name in the register of protected designations of origin and protected geographical indications [Μανταρίνι Χίου (Mandarini Chiou) (PGI)]

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Greece's application to register the name 'Μανταρίνι Χίου (Mandarini Chiou)' was published in the *Official Journal of the European Union* ⁽²⁾.

(2) No categorical objection under Article 7 of the said Regulation was raised against the registration of the name in question.

(3) However, Commission Implementing Regulation (EU) No 543/2011 ⁽³⁾, which entered into force after the application for registration had been submitted, lays down a minimum sugar-acid ratio of 7,5:1 for fruit of this species (Annex I, Part B, Part 2, Section II, point B). For reasons of clarity and legal certainty, the Greek authorities have amended the Single Document accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

The updated Single Document is contained in Annex II 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, 7 December 2012.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 19, 24.1.2012, p. 11.

⁽³⁾ OJ L 157, 15.6.2011, p.1.

ANNEX I

Agricultural products intended for human consumption listed in Annex I to the Treaty:

1.6. Fruit, vegetables and cereals, fresh or processed

GREECE

Μανταρίνι Χίου (Mandarini Chiou) (PGI)

ANNEX II

SINGLE DOCUMENT

COUNCIL REGULATION (EC) No 510/2006

'MANTAPINI XIOY' (MANDARINI CHIOU)

EC No: EL-PGI-0005-0709-27.06.2008

PGI (X) PDO ()

1. Name

'Μανταπινί Χίου' (Mandarini Chiou)

2. Member state or third country

Greece

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 1.6 — Fruit, vegetables and cereals, fresh or processed

3.2. Description of product to which the name in (1) applies

'Mandarini Chiou' is a mandarin of the common Chios variety (common Mediterranean variety) of the species *Citrus deliciosa* Tenore and has the following properties:

Physical properties:

Shape: flattened spherical shape

Weight: 60 - 150 g

Size: 55 - 70 mm

Peel: 1,5 – 3,5 mm, easily separated from the flesh

Number of carpels: 7 - 14, easily separated

Number of pips: 8 - 24 small, polyembryonic endosperms

Organoleptic characteristics:

The fruit is an orangey-yellow colour with tender, tasty, slightly orange flesh with an intense aroma and a fairly rough membrane.

Chemical properties:

Juice content: 33 - 45%

Sugar content: > 9,0 Brix

Acidity: 0,7 – 1,75%

Sugar/acid (maturity index): 7,5:1

Essential oils:

These include α -Thujene, α -Pinene, Camphene, β -Pinene, β -Myrcene, o-Methylanisol, p-Cymene, d-Limonene, γ -Terpinene, Linalol and β -Caryophyllene. The main constituent, with the highest concentration, is d-Limonene, followed by γ -Terpinene. The essential oils are extracted from the whole fruit or exclusively from the peel using mechanical means and the quantity produced depends on a number of factors, such as the degree of ripeness of the fruit, its size and the method used.

3.3. Raw materials (for processed products only)

—

3.4. Feed (for products of animal origin only)

—

3.5. *Specific steps in production that must take place in the identified geographical area*

'Mandarini Chiou' must be grown, harvested, sorted and graded on the islands of Chios, Psara and Inousses.

3.6. *Specific rules on slicing, grating, packaging, etc.*

—

3.7. *Specific rules concerning labelling*

'Mandarini Chiou' processed into confectionery, juices and other products such as essential oils must be labelled in accordance with the 'Commission Communication - Guidelines on the labelling of foodstuffs using protected designations of origin (PDOs) or protected geographical indications (PGIs) as ingredients' (OJ C 341, 16.12.2010, pp. 3 and 4).

4. **Concise definition of the geographical area**

Protection of the name is requested for the islands of Chios, Psara and Inousses.

5. **Link with the geographical area**

5.1. *Specificity of the geographical area*

Soil – the geological substratum is made up of alluvial deposits from the disintegration of limestone. Most of the soils are loamy and rich in total and active calcium (CaCO_3), two favourable factors for the growing of 'Mandarini Chiou'.

Climate – the area's climate is characterised by:

annual Etesian winds (Meltemi winds, which in the Mediterranean area are found **only** in the Aegean) that help maintain stable temperatures (producing a milder climate and generally protecting the fruit from frost) and disperse any clouds,

a high level of sunshine throughout the year (Chios has more hours without cloud than anywhere else in Greece) and particularly during the period of the annual winds, when the hours of sunshine are greatest, and

a small temperature range throughout the year and, consequently, short, mild winters and cool summers.

The climate described above together with (a) the maintenance of high surface-water temperatures ($>22^\circ\text{C}$), even in autumn, (b) the terrain, which allows greater exposure to the sun, and (c) the properties of the soils, as described in the previous point, have influenced the size and quality of the fruit grown, since a high sugar content due to the high exposure to the sun and high daytime temperatures that promote photosynthesis, as well as the rapid breakdown of acids due to high night-time temperatures, lead to an increased maturity index.

Sugar

Acidity as citric acid

and consequently a sweet taste and an intense aroma.

Human factors – 'Mandarini Chiou' has been grown continually over many decades, with practices being adapted as necessary, and this has led to the construction of suitable buildings and the development of practices totally adapted to production. These can be summarised as follows:

- the special architecture of many of the buildings/homes of the owners of agricultural holdings, which stand inside the orchards and are usually two-storied to permit better monitoring of the crop.
- the **irrigation** system, which uses ditches and capstans to draw water of excellent quality from wells. It should be noted that the island's irrigation system was developed in the 14th century by the Genoese, who also built drainage systems not found anywhere else in the world at that time.
- the intelligent **harvesting** methods that were developed. According to many sources, the growers of Chios were alone among the Greeks in knowing the correct method of cutting the fruit from the tree, i.e. using shears and then cutting the stalks close to the fruit, leaving only the peduncle, so as to avoid long stalks causing any damage to the fruit during their transportation in buckets and crates.
- the techniques and practices for **applying fertiliser** that were developed, inter alia, the general use of manure from the cattle, sheep, goats and poultry that the citrus-fruit growers farmed together with their fruit trees. The use of manure, although remaining one of the main methods for nourishing the trees, is tending to disappear as manure is no longer available in sufficient quantities.

- the techniques and practices adopted to **protect the trees against frost**, including controlled fires, 'tichoyiria' (enclosure walls) and the high planting density used, with a minimum distance between trees of 2 to 2.5 m (around 100 trees per 1 000 m²).

