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⁽¹⁾ Text with EEA relevance

I

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

REGULATIONS

COMMISSION REGULATION (EC) No 1235/2007

of 23 October 2007

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 October 2007.

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

Done at Brussels, 23 October 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 23 October 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	58,3
	MK	31,2
	TR	117,9
	ZZ	69,1
0707 00 05	EG	151,2
	JO	151,2
	MA	40,3
	MK	76,8
	TR	147,8
	ZZ	113,5
0709 90 70	TR	118,7
	ZZ	118,7
0805 50 10	AR	47,3
	TR	89,7
	UY	73,9
	ZA	57,1
	ZZ	67,0
0806 10 10	BR	253,7
	TR	117,2
	US	242,9
	ZZ	204,6
0808 10 80	AU	145,1
	CL	86,4
	MK	30,6
	NZ	97,0
	US	96,6
	ZA	97,8
0808 20 50	ZZ	92,3
	CN	87,2
	TR	84,5
	ZZ	85,9

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

COMMISSION REGULATION (EC) No 1236/2007**of 22 October 2007****amending Regulation (EC) No 1974/2006 for the purposes of implementing Council Regulation No 378/2007 on voluntary modulation**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ⁽¹⁾, and in particular Article 91 thereof,

Having regard to Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 ⁽²⁾, and in particular Article 155 thereof,

Having regard to Council Regulation (EC) No 378/2007 of 27 March 2007 laying down rules for voluntary modulation of direct payments provided for in Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and amending Regulation (EC) No 1290/2005 ⁽³⁾, and in particular Article 6(b) thereof,

Whereas:

(1) Article 1 of Regulation (EC) No 378/2007 provides that Member States where at the entry into force of that Regulation the system of additional reductions of direct payments referred to in Article 1 of Commission Regulation (EC) No 1655/2004 of 22 September 2004 laying down rules for the transition from the optional modulation system established by Article 4 of Council Regulation (EC) No 1259/1999 to the mandatory modulation system established by Council Regulation (EC) No 1782/2003 is applied ⁽⁴⁾, or which were granted a derogation by virtue of Article 70(4)(a) of Regulation (EC) No 1698/2005 from the requirement to co-finance Community support, may apply a reduction, referred to

as 'voluntary modulation', to all the amounts of direct payments within the meaning of Article 2(d) of Regulation (EC) No 1782/2003 to be granted in their territory in a given calendar year within the meaning of Article 2(e) of that Regulation, during the period 2007 to 2012.

- (2) The net amounts resulting from the application of voluntary modulation are available in the Member State where they were generated as Community support for measures under rural development programming and are therefore allocated to financing rural development programmes in accordance with Regulation (EC) No 1698/2005 and its implementing Regulations, in particular Commission Regulation (EC) No 1974/2006 of 15 December 2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ⁽⁵⁾.
- (3) Annex II to Regulation (EC) No 1974/2006, in accordance with which the content of the rural development programmes referred to in Article 16 of Regulation (EC) No 1698/2005 is established, contains, in part A, point 6, a financing plan comprising two tables which have to be revised to allow Member States which are applying voluntary modulation to include in them an indication of the relative amounts.
- (4) The voluntary modulation system introduced by Regulation (EC) No 378/2007 replaces the rules laid down by Regulation (EC) No 1655/2004, which should therefore be repealed.
- (5) It is, however, necessary to continue making possible the use of the amounts withheld in accordance with the voluntary modulation scheme previously set up by Article 4 of Council Regulation (EC) No 1259/1999 of 17 May 1999 establishing common rules for direct support schemes under the common agricultural policy ⁽⁶⁾.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Rural Development Committee, the Management Committee for Direct Payments and the Agricultural Funds Committee,

⁽¹⁾ OJ L 277, 21.10.2005, p. 1. Regulation as last amended by Regulation (EC) No 2012/2006 (OJ L 384, 29.12.2006, p. 8).