5.2. *Specificity of the product*

'Mandarini Chiou' is one of the most celebrated traditional agricultural products of Greece and, together with 'Mastiha Chiou PDO' (Chios mastic) is the Prefecture's most important product. It is greatly sought after for its particular flavour and its characteristic intense aroma. The variety of mandarins grown in Chios is unique. It is said to be among the best and most aromatic in the world. Even unripe mandarins are so fragrant that anyone eating them is amazed by the persistence of their aroma. The aroma from orchards planted with 'Mandarini Chiou' is so intense that Chios has become known both in Greece and abroad as 'fragrant' Chios. This comes as no surprise to visitors, since it is said that the perfumes arising from the district of Kampos can be smelled even out at sea, from the very first moment visitors begin their journey to the green heart of the island.

The application for 'Mandarini Chiou' to be registered as a PGI product is based on its reputation, which derives from a particular quality. The term 'Mandarini Chiou' was established on the fresh-fruit market at the end of the 19th century to identify and request an original, sought-after product with a characteristic intense aroma and a particular flavour, grown on Chios in a way that contributed to the product's special commercial value.

In order to preserve the fruit's special properties 'Mandarini Chiou' used to be wrapped in paper after harvesting. This procedure was invented by growers in Chios and was used nowhere else in Greece. The earliest written evidence for wrapping the mandarins in paper in Chios is from the French writer A. Testevuide in the French travel review 'Le Tour du Monde' in 1878.

5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or another characteristic of the product (for PGI)*

The product's excellent reputation is the result of a combination of its innate properties and effective human intervention.

In any case, 'Mandarini Chiou' is held in great esteem by consumers, both in Greece and abroad, principally because of its characteristic aroma and its special flavour, factors that in the past were instrumental in the flowering of the local economy and the development of trade with European countries (Czechoslovakia, Bulgaria, Romania, Serbia, Poland and Germany). References to the above can be found in the writings of many famous travellers (Galland, Testevuide, Zolontas, Tombazis, Sgouros and Sotiriadou).

The physical environment has also made an important contribution to the product's reputation, particularly the area's soil and climate, while the propagation of the product's special characteristics has been greatly facilitated by the integration of mandarin growing into the islands' wider economic and commercial environment.

Finally, it should be noted that the reputation of 'Mandarini Chiou' is due, to a great extent, to the special characteristics of the agricultural area in which it is grown - it is not by chance that the island is known as 'fragrant' Chios.

Publication reference of the specification

[Article 5(7) of Regulation (EC) No 510/2006]

http://www.minagric.gr/greek/data/Allin1_for%20CD01.pdf

COMMISSION IMPLEMENTING REGULATION (EU) No 1177/2012**of 7 December 2012****entering a name in the register of protected designations of origin and protected geographical indications [Scottish Wild Salmon (PGI)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, the United Kingdom's application to register the name 'Scottish Wild Salmon' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

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

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

Done at Brussels, 7 December 2012.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 101, 4.4.2012, p. 13.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom

UNITED KINGDOM

Scottish Wild Salmon (PGI)

COMMISSION REGULATION (EU) No 1178/2012**of 7 December 2012****establishing a prohibition of fishing for saithe in areas IIIa and IV; EU waters of IIa, IIb, IIc and Subdivisions 22-32 by vessels flying the flag of Sweden**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

This Regulation shall enter into force on the 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, 7 December 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 55.

ANNEX

No	75/TQ44
Member State	Sweden
Stock	POK/2A34.
Species	Saithe (<i>Pollachius virens</i>)
Zone	IIIa and IV; EU waters of IIa, IIIb, IIIc and Subdivisions 22-32
Date	19.11.2012

COMMISSION REGULATION (EU) No 1179/2012**of 10 December 2012****establishing criteria determining when glass cullet ceases to be waste under Directive 2008/98/EC of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives ⁽¹⁾ and in particular Article 6(2) thereof,

Whereas:

- (1) It results from an evaluation of several waste streams that recycling markets for glass cullet would benefit from the development of specific criteria determining when glass cullet obtained from waste ceases to be waste. Those criteria should ensure a high level of environmental protection. They should be without prejudice to the classification of glass cullet as waste by third countries.
- (2) Reports of the Joint Research Centre of the European Commission have shown that a market and demand exist for glass cullet to be used as feedstock in the glass producing industry. Glass cullet should therefore be sufficiently pure and meet the relevant standards or specifications required by the glass producing industry.
- (3) The criteria determining when glass cullet cease to be waste should ensure that cullet resulting from a recovery operation meet the technical requirements of the glass producing industry, comply with existing legislation and standards applicable to products and do not lead to overall adverse environmental or human health impacts. Reports of the Joint Research Centre of the European Commission have shown that the proposed criteria on the waste used as input in the recovery operation, on the treatment processes and techniques, as well as on the glass cullet resulting from the recovery operation fulfil those objectives as they should result in the generation of cullet devoid of hazardous properties and sufficiently free of non-glass components.
- (4) In order to ensure compliance with the criteria, it is appropriate to provide that information on glass cullet which has ceased to be waste is issued and that a management system is implemented.
- (5) In order to allow operators to adapt to the criteria determining when glass cullet ceases to be waste, it is appropriate to provide for a reasonable period to elapse before this Regulation applies.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter**

This Regulation establishes criteria determining when glass cullet destined for the production of glass substances or objects in re-melting processes ceases to be waste.

*Article 2***Definitions**

For the purposes of this Regulation, the definitions set out in Directive 2008/98/EC shall apply.

In addition, the following definitions shall apply:

- (1) 'glass cullet' means cullet generated from the recovery of waste glass;
- (2) 'holder' means the natural or legal person who is in possession of glass cullet;
- (3) 'producer' means the holder who transfers glass cullet to another holder for the first time as glass cullet which has ceased to be waste;
- (4) 'importer' means any natural or legal person established within the Union who introduces glass cullet which has ceased to be waste into the customs territory of the Union;
- (5) 'qualified staff' means staff which is qualified by experience or training to monitor and assess the properties of glass cullet;
- (6) 'visual inspection' means inspection of glass cullet covering all parts of a consignment and using human senses or any non-specialised equipment;
- (7) 'consignment' means a batch of glass cullet which is intended for delivery from a producer to another holder and may be contained in either one or several transport units, such as containers.

*Article 3***Criteria for glass cullet**

Glass cullet shall cease to be waste where, upon transfer from the producer to another holder, all of the following conditions are fulfilled:

- (1) the cullet resulting from the recovery operation complies with the criteria set out in Section 1 of Annex I;
- (2) the waste used as input for the recovery operation complies with the criteria set out in Section 2 of Annex I;

⁽¹⁾ OJ L 312, 22.11.2008, p. 3.

- (3) the waste used as input for the recovery operation has been treated in accordance with the criteria set out in Section 3 of Annex I;
- (4) the producer has satisfied the requirements set out in Articles 4 and 5;
- (5) the glass cullet is destined for the production of glass substances or objects in re-melting processes.

Article 4

Statement of conformity

- 1. The producer or the importer shall issue, for each consignment of glass cullet, a statement of conformity conforming to the model set out in Annex II.
- 2. The producer or the importer shall transmit the statement of conformity to the next holder of the glass cullet consignment. The producer or the importer shall retain a copy of the statement of conformity for at least one year after its date of issue and shall make it available to competent authorities upon request.
- 3. The statement of conformity may be in electronic form.

Article 5

Management system

- 1. The producer shall implement a management system suitable to demonstrate compliance with the criteria referred to in Article 3.
- 2. The management system shall include a set of documented procedures concerning each of the following aspects:
 - (a) monitoring of the quality of glass cullet resulting from the recovery operation as set out in Section 1 of Annex I (including sampling and analysis);
 - (b) acceptance control of waste used as input for the recovery operation as set out in Section 2 of Annex I;
 - (c) monitoring of the treatment processes and techniques described in Section 3 of Annex I;
 - (d) feedback from customers concerning compliance with glass cullet quality;
 - (e) record keeping of the results of monitoring conducted under points (a) to (c);
 - (f) review and improvement of the management system;
 - (g) training of staff.
- 3. The management system shall also prescribe the specific monitoring requirements set out in Annexes I for each criterion.

4. A conformity assessment body, as defined in Regulation (EC) No 765/2008 of the European Parliament and of the Council ⁽¹⁾, which has obtained accreditation in accordance with that Regulation, or an environmental verifier, as defined in Article 2(20)(b) of Regulation (EC) No 1221/2009 of the European Parliament and of the Council ⁽²⁾, which is accredited or licensed in accordance with that Regulation, shall verify that the management system complies with the requirements of this Article. The verification shall be carried out every three years. Only verifiers with the following scopes of accreditation or licence based on the NACE Codes as specified in Regulation (EC) No 1893/2006 of the European Parliament and of the Council ⁽³⁾ are regarded to have sufficient specific experience to perform the verification mentioned in this Regulation:

- * NACE Code 38 (Waste collection, treatment and disposal activities; material recovery), or
- * NACE Code 23.1 (Manufacture of glass and glass products).

5. The importer shall require his suppliers to implement a management system which complies with the requirements of paragraphs 1, 2 and 3 of this Article and has been verified by an independent external verifier.

The management system of the supplier shall be certified by a conformity assessment body which is accredited by an accreditation body successfully peer evaluated for this activity by the body recognised in Article 14 of Regulation (EC) No 765/2008; or by an environmental verifier which is accredited or licensed by an accreditation or licensing body according to Regulation (EC) No 1221/2009 which is also subject to peer evaluation according to Article 31 of that Regulation, respectively.

Verifiers who want to operate in third countries must obtain a specific accreditation or licence, in accordance with the specifications laid down in Regulation (EC) No 765/2008 or Regulation (EC) No 1221/2009 together with Commission Decision 2011/832/EU ⁽⁴⁾.

6. The producer shall give competent authorities access to the management system upon request.

Article 6

Entry into force

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

It shall apply from 11 June 2013.

⁽¹⁾ OJ L 218, 13.8.2008, p. 30.

⁽²⁾ OJ L 342, 22.12.2009, p. 1.

⁽³⁾ OJ L 393, 30.12.2006, p. 1.

⁽⁴⁾ OJ L 330, 14.12.2011, p. 25.

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

Done at Brussels, 10 December 2012.

For the Commission
The President
José Manuel BARROSO

Criteria for glass cullet

Criteria	Self-monitoring requirements
Section 1. Quality of glass cullet resulting from the recovery operation	
1.1. The glass cullet shall comply with a customer specification, an industry specification or a standard for direct use in the production of glass substances or objects by re-melting in glass manufacturing facilities.	Qualified staff shall verify that each consignment complies with the appropriate specification.
<p>1.2. The content of the following non-glass components shall be:</p> <ul style="list-style-type: none"> — Ferrous metals: ≤ 50 ppm; — Non-ferrous metals: ≤ 60 ppm; — Non-metal non-glass inorganics: <ul style="list-style-type: none"> < 100 ppm for glass cullet size > 1mm; < 1 500 ppm for glass cullet size ≤ 1 mm; — Organics: $\leq 2\,000$ ppm. <p>Examples of non-metal non-glass inorganics are: ceramics, stones, porcelain, pyro-ceramics.</p> <p>Examples of organics are: paper, rubber, plastic, fabrics, wood.</p>	<p>Qualified staff shall carry out a visual inspection of each consignment.</p> <p>At appropriate intervals and subject to review if significant changes in the operating process are made, representative samples of glass cullet shall be analysed gravimetrically to measure the total non-glass components. The non-glass component content shall be analysed by weighing after mechanical or manual (as appropriate) separation of materials under careful visual inspection.</p> <p>The appropriate frequencies of monitoring by sampling shall be established taking into account the following factors:</p> <ul style="list-style-type: none"> — The expected pattern of variability (for example as shown by historical results). — The inherent risk of variability in the quality of waste glass used as input for the recovery operation and any subsequent processing. Pre-consumer waste glass with a highly predictable composition needs likely less frequent monitoring. Waste glass from multi-material collection may need more frequent monitoring. — The inherent precision of the monitoring method. — The proximity of results of the non-glass component content to the limits indicated above. <p>The process of determining monitoring frequencies should be documented as part of the management system and should be available for auditing.</p>
1.3. The glass cullet shall not display any of the hazardous properties listed in Annex III to Directive 2008/98/EC. The glass cullet shall comply with the concentration limits laid down in Commission Decision 2000/532/EC ⁽¹⁾ , and not exceed the concentration limits laid down in Annex IV of Regulation (EC) No 850/2004/EC of the European Parliament and of the Council ⁽²⁾ .	<p>Qualified staff shall carry out a visual inspection of each consignment. Where visual inspection raises any suspicion of possible hazardous properties, further appropriate monitoring measures shall be taken, such as sampling and testing where appropriate.</p> <p>The staff shall be trained on potential hazardous properties that may be associated with glass cullet and on material components or features that allow recognising the hazardous properties.</p> <p>The procedure of recognising hazardous materials shall be documented under the management system.</p>