⁽²⁾ OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 552/2007 (OJ L 131, 23.5.2007, p. 10).

⁽³⁾ OJ L 95, 5.4.2007, p. 1.

⁽⁴⁾ OJ L 298, 23.9.2004, p. 3.

⁽⁵⁾ OJ L 368, 23.12.2006, p. 15. Regulation as last amended by Regulation (EC) No 434/2007 (OJ L 104, 21.4.2007, p. 8).

⁽⁶⁾ OJ L 160, 26.6.1999, p. 113. Regulation repealed by Regulation (EC) No 1782/2003.

HAS ADOPTED THIS REGULATION:

regions, Outermost regions and smaller Aegean Islands, other regions, amounts resulting from voluntary modulation.'

Article 1

In Annex II to Regulation (EC) No 1974/2006, part A is amended as follows:

1. The table in point 6,1 is replaced by the table in the Annex to this Regulation.
2. The text of the footnote to the heading of the table in point 6,2 is replaced by the following:

'⁽¹⁾ In so far as the rural development programmes cover different types of regions and the EAFRD co-financing rates are differentiated, table 6,2 needs to be repeated for each type of region and for the amounts resulting from voluntary modulation: Convergence Objective

Article 2

Regulation (EC) No 1655/2004 is repealed.

However, Member States shall continue to apply Articles 3, 4 and 5 of Regulation (EC) No 1655/2004 to the use of the amounts withheld in accordance with Article 1 of Regulation (EC) No 1655/2004 and Article 4 of Regulation (EC) No 1259/1999.

Article 3

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

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

Done at Brussels, 22 October 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

'6.1. Annual EAFRD contribution (in euro)

Year	2007	2008	2009	2010	2011	2012	2013
Total EAFRD							
Convergence regions (*)							
Amounts resulting from voluntary modulation (**)							

(*) For Member States comprising convergence regions and other regions.

(**) For Member States applying voluntary modulation pursuant to Regulation (EC) No 378/2007.'

COMMISSION REGULATION (EC) No 1237/2007

of 23 October 2007

amending Regulation (EC) No 2160/2003 of the European Parliament and of the Council and Decision 2006/696/EC as regards the placing on the market of eggs from *Salmonella* infected flocks of laying hens

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

down veterinary certification conditions for imports and transit through the Community of eggs and egg products.

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of *Salmonella* and other specified food-borne zoonotic agents ⁽¹⁾ and, in particular Article 5(6) thereof,Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) Regulation (EC) No 2160/2003 lays down rules to ensure that proper and effective measures are taken to detect and control *Salmonella* and other zoonotic agents at all relevant stages of production, processing and distribution, particularly at the level of primary production, in order to reduce their prevalence and the risk they pose to public health.
- (2) Pursuant to Annex II to Regulation (EC) No 2160/2003, with effect from 72 months after the date of entry into force of that Regulation, eggs may only be used for direct human consumption as table eggs if they originate from a commercial flock of laying hens subject to a national control programme and not under official restriction.
- (3) Commission Decision 2006/696/EC of 28 August 2006 laying down a list of third countries from which poultry, hatching eggs, day-old chicks, meat of poultry, ratites and wild game-birds, eggs and egg products and specified pathogen-free eggs may be imported into and transit through the Community and the applicable veterinary certification conditions, and amending Decisions 93/342/EEC, 2000/585/EC and 2003/812/EC ⁽³⁾ lays