Criteria	Self-monitoring requirements
Section 2. Waste used as input for the recovery operation	
2.1. Only waste from the collection of recoverable container glass, flat glass or lead-free tableware may be used as input. The collected waste glass may unintentionally contain minor amounts of other glass types.	Acceptance control of all glass-containing waste received (by visual inspection) and of the accompanying documentation shall be carried out by qualified staff who are trained on how to recognise glass-containing waste that does not meet the criteria set out in this Section.
2.2. Glass-containing waste from mixed municipal solid waste or healthcare waste shall not be used as an input.	
2.3. Hazardous waste shall not be used as an input.	
Section 3. Treatment processes and techniques	
3.1. The glass-containing waste shall have been collected, separated and processed, and from that moment shall permanently have been kept separate from any other waste.	
3.2. All treatments such as: crushing, sorting, separating, or cleaning, needed to prepare the cullet for direct use (via re-melting) in the production of glass substances or objects shall have been completed.	
<div>(¹) OJ L 226, 6.9.2000, p. 3. (²) OJ L 229, 30.4.2004, p. 1.</div>	

ANNEX II

Statement of conformity with the end-of-waste criteria referred to in Article 4(1)

1.	Producer/importer of the glass cullet: Name: Address: Contact person: Telephone: Fax: E-mail:
2.	(a) Name or code of the glass cullet category in accordance with an industry specification or standard: (b) Main technical provisions of the industry specification or standard, including compliance with EoW product quality requirements for non-glass components, i.e. content of ferrous metals, non-ferrous metals, non-metal/non-glass inorganics and organics:
3.	The glass cullet consignment complies with the industry specification or standard referred to in point 2.
4.	Quantity of the consignment in kg:
5.	The producer of the glass cullet applies a management system complying with the requirements of Regulation (EU) No 1179/2012, which has been verified by an accredited conformity assessment body or by an environmental verifier or, where glass cullet which has ceased to be waste is imported into the customs territory of the Union, by an independent external verifier.
6.	The glass cullet consignment meets the criteria referred to in paragraphs 1 to 3 of Article 3 of Regulation (EU) No 1179/2012.
7.	The material in this consignment is intended exclusively for direct use in the production of glass substances or objects in re-melting processes.
8.	Declaration of the producer/importer of the glass cullet: I certify that the above information is complete and correct and to my best knowledge: Name: Date: Signature:

COMMISSION IMPLEMENTING REGULATION (EU) No 1180/2012**of 10 December 2012****amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾ ('the Code'), and in particular Article 247 thereof,

Whereas:

- (1) The Republic of Turkey acceded to the Convention of 20 May 1987 between the European Economic Community, the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation, on a common transit procedure ('the Convention') as a contracting party on 1 December 2012. By Decision No 4/2012 of the EU-EFTA Joint Committee on common transit of 26 June 2012 ⁽²⁾ the Convention was amended in order to adapt the guarantee documents for common transit in view of Turkey's accession to the Convention. The corresponding guarantee documents for Community transit provided for in Commission Regulation (EEC) No 2454/93 ⁽³⁾ should be adapted accordingly.
- (2) Since it has been a requirement under Decision No 4/2012 to use the guarantee documents adapted to the accession of Turkey since 1 December 2012, the corresponding guarantee documents required by Regulation (EEC) No 2454/93 should also be adapted with effect from that date. However, rules should be laid down in order to allow the use of guarantee documents in compliance with the specimen applicable prior to 1 December 2012 for a transitional period, subject to the necessary adaptations.
- (3) Regulation (EEC) No 2454/93 should therefore be amended accordingly.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2454/93 is amended as follows:

- (1) Annex 48 is replaced by the text set out in Annex I to this Regulation;
- (2) Annex 49 is replaced by the text set out in Annex II to this Regulation;
- (3) Annex 50 is replaced by the text set out in Annex III to this Regulation;
- (4) in Annex 51, in box 7, the text 'Turkey,' is inserted between the text 'Switzerland,' and 'Andorra';
- (5) in Annex 51a, in box 6, the text 'Turkey,' is inserted between the text 'Switzerland,' and 'Andorra'.

Article 2

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

It shall apply from 1 December 2012.

However, economic operators may, until 30 November 2013, use the specimen form laid down in Annex 48, 49, 50, 51 or 51a to Regulation (EEC) No 2454/93 as amended by Commission Implementing Regulation (EU) No 1159/2012 ⁽⁴⁾, subject to the necessary geographical adaptations and adaptations concerning the address for service or the authorised agent.

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

Done at Brussels, 10 December 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 297, 26.10.2012, p. 34.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 336, 8.12.2012, p. 1.

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at, on

.....
(Signature) ⁽¹⁾

II. Acceptance by the office of guarantee

Office of guarantee

.....

Guarantor's undertaking accepted on

.....

.....
(Stamp and signature)

⁽¹⁾ Surname and forenames, or name of firm.

⁽²⁾ Full address.

⁽³⁾ Delete what does not apply.

⁽⁴⁾ Delete the name of the Contracting Party or Parties or States (Andorra or San Marino) whose territory is not transited. The references to the Principality of Andorra and the Republic of San Marino shall apply solely to Community transit operations.

⁽⁵⁾ Surname and forename, or name of firm and full address of the principal.

⁽⁶⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽⁷⁾ The signature must be preceded by the following in the signatory's own handwriting: "Guarantee for the amount of " with the amount written out in full.'

ANNEX II

‘ANNEX 49

COMMON/COMMUNITY TRANSIT PROCEDURE

INDIVIDUAL GUARANTEE

I. Undertaking by the guarantor

1. The undersigned ⁽¹⁾

resident at ⁽²⁾

hereby jointly and severally guarantees, at the office of guarantee of

up to a maximum amount of

.....

in favour of the European Union

(comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland)

and the Republic of Croatia, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation, the Republic of Turkey, the Principality of Andorra and the Republic of San Marino ⁽³⁾, any amount of principal, further liabilities, expenses and incidentals — but not fines — for which the

principal ⁽⁴⁾,

may be or become liable to the abovementioned countries for debt in the form of duty and other charges applicable to the goods described below placed under the Community or common transit procedure from the office of departure of

.....

to the office of destination of

.....