- (4) A high prevalence of *Salmonella Enteritidis* and *Salmonella Typhimurium* was detected in flocks of laying hens in Member States during a study carried out in accordance with Commission Decision 2004/665/EC of 22 September 2004 concerning a baseline study on the prevalence of *Salmonella* in laying flocks of *Gallus gallus* ⁽⁴⁾.
- (5) According to the Report of the European Food Safety Authority on Trends and Sources of Zoonoses, Zoonotic agents and Antimicrobial Resistance and Foodborne Outbreaks in the European Union in 2005 ⁽⁵⁾ eggs and egg products are the most important source of known foodborne outbreaks of salmonellosis in humans. In addition, according to that report, *Salmonella Enteritidis* and *Salmonella Typhimurium* were responsible for 88 % of the outbreaks where the serovar was demonstrated.
- (6) In view of the high prevalence of *Salmonella Enteritidis* and *Salmonella Typhimurium* in certain Member States, its public health impact and the reluctance of food business operators to trade table eggs from infected flocks, the date on which restrictions on the consumption of table eggs are to apply, should be brought forward but should still allow food business operators sufficient time to comply with the new requirements without causing any disturbance to markets.
- (7) However, where a flock of laying hens has been indicated as the source of infection in a food borne outbreak as a result of the epidemiological investigation of food-borne outbreaks in accordance with Directive 2003/99/EC of the European Parliament and the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC ⁽⁶⁾, the restrictions on the use of table eggs set out in Annex II to Regulation (EC) No 2160/2003 should apply without delay.

⁽¹⁾ OJ L 325, 12.12.2003, p. 1. Regulation as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 139, 30.4.2004, p. 55, as corrected by OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Regulation (EC) No 1791/2006.

⁽³⁾ OJ L 295, 25.10.2006, p. 1.

⁽⁴⁾ OJ L 303, 30.9.2004, p. 30.

⁽⁵⁾ The EFSA Journal (2006), 96.

⁽⁶⁾ OJ L 325, 12.12.2003, p. 31. Directive as amended by Council Directive 2006/104/EC (OJ L 363, 20.12.2006, p. 352).

- (8) Taking account of the public health risk of eggs infected with *Salmonella*, rules should be laid down on the marking of eggs to guarantee that eggs from flocks which are subject to restrictions within the framework of a *Salmonella* control programme provided for in Regulation (EC) No 2160/2003, are marked in a way which easily distinguishes them from table eggs before being placed on the market.
- (9) In order to exclude false-positive initial results, the competent authority should be allowed to lift the restrictions laid down in Paragraph 2 of Part D to Annex II of that Regulation if the *Salmonella* infection is not confirmed in the flocks of laying hens using a strict protocol.
- (10) Third countries, from which Member States are authorised to import eggs, should provide guarantees, equivalent to the requirements within the Community and the model certificate for eggs in Decision 2006/696/EC should be amended accordingly.
- (11) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾, in particular Article 12 thereof, lays down rules concerning food and feed exported or re-exported from the Community for placing on the market in a third country. Those provisions apply to table eggs. Accordingly, it is not necessary to lay down specific provisions with regard to the export of such eggs in this Regulation.
- (12) To avoid any disturbance of trade, the use of certificates issued in accordance with the current model certificates set out in Decision 2006/696/EC should be allowed for a period of 60 days following the date of application of this Regulation.

- (13) Regulation (EC) No 2160/2003 should therefore be amended accordingly.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal health,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 2160/2003 is amended in accordance with Annex I to this Regulation.

Article 2

Annex II to Decision 2006/696/EC is amended in accordance with Annex II to this Regulation.

Article 3

Consignments of eggs for which certificates have been issued in accordance with Decision 2006/696/EC in its version before 1 November 2007 may be imported into the Community for a period of 60 days following that date.

Article 4

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

It shall apply from:

- 1 November 2007 where *Salmonella* ssp. are identified in the flock of laying hens as the source of infection for humans by the consumption of eggs or egg products as a result of the epidemiological investigation of food-borne outbreaks in accordance with Article 8 of Directive 2003/99/EC,
- 1 January 2009 at the latest to all other flocks of laying hens.

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

Done at Brussels, 23 October 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 575/2006 (OJ L 100, 8.4.2006, p. 3).