Goods description:

.....

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in paragraph 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that the operation has ended.

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain liable for payment of any debt arising during the Community or common transit operation covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.

4. For the purpose of this undertaking the undersigned gives his or her address for service ⁽⁵⁾ in each of the other countries referred to in paragraph 1 as:

Country	Surname and forenames, or name of firm, and full address
.....
.....
.....
.....
.....
.....

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at, on

.....
(Signature) ⁽⁶⁾

II. Acceptance by the office of guarantee

Office of guarantee

.....

Guarantor's undertaking accepted on to cover the Community/
common transit operation effected under transit declaration No of ⁽⁷⁾

.....
(Stamp and signature)

⁽¹⁾ Surname and forenames, or name of firm.

⁽²⁾ Full address.

⁽³⁾ Delete the name of the Contracting Party or Parties or States (Andorra or San Marino) whose territory is not transited. The references to the Principality of Andorra and the Republic of San Marino shall apply solely to Community transit operations.

⁽⁴⁾ Surname and forename, or name of firm and full address of the principal.

⁽⁵⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽⁶⁾ The person signing the document must enter the following by hand before his or her signature: "Guarantee for the amount of", the amount being written out in letters.

⁽⁷⁾ To be completed by the office of departure.

ANNEX III

‘ANNEX 50

COMMON/COMMUNITY TRANSIT PROCEDURE
INDIVIDUAL GUARANTEE IN THE FORM OF VOUCHERS

I. Undertaking by the guarantor

1. The undersigned ⁽¹⁾

resident at ⁽²⁾

hereby jointly and severally guarantees, at the office of guarantee of

in favour of the European Union

(comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland)

and of the Republic of Croatia, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation, the Republic of Turkey, the Principality of Andorra and the Republic of San Marino ⁽³⁾,

any amount of principal, further liabilities, expenses and incidentals — but not fines — for which a principal may be or become liable to the above mentioned States for debt in the form of duty and other charges applicable to the goods placed under the Community or common transit procedure, in respect of which the undersigned has undertaken to issue individual guarantee vouchers up to a maximum of EUR 7 000 per voucher.

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in paragraph 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested, up to EUR 7 000 per individual guarantee voucher, unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that the operation has ended.

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain liable for payment of any debt arising during any Community or common transit operations covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.

4. For the purpose of this undertaking the undersigned gives his or her address for service ⁽⁴⁾ in each of the other countries referred to in paragraph 1 as:

Country	Surname and forenames, or name of firm, and full address
.....
.....
.....
.....

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at, on

.....
(Signature) ⁽⁵⁾

II. Acceptance by the office of guarantee

Office of guarantee

.....

Guarantor's undertaking accepted on

.....

.....
(Stamp and signature)

⁽¹⁾ Surname and forenames, or name of firm.

⁽²⁾ Full address.

⁽³⁾ Only for Community transit operations.

⁽⁴⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽⁵⁾ The signature must be preceded by the following in the signatory's own handwriting: "Guarantee".

COMMISSION IMPLEMENTING REGULATION (EU) No 1181/2012**of 10 December 2012****authorising an increase of the limits for the enrichment of wine produced using the grapes harvested in 2012 in certain wine-growing regions**

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 the third paragraph of Article 121 thereof,

Whereas:

- (1) Point A.3 of Annex XVa to Regulation (EC) No 1234/2007 provides that Member States may request that the limits for increasing the alcoholic strength (enrichment) of wine by volume be raised by up to 0,5 % in years when climatic conditions have been exceptionally unfavourable.
- (2) Denmark, Sweden and the United Kingdom have requested such increases of the limits for enrichment of the wine produced using the grapes harvested in the year 2012, as climatic conditions during the growing season have been exceptionally unfavourable in certain geographical regions.
- (3) Due to the exceptionally adverse weather conditions during 2012, the limits on increases in the natural alcoholic strength provided for in Point A.2 of Annex XVa to Regulation (EC) No 1234/2007 do not enable the

production of wine with an appropriate total alcoholic strength in certain wine-growing regions for which there would normally be market demand.

- (4) It is therefore appropriate to authorise an increase of the limits for the enrichment of wine produced using the grapes harvested in 2012 in Denmark, Sweden and the United Kingdom.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

In the geographical regions listed in the Annex to this Regulation, by derogation from Point A.2 of Annex XVa to Regulation (EC) No 1234/2007, the increase in natural alcoholic strength by volume of fresh grapes harvested in the year 2012, grape must, grape must in fermentation, new wine still in fermentation and wine produced using the grapes harvested in the year 2012, shall not exceed 3,5 % vol.

Article 2

This Regulation shall enter into force on the third 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, 10 December 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

ANNEX

Geographical regions where an increase of the enrichment limit is authorised pursuant to Article 1

Member State	Geographical regions
Denmark	All wine-growing regions
Sweden	All wine-growing regions
United Kingdom	All wine-growing regions

COMMISSION IMPLEMENTING REGULATION (EU) No 1182/2012**of 10 December 2012****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 10 December 2012.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	39,9
	MA	75,8
	TN	76,3
	TR	75,8
	ZZ	67,0
0707 00 05	AL	76,3
	JO	174,9
	MA	133,1
	TR	98,0
	ZZ	120,6
0709 93 10	MA	151,2
	TR	72,5
	ZZ	111,9
0805 10 20	AR	49,7
	TR	74,4
	ZA	57,6
	ZW	43,2
	ZZ	56,2
0805 20 10	MA	75,2
	ZZ	75,2
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	HR	85,6
	MA	95,7
	TR	78,3
	ZZ	86,5
0805 50 10	TR	81,5
	ZZ	81,5
0808 10 80	CA	157,2
	MK	36,9
	US	125,9
	ZA	136,9
	ZZ	114,2
0808 30 90	CN	48,8
	TR	112,1
	US	160,6
	ZZ	107,2

⁽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 DECISION

of 6 December 2012

concerning the request of Ireland to take part in some of the provisions of the Schengen *acquis* relating to the establishment of a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice

(2012/764/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Article 4 of the Protocol (No 19) on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union (hereinafter the 'Schengen Protocol'),

Having regard to the request by the Government of Ireland, by its letter to the President of the Council of 14 March 2012, to participate in certain provisions of the Schengen *acquis*, as specified in that letter,

Whereas:

- (1) By Decision 2002/192/EC ⁽¹⁾ the Council authorised Ireland to take part in some of the provisions of the Schengen *acquis*, in accordance with the conditions set out in that Decision.
- (2) On 25 October 2011 the European Parliament and the Council adopted Regulation (EU) No 1077/2011 ⁽²⁾ establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (hereinafter the 'Agency').
- (3) In accordance with Regulation (EU) No 1077/2011, the Agency is responsible for the operational management of the second generation Schengen Information System (SIS II), the Visa Information System (VIS) and Eurodac, and it may be made responsible for the preparation, development and operational management of other large-scale IT systems in the area of freedom, security and justice, on the basis of a relevant legislative instrument, based on Title V of Part Three of the Treaty on the Functioning of the European Union (TFEU).
- (4) The Agency has a single legal personality and is characterised by the unity of its organisational and financial structure. To that end, and in accordance with Article 288 of the TFEU, the Agency was established by means of a single legislative instrument which is applicable in its

entirety in the Member States bound by it. This excludes the possibility of partial applicability of Regulation (EU) No 1077/2011 for Ireland. Consequently, necessary steps should be taken to ensure that Regulation (EU) No 1077/2011 in its entirety is applicable to Ireland.

- (5) SIS II is part of the Schengen *acquis*. Regulation (EC) No 1987/2006 of the European Parliament and of the Council ⁽³⁾ and Council Decision 2007/533/JHA ⁽⁴⁾ govern the establishment, operation and use of SIS II. However, Ireland has only taken part in the adoption of Decision 2007/533/JHA which develops the provisions of the Schengen *acquis* referred to in Article 1(a)(ii) of Decision 2002/192/EC.
- (6) VIS is also part of the Schengen *acquis*. Ireland neither took part in the adoption of, nor is bound by Decision 2004/512/EC ⁽⁵⁾, Regulation (EC) No 767/2008 ⁽⁶⁾ and Decision 2008/633/JHA ⁽⁷⁾ which govern the establishment, operation or use of VIS.
- (7) Eurodac is not part of the Schengen *acquis*. Ireland has taken part in the adoption of, and is bound by, Council Regulation (EC) No 2725/2000 ⁽⁸⁾ which governs the establishment, operation and use of Eurodac. However, in so far as the provisions of Regulation (EU) No 1077/2011 relate to Eurodac, in accordance with Articles 1 and 2 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the

⁽¹⁾ OJ L 64, 7.3.2002, p. 20.

⁽²⁾ OJ L 286, 1.11.2011, p. 1.

⁽³⁾ OJ L 381, 28.12.2006, p. 4.

⁽⁴⁾ OJ L 205, 7.8.2007, p. 63.

⁽⁵⁾ Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS) (OJ L 213, 15.6.2004, p. 5).

⁽⁶⁾ Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).

⁽⁷⁾ Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (OJ L 218, 13.8.2008, p. 129).

⁽⁸⁾ Council Regulation (EC) No 2725/2000 of 11 December 2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention (OJ L 316, 15.12.2000, p. 1).

Functioning of the European Union, Ireland did not take part in the adoption of Regulation (EU) No 1077/2011 and is therefore not bound by it nor subject to its application.

- (8) In accordance with Article 4 of Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, Ireland notified the Commission and the Council by letters of 14 March 2012, of its intention to accept the provisions of Regulation (EU) No 1077/2011 relating to Eurodac.
- (9) In accordance with the procedure provided for in Article 331(1) of the TFEU, the Commission confirmed by Decision C(2012) 4881 of 18 July 2012, the application to Ireland of Regulation (EU) No 1077/2011 in so far as its provisions relate to Eurodac. That Decision provides that Regulation (EU) No 1077/2011 comes into force for Ireland on the date of entry into force of the Council Decision concerning the request of Ireland to take part in the provisions of Regulation (EU) No 1077/2011 relating to SIS II, as governed by Regulation (EC) No 1987/2006, and relating to the VIS.
- (10) Given that, following the adoption of Commission Decision C(2012) 4881, the first precondition for the participation of Ireland in Eurodac-related provisions of Regulation (EU) No 1077/2011 is fulfilled, and given its partial participation in SIS II related provisions, Ireland has the right to participate in the activities of the Agency, to the extent that the Agency is responsible for the operational management of SIS II as governed by Decision 2007/533/JHA, and the operational management of Eurodac.
- (11) In order to ensure compliance with the Treaties and the applicable Protocols, and at the same time to safeguard the unity and consistency of Regulation (EU) No 1077/2011, Ireland has requested, by letter of 14 March 2012, to take part in that Regulation under Article 4 of the Schengen Protocol to the extent that the Agency is responsible for the operational management of SIS II as governed by Regulation (EC) No 1987/2006 and the operational management of VIS.
- (12) The Council recognises the right of Ireland to make, in accordance with Article 4 of the Schengen Protocol, a request for participation in Regulation (EU) No 1077/2011, to the extent that Ireland does not participate in that Regulation on other grounds.
- (13) Participation of Ireland in Regulation (EU) No 1077/2011 is without prejudice to the fact that at

present Ireland does not and cannot participate in the provisions of the Schengen *acquis* relating to the free movement of third country nationals, visa policy and the crossing by persons of the external borders of the Member States. Regulation (EU) No 1077/2011 therefore contains specific provisions reflecting this special position of Ireland, in particular as regards limited voting rights in the Management Board of the Agency.

- (14) The Mixed Committee, established pursuant to Article 3 of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application, and development of the Schengen *acquis* ⁽¹⁾, has been informed about the preparation of this Decision in accordance with Article 5 of that Agreement.
- (15) The Mixed Committee, established pursuant to Article 3 of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽²⁾, has been informed about the preparation of this Decision in accordance with Article 5 of that Agreement,

HAS ADOPTED THIS DECISION:

Article 1

Further to Decision 2002/192/EC, Ireland shall take part in Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice to the extent that it relates to the operational management of the Visa Information System (VIS) and the parts of the second generation Schengen Information System (SIS II), in which Ireland does not participate.

Article 2

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

Done at Brussels, 6 December 2012.

For the Council
The President
L. LOUCA

⁽¹⁾ OJ L 176, 10.7.1999, p. 36.

⁽²⁾ OJ L 53, 27.2.2008, p. 52.