ANNEX I

In Annex II to Regulation (EC) No 2160/2003, Part D is replaced by the following:

'D. Specific requirements concerning flocks of laying hens

1. Eggs shall not be used for direct human consumption as table eggs unless they originate from a commercial flock of laying hens subject to a national control programme established under Article 5 and not under official restriction.
2. Eggs originating from flocks with unknown health status, that are suspected of being infected or that are infected with *Salmonella* serotypes for which a target for reduction has been set or which were identified as the source of infection in a specific human foodborne outbreak, may be used for human consumption only if treated in a manner that guarantees the destruction of all *Salmonella* serotypes with public health significance in accordance with Community legislation on food hygiene.

Eggs originating from flocks with unknown health status, that are suspected of being infected or that are infected with *Salmonella* serotypes for which a target for reduction has been set or which were identified as the source of infection in a specific human foodborne outbreak, shall be:

- (a) considered as Class B eggs as defined in Article 2(4) of Commission Regulation (EC) No 557/2007 laying down detailed rules for implementing Council Regulation (EC) No 1028/2006 on marketing standards for eggs ⁽¹⁾;
 - (b) marked with the indication referred to in Article 10 of Commission Regulation (EC) No 557/2007 which clearly distinguishes them from Class A eggs prior to being placed on the market;
 - (c) prohibited access to packaging centres unless the competent authority is satisfied with the measures to prevent possible cross-contamination of eggs from other flocks.
3. When birds from infected flocks are slaughtered or destroyed, steps must be taken to reduce the risk of spreading zoonoses as far as possible. Slaughtering shall be carried out in accordance with Community legislation on food hygiene. Products derived from such birds may be placed on the market for human consumption in accordance with Community legislation on food hygiene and, once applicable, part E. If not destined for human consumption, such products must be used or disposed of in accordance with Regulation (EC) No 1774/2002.
 4. In order to exclude false-positive initial results, the competent authority may lift the restrictions laid down in point 2 of this Part:
 - (a) when the flock of layers is not the source of infection for humans by the consumption of eggs or egg products as a result of the epidemiological investigation of food-borne outbreaks in accordance with Article 8 of Directive 2003/99/EC; and
 - (b) where the flock is subjected to a national control programme established under Article 5 and *Salmonella* serotypes for which a target for reduction has been set, is not confirmed by the following sampling protocol carried out by the competent authority:
 - (i) the technical specifications referred to in Article 5 of Commission Decision 2004/665/EC (seven samples); however, a sub-sample of 25 grams must be collected of each faecal material and dust sample for analysis; all samples must be analysed separately;
 - or
 - (ii) bacteriological investigation of the caeca and oviducts of 300 birds;
 - or
 - (iii) bacteriological investigation of the shell and the content of 4 000 eggs of each flock in pools of maximum 40 eggs.

In addition to the sampling in point (b), the competent authority shall verify the absence of the use of anti-microbials, potentially affecting the result of the analyses of the sampling.

⁽¹⁾ OJ L 132, 24.5.2007, p. 5.'

ANNEX II

In Part 2 of Annex II to Decision 2006/696/EC, the model veterinary certificate for eggs (E) is replaced by the following:

'Model veterinary certificate for eggs (E)**COUNTRY****Veterinary certificate to EU**

Part I : Details of dispatched consignment	I.1. Consignor Name Address Tel. No		I.2. Certificate reference number		I.2.a.			
			I.3. Central Competent Authority					
			I.4. Local Competent Authority					
	I.5. Consignee Name Address Postal code Tel. No		I.6.					
	I.7. Country of origin	ISO code	I.8. Region of origin	Code	I.9. Country of destination	ISO code	I.10. Region of destination	Code
	I.11. Place of origin Name Address		Approval number		I.12.			
	I.13. Place of loading		I.14. Date of departure					
	I.15. Means of transport Aeroplane ☐ Ship ☐ Road vehicle ☐ Other ☐ Railway wagon ☐ Identification: Documentary references:		I.16. Entry BIP in EU					
			I.17.					
	I.18. Description of commodity				I.19. Commodity code (HS code) 04.07			
				I.20. Quantity				
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐				I.22. Number of packages				
I.23. Identification of container/Seal number				I.24. Type of packaging				
I.25. Commodities certified for: Human consumption ☐								
I.26.				I.27. For import or admission into EU ☐				
I.28. Identification of the commodities Species (Scientific name) Manufacturing plant Cold store Number of packages Net weight Approval number of establishments								