COUNCIL DECISION 2012/765/CFSP

of 10 December 2012

updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Decision 2012/333/CFSP

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 27 December 2001, the Council adopted Common Position 2001/931/CFSP ⁽¹⁾.
- (2) On 25 June 2012, the Council adopted Decision 2012/333/CFSP updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP ⁽²⁾.
- (3) Pursuant to Article 1(6) of Common Position 2001/931/CFSP, it is necessary to carry out a complete review of the list of persons, groups and entities to which Decision 2012/333/CFSP applies.
- (4) This Decision sets out the result of the review that the Council has carried out in respect of the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply.
- (5) The Council has concluded that the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply have been involved in terrorist acts within the meaning of Article 1(2) and (3) of Common Position 2001/931/CFSP, that a decision has been taken with respect to them by a competent authority within the meaning of Article 1(4) of that

Common Position, and that they should continue to be subject to the specific restrictive measures provided for therein.

- (6) The list of the persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply should be updated accordingly, and Decision 2012/333/CFSP should be repealed,

HAS ADOPTED THIS DECISION:

Article 1

The list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP apply shall be that set out in the Annex to this Decision.

Article 2

Decision 2012/333/CFSP is hereby repealed.

Article 3

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

Done at Brussels, 10 December 2012.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 344, 28.12.2001, p. 93.

⁽²⁾ OJ L 165, 26.6.2012, p. 72.

ANNEX

LIST OF PERSONS, GROUPS AND ENTITIES REFERRED TO IN ARTICLE 1

1. PERSONS

1. ABDOLLAHI Hamed (a.k.a. Mustafa Abdullahi), born 11.8.1960 in Iran. Passport: D9004878
2. AL-NASSER, Abdelkarim Hussein Mohamed, born in Al Ihsa (Saudi Arabia), citizen of Saudi Arabia
3. AL YACCOUB, Ibrahim Salih Mohammed, born 16.10.1966 in Tarut (Saudi Arabia), citizen of Saudi Arabia
4. ARBABSIAR Manssor (a.k.a. Mansour Arbabsiar), born March 6 or 15, 1955 in Iran. Iranian and US national. Passport: C2002515 (Iran); Passport: 477845448 (USA). National ID no.: 07442833, expiry date 15.3.2016 (USA driving licence)
5. BOUYERI, Mohammed (a.k.a. Abu ZUBAIR, a.k.a. SOBIAR, a.k.a. Abu ZOUBAIR), born 8.3.1978 in Amsterdam (The Netherlands) – member of the 'Hofstadgroep'
6. FAHAS, Sofiane Yacine, born 10.9.1971 in Algiers (Algeria) – member of 'al-Takfir' and 'al-Hijra'
7. IZZ-AL-DIN, Hasan (a.k.a. GARBAYA, Ahmed, a.k.a. SA-ID, a.k.a. SALWWAN, Samir), Lebanon, born 1963 in Lebanon, citizen of Lebanon
8. MOHAMMED, Khalid Shaikh (a.k.a. ALI, Salem, a.k.a. BIN KHALID, Fahd Bin Adballah, a.k.a. HENIN, Ashraf Refaat Nabith, a.k.a. WADOOD, Khalid Adbul), born 14.4.1965 or 1.3.1964 in Pakistan, passport No 488555
9. SHAHLAI Abdul Reza (a.k.a. Abdol Reza Shala'i, a.k.a. Abd-al Reza Shalai, a.k.a. Abdorreza Shahlai, a.k.a. Abdolreza Shahlai, a.k.a. Abdul-Reza Shahlaee, a.k.a. Hajj Yusef, a.k.a. Haji Yusif, a.k.a. Hajji Yasir, a.k.a. Hajji Yusif, a.k.a. Yusuf Abu-al-Karkh), born circa 1957 in Iran. Addresses: (1) Kermanshah, Iran, (2) Mehran Military Base, Ilam Province, Iran
10. SHAKURI Ali Gholam, born circa 1965 in Tehran, Iran
11. SOLEIMANI Qasem (a.k.a. Ghasem Soleymani, a.k.a. Qasmi Sulayman, a.k.a. Qasem Soleymani, a.k.a. Qasem Solaimani, a.k.a. Qasem Salimani, a.k.a. Qasem Solemani, a.k.a. Qasem Sulaimani, a.k.a. Qasem Sulemani), born 11.3.1957 in Iran. Iranian national. Passport: 008827 (Iran Diplomatic), issued 1999. Title: Major General.

2. GROUPS AND ENTITIES

1. 'Abu Nidal Organisation' – 'ANO' (a.k.a. 'Fatah Revolutionary Council', a.k.a. 'Arab Revolutionary Brigades', a.k.a. 'Black September', a.k.a. 'Revolutionary Organisation of Socialist Muslims')
2. 'Al-Aqsa Martyrs' Brigade'
3. 'Al-Aqsa e.V.'
4. 'Al-Takfir' and 'Al-Hijra'
5. 'Babbar Khalsa'
6. 'Communist Party of the Philippines', including 'New People's Army' – 'NPA', Philippines
7. 'Gama'a al-Islamiyya' (a.k.a. 'Al-Gama'a al-Islamiyya') ('Islamic Group' – 'IG')
8. 'İslami Büyük Doğu Akıncılar Cephesi' – 'IBDA-C' ('Great Islamic Eastern Warriors Front')
9. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'
10. 'Hizbul Mujahideen' – 'HM'
11. 'Hofstadgroep'
12. 'Holy Land Foundation for Relief and Development'
13. 'International Sikh Youth Federation' – 'ISYF'
14. 'Khalistan Zindabad Force' – 'KZF'
15. 'Kurdistan Workers' Party' – 'PKK', (a.k.a. 'KADEK', a.k.a. 'KONGRA-GEL')
16. 'Liberation Tigers of Tamil Eelam' – 'LTTE'