E (Eggs)

Part II: Certification	II. Health information	II.a. Certificate reference number	II.b.
	II.1. Health attestation I, the undersigned official veterinarian/official inspector, declare that I am aware of the relevant provisions of Regulations (EC) Nos 178/2002, 852/2004, 853/2004 and 2160/2003 and hereby certify that the eggs described in this certificate have been obtained in accordance with those requirements, and in particular that: II.1.1. they come from (an) establishments(s) implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004; II.1.2. they have been kept, stored, transported and delivered in accordance with the relevant conditions laid down in Section X, Chapter I of Annex III to Regulation (EC) No 853/2004; (1) II.1.3. they fulfil the requirements of Commission Regulation (EC) No 1688/2005 of 14 October 2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning <i>Salmonella</i> for consignments to Finland and Sweden of certain meat and eggs; II.1.4. the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled. (2) II.1.5. they fulfil the requirements in Article 10(6) of Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of <i>Salmonella</i> and other specified food-borne zoonotic agents. In particular: Eggs shall not be imported from flocks of laying hens in which <i>Salmonella</i> ssp. has been detected a result of the epidemiological investigation of a food-borne outbreak or if no equivalent guarantees have been provided. [From 1 January 2009 on, eggs shall also not be imported from flocks of laying hens with unknown health status, that are suspected of being infected or from flocks infected by <i>Salmonella</i> ssp. for which a target for reduction has been set in Community legislation ⁽³⁾ and on which monitoring equivalent to the monitoring laid down in the provisions in the Annex of Regulation (EC) No 1168/2006 is not applied, or if no equivalent guarantees have been provided.] <i>Notes</i> Part I: Box I.8: provide the code for the region of origin, if necessary, as defined under code of territory in column 2, Part 1 of Annex II of Decision 2006/696/EC [as last amended]. Box I.11: Name, address and approval number of establishment of dispatch. Box I.15: Indicate the registration number(s) of railway wagons and lorries, the names of ships and, if known, the flight numbers of aircraft. In the case of transport in containers or boxes, the total number of these and their registration and seal numbers, where applicable, should be indicated in box I.23. Part II: (1) Delete if the consignment is not intended for export to Sweden or Finland. (2) Only applicable in case of import of eggs, Class A in accordance with Article 3 of Regulation (EC) No 1028/2006. Delete as appropriate. (3) <i>Salmonella Enteritidis</i> and <i>Salmonella Typhimurium</i>		
Official veterinarian or official inspector Name (in capitals): Local competent authority: Date: Stamp: Qualification and title: Signature:			

COMMISSION REGULATION (EC) No 1238/2007**of 23 October 2007****on laying down rules on the qualifications of the members of the Board of Appeal of the European Chemicals Agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ⁽¹⁾, and in particular Article 76(1)(h) and Article 89 thereof,

Whereas:

- (1) Regulation (EC) No 1907/2006 gives power to the European Chemicals Agency (the Agency) to take individual decisions concerning registration of chemicals substances, it also establishes a Board of Appeal before which such individual decisions of the Agency may be appealed against.
- (2) Article 89 of Regulation (EC) No 1907/2006 empowers the Commission to adopt detailed rules concerning the qualifications required for the members of the Board.
- (3) The Board should be chaired by a person having recognised experience in Community law.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

*Article 1***Qualifications of the members of the Board of Appeal**

1. The Board of Appeal shall consist of technically and legally qualified members. The Chairman shall be legally qualified.
2. The technically qualified members and their alternates shall hold a university degree or an equivalent qualification and shall have substantial professional experience in hazard assessment, exposure assessment or risk management with regard to human health or environment risks of chemical substances or in related fields.
3. The legally qualified members and their alternates shall be graduates in law and have recognised experience in Community law.