17. 'Ejército de Liberación Nacional' ('National Liberation Army')
 18. 'Palestinian Islamic Jihad' – 'PIJ'
 19. 'Popular Front for the Liberation of Palestine' – 'PFLP'
 20. 'Popular Front for the Liberation of Palestine – General Command' (a.k.a. 'PFLP – General Command')
 21. 'Fuerzas armadas revolucionarias de Colombia' – 'FARC' ('Revolutionary Armed Forces of Colombia')
 22. 'Devrimci Halk Kurtuluş Partisi-Cephesi' – 'DHKP/C' (a.k.a. 'Devrimci Sol' ('Revolutionary Left'), a.k.a. 'Dev Sol') ('Revolutionary People's Liberation Army/Front/Party')
 23. 'Sendero Luminoso' – 'SL' ('Shining Path')
 24. 'Stichting Al Aqsa' (a.k.a. 'Stichting Al Aqsa Nederland', a.k.a. 'Al Aqsa Nederland')
 25. 'Teyrbazen Azadiya Kurdistan' – 'TAK' (a.k.a. 'Kurdistan Freedom Falcons', a.k.a. 'Kurdistan Freedom Hawks')
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COMMISSION IMPLEMENTING DECISION

of 7 December 2012

amending Part A of Annex XI to Council Directive 2003/85/EC as regards the list of national laboratories authorised to handle live foot-and-mouth disease virus*(notified under document C(2012) 8900)***(Text with EEA relevance)**

(2012/766/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC ⁽¹⁾, and in particular Article 67(2) thereof,

Whereas:

- (1) Directive 2003/85/EC sets out minimum control measures to be applied in the event of an outbreak of foot-and-mouth disease and certain preventive measures aimed at increasing the awareness and preparedness of the competent authorities and the farming community concerning that disease.
- (2) Those preventive measures include an obligation on Member States to ensure that the handling of live foot-and-mouth disease virus for research and diagnosis is carried out only in the authorised national laboratories listed in Part A of Annex XI to Directive 2003/85/EC.
- (3) The United Kingdom has officially informed the Commission that the name of the national laboratory listed in Part A of Annex XI to Directive 2003/85/EC situated in that Member State has changed.
- (4) For legal certainty, it is important to keep the list of national laboratories set out in Part A of Annex XI to Directive 2003/85/EC updated. It is therefore necessary to replace the entry for the United Kingdom in the list of national laboratories set out in Part A of that Annex.

(5) Annex XI to Directive 2003/85/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

In Part A of Annex XI to Directive 2003/85/EC, the entry for the United Kingdom is replaced by the following:

'UK	United Kingdom	The Pirbright Institute	United Kingdom Estonia Finland Ireland Latvia Malta Slovenia Sweden'
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Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 December 2012.

For the Commission

Tonio BORG

Member of the Commission

⁽¹⁾ OJ L 306, 22.11.2003, p. 1.

COMMISSION IMPLEMENTING DECISION

of 7 December 2012

designating the EU reference laboratory for foot-and-mouth disease and repealing Decision 2006/393/EC

(notified under document C(2012) 8901)

(Text with EEA relevance)

(2012/767/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC ⁽¹⁾, and in particular Article 69(1) thereof,

Whereas:

(1) Directive 2003/85/EC sets out minimum control measures to be applied in the event of an outbreak of foot-and-mouth disease and certain preventive measures aimed at increasing the awareness and preparedness of the competent authorities and the farming community concerning that disease.

(2) Directive 2003/85/EC provides, *inter alia*, that an EU reference laboratory for foot-and-mouth disease is to be designated in order to carry out the functions and duties set out in Annex XVI thereto.

(3) The Commission, in close collaboration with the Member States, has carried out a tender for the selection of that EU reference laboratory, taking into account the criteria of technical and scientific competence and staff expertise.

(4) Following completion of the selection procedure, the successful laboratory, the Institute for Animal Health, Pirbright Laboratory sponsored by the Biotechnology and Biological Sciences Research Council (BBSRC), has been designated, by Commission Decision 2006/393/EC ⁽²⁾, as EU reference laboratory for foot-and-mouth disease for a period of five years starting on 7 June 2006.

(5) Directive 2003/85/EC also provides that the Commission should review the designation of the EU reference laboratory for foot-and-mouth disease in the light of its compliance with the functions and duties of that laboratory specified in Annex XVI thereto.

(6) The evaluation, initiated by the Commission and completed in April 2011, concluded that the Institute for Animal Health, Pirbright Laboratory, successfully fulfils all of the functions and duties of the EU reference laboratory for foot-and-mouth disease as provided for in Annex XVI to Directive 2003/85/EC and of the responsibilities of the EU reference laboratories as provided for in Article 32(2) and (4) of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽³⁾.

(7) The designation of that laboratory as an EU reference laboratory for foot-and-mouth disease should therefore be prolonged for an undetermined period of time.

(8) In addition, the United Kingdom has officially informed the Commission that the Institute for Animal Health, Pirbright Laboratory, is now called the Pirbright Institute.

(9) In order to avoid any disruption of activities of the EU reference laboratory for foot-and-mouth disease, it is appropriate that the measures provided for in this Decision apply retroactively, as from 7 June 2011.

(10) In the interest of clarity and simplification of Union law, Decision 2006/393/EC should therefore be repealed and replaced by this Decision.

(11) 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

1. The Pirbright Institute, of the Biotechnology and Biological Sciences Research Council (BBSRC) in the United Kingdom, is designated as the EU reference laboratory for foot-and-mouth disease.

⁽¹⁾ OJ L 306, 22.11.2003, p. 1.

⁽²⁾ OJ L 152, 7.6.2006, p. 31.

⁽³⁾ OJ L 165, 30.4.2004, p. 1.

2. The rules setting out the functions and duties of the EU reference laboratory referred to in paragraph 1 are laid down in Annex XVI to Directive 2003/85/EC.

Article 2

Decision 2006/393/EC is repealed.

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

Article 3

This Decision shall apply from 7 June 2011.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 7 December 2012.

For the Commission

Tonio BORG

Member of the Commission

DECISIONS

2012/764/EU:

- ★ **Council Decision of 6 December 2012 concerning the request of Ireland to take part in some of the provisions of the Schengen *acquis* relating to the establishment of a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice** 48
- ★ **Council Decision 2012/765/CFSP of 10 December 2012 updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Decision 2012/333/CFSP** 50

2012/766/EU:

- ★ **Commission Implementing Decision of 7 December 2012 amending Part A of Annex XI to Council Directive 2003/85/EC as regards the list of national laboratories authorised to handle live foot-and-mouth disease virus** (*notified under document C(2012) 8900*) ⁽¹⁾ 53

2012/767/EU:

- ★ **Commission Implementing Decision of 7 December 2012 designating the EU reference laboratory for foot-and-mouth disease and repealing Decision 2006/393/EC** (*notified under document C(2012) 8901*) ⁽¹⁾ 54



⁽¹⁾ Text with EEA relevance

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