*Article 2***Entry into force**

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, 23 October 2007.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 396, 30.12.2006, p. 1, corrected by OJ L 136, 29.5.2007, p. 3.

COMMISSION REGULATION (EC) No 1239/2007**of 23 October 2007****amending for the 87th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

- (2) On 21 and 27 September and 9 October 2007, the Sanctions Committee of the United Nations Security Council decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Annex I should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 23 October 2007.

For the Commission

Eneko LANDÁBURU

Director-General for External Relations

⁽¹⁾ OJ L 139, 29.5.2002, p. 9. Regulation as last amended by Commission Regulation (EC) No 1104/2007 (OJ L 205, 26.9.2007, p. 3).

ANNEX

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

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

(a) 'Fahd Muhammad 'Abd Al-'Aziz **Al-Khashiban** (*alias* (a) Fahad H. A. **Khashayban**, (b) Fahad H. A. **al-Khashiban**, (c) Fahad H. A. **Kheshaiban**, (d) Fahad H. A. **Kheshayban**, (e) Fahad H. A. **al-Khosiban**, (f) Fahad H. A. **Khasiban**, (g) Fahd Muhammad 'Abd Al-'Aziz **al-Khashayban** (h) Fahd Muhammad 'Abd al-'Aziz **al-Khushayban**, (i) Fahad **al-Khashiban**, (j) Fahd **Khushaiban**, (k) Fahad Muhammad A. **al-Khoshiban**, (l) Fahad Mohammad A. **al-Khoshiban**, (m) Abu Thabit, (n) Shaykh Abu Thabit, (o) Shaykh Thabet, (p) Abu Abdur Rahman, (q) Abdur Abu Rahman). Date of birth: 16.10.1966. Place of birth: 'Aniza, Saudi Arabia. Other information: Involved in the financing of and otherwise provided assistance to Abu Sayyaf Group.'

(b) 'Abdul Rahim **Al-Talhi** (*alias* (a) 'Abdul-Rahim Hammad **al-Talhi**, (b) Abd' Al-Rahim Hamad **al-Tahi**, (c) Abdurheem Hammad A **Altalhi**, (d) Abe Al-Rahim **al-Talahi**, (e) Abd Al-Rahim **Al Tahli**, (f) 'Abd al-Rahim **al-Talhi**, (g) Abdulrahim **Al Tahi**, (h) Abdulrahim **al-Talji**, (i) 'Abd-Al-Rahim **al Talji**, (j) Abdul Rahim, (k) Abu Al Bara'a Al Naji, (l) Shuwayb Junayd. Address: Buraydah, Saudi Arabia. Date of birth: 8.12.1961. Place of birth: Al-Taif, Saudi Arabia. Passport No: F275043, issued on 29.5.2004, expires on 5.4.2009. Nationality: Saudi Arabian. Other information: Involved in the financing of, arms supply to and otherwise provided assistance to Abu Sayyaf Group.'

(c) 'Muhammad 'Abdallah Salih **Sughayr** (*alias* (a) Muhammad' Abdallah Salih **Al-Sughayir**, (b) Muhammad' Abdallah Salih **Al-Sughaier**, (c) Muhammad' Abdallah Salih **Al-Sughayer**, (d) Mohd **Al-Saghir**, (e) Muhammad **Al-Sugayer**, (f) Muhammad 'Abdallah Salih **Al-Sughair**, (g) Muhammad 'Abdallah Salih **Al-Sugair**, (h) Muhammad' Abdallah Salih **Al-Suqayr**, (i) Abu Bakr, (j) Abu Abdullah. Date of birth: (a) 20.8.1972, (b) 10.8.1972. Place of birth: Al-Karawiya, Saudi Arabia. Other information: Involved in the financing of, arms supply to, recruitment for and otherwise provided assistance to Abu Sayyaf Group.'

(2) The entry 'Ghafoor, Abdul, Maulavi (Deputy Minister of Agriculture)' under the heading 'Natural persons' shall be replaced by:

'Abdul Ghafoor. Title: Maulavi. Function: Deputy Minister of Agriculture of the Taliban regime. Place of birth: Kunar province, Afghanistan. Nationality: Afghan.'

(3) The entry 'Manan, Mawlawi Abdul, Mr (Commercial Attaché, Taliban Embassy, Abu Dhabi)' under the heading 'Natural persons' shall be replaced by:

'Abdul Manan. Title: (a) Mr, (b) Mawlawi. Function: Commercial Attaché, Taliban Embassy, Abu Dhabi. Nationality: Afghan.'

(4) The entry 'Wahab, Malawi Abdul Taliban (Chargé d'Affaires in Riyadh)' under the heading 'Natural persons' shall be replaced by:

'Abdul Wahab. Title : Malawi. Function : Taliban Chargé d'Affaires in Riyadh under the Taliban regime. Date of birth: Approximately 1973. Place of birth: Faryab province, Afghanistan. Nationality: Afghan.'

(5) The entry 'Janan, Mullah (Governor of Fariab)' under the heading 'Natural persons' shall be replaced by:

'Janan **Agha**. Title: Mullah. Function: Governor of Fariab province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1958. Place of birth: Central Uruzgan province, Afghanistan. Nationality: Afghan.'

(6) The entry 'Ahmadi, Haji M., Mullah (President of Da Afghanistan Bank)' under the heading 'Natural persons' shall be replaced by:

'Mohammad **Ahmadi**. Title: (a) Mullah, (b) Haji. Function: President of Da Afghanistan Bank under the Taliban regime. Date of birth: Approximately 1963. Place of birth: Daman district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (7) The entry 'Shafiq, M, Mullah (Governor of Samangan Province)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Shafiq **Ahmadi**. Title: Mullah. Function: Governor of Samangan Province (Afghanistan) under the Taliban regime.'

- (8) The entry 'Akhund, Ahmed Jan, Mullah (Minister of Water and Electricity)' under the heading 'Natural persons' shall be replaced by:

'Ahmed Jan **Akhund**. Title: Maulavi. Function: Minister of Water and Electricity of the Taliban regime. Date of birth: Between 1953 and 1958. Place of birth: Kandahar province, Afghanistan. Nationality: Afghan.'

- (9) The entry 'Akhund, Attiqullah, Maulavi (Deputy Minister of Agriculture)' under the heading 'Natural persons' shall be replaced by:

'Attiqullah **Akhund**. Title: Maulavi. Function: Deputy Minister of Agriculture of the Taliban regime. Date of birth: Approximately 1953. Place of birth: Shawali Kott district, Kandahar, Afghanistan. Nationality: Afghan.'

- (10) The entry 'Akhund, Mohammad Abbas, Mullah (Minister of Public Health)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Abbas **Akhund**. Title: Mullah. Function: Minister of Public Health of the Taliban regime. Date of birth: Approximately 1963. Place of birth: Kandahar, Afghanistan. Nationality: Afghan.'

- (11) The entry 'Akhund, Alhaj Mohammad Essa, Mullah (Minister of Mines and Industries)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Essa **Akhund**. Title: (a) Alhaj, (b) Mullah. Function: Minister of Water, Sanitation and Electricity of the Taliban regime. Date of birth: Approximately 1958. Place of birth: Spinboldak district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (12) The entry 'Akhundzada, Mohammad Sediq (Deputy Minister of Martyrs and Repatriation)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Sediq **Akhundzada**. Function: Deputy Minister of Martyrs and Repatriation of the Taliban regime. Date of birth: Between 1953 and 1958. Place of birth: Kabul province, Afghanistan. Nationality: Afghan.'

- (13) The entry 'Jan, Ahmad, Maulavi (Governor of Zabol Province)' under the heading 'Natural persons' shall be replaced by:

'Ahmad Jan **Akhunzada**. Title: Maulavi. Function: Governor of Zabol Province (Afghanistan) under the Taliban regime. Place of birth: Urazgan province, Afghanistan. Nationality: Afghan.'

- (14) The entry 'Eshaq M. (Governor of Laghman Province)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Eshaq **Akhunzada**. Title: Maulavi. Function: Governor of Laghman Province (Afghanistan) under the Taliban regime. Date of birth: Between 1963 and 1968. Place of birth: Qarabajh district, Ghazni province, Afghanistan. Nationality: Afghan.'

- (15) The entry 'Akhund, Dadullah, Maulavi (Minister of Construction)' under the heading 'Natural persons' shall be replaced by:

'Allahdad (*alias* Akhund). Title: Maulavi. Function: Minister of Construction of the Taliban regime. Date of birth: Approximately 1953. Place of birth: Spinboldak district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (16) The entry 'Amin, Aminullah, Maulavi (Governor of Saripul Province)' under the heading 'Natural persons' shall be replaced by:

'Aminullah **Amin**. Title: Maulavi. Function: Governor of Saripul Province (Afghanistan) under the Taliban regime. Nationality: Afghan.'

- (17) The entry 'Aminzai, Shams-us-Safa (Press-Centre, Ministry of Foreign Affairs)' under the heading 'Natural persons' shall be replaced by:

'Shams-us-Safa **Aminzai**. Function: Press-Centre, Ministry of Foreign Affairs of the Taliban regime. Nationality: Afghan.'

- (18) The entry 'Mohammad Sadiq **Amir Mohammad**. Title: (a) Alhaj, (b) Maulavi. Function: Head of Afghan Trade Agency, Peshawar, Pakistan. Date of birth: 1934. Place of birth: Ghazni, Afghanistan. Nationality: Afghan. Passport No: SE 011252 (Afghan passport)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Sadiq **Amir Mohammad**. Title: (a) Alhaj, (b) Maulavi. Function: Head of Afghan Trade Agency, Peshawar, Pakistan under the Taliban regime. Date of birth: 1934. Place of birth: Ghazni, Afghanistan. Nationality: Afghan. Passport No: SE 011252 (Afghan passport).'

- (19) The entry 'Aref, Arefullah, Mullah (Deputy Minister of Finance)' under the heading 'Natural persons' shall be replaced by:

'Arefullah **Aref**. Title: Maulavi. Function: Deputy Minister of Finance of the Taliban regime. Date of birth: Approximately 1958. Place of birth: Zurmat district, Paktia province, Afghanistan. Nationality: Afghan.'

- (20) The entry 'Sayed Esmatullah **Asem** (*alias* Esmatullah Asem). Title: Maulavi. Function: (a) Deputy Minister of Preventing Vice and Propagating Virtue of the Taliban regime, (b) Secretary General of the Afghan Red Crescent Society (ARCS) under the Taliban regime. Date of birth: approximately 1967. Place of birth: Ningarhar province, Afghanistan. Nationality: Afghan. Other information: (a) Member of the Taliban's leadership as of May 2007, (b) Believed to be in the Afghanistan/Pakistan border area' under the heading 'Natural persons' shall be replaced by:

'Sayed Esmatullah **Asem** (*alias* Esmatullah Asem). Title: Maulavi. Function: (a) Deputy Minister of Preventing Vice and Propagating Virtue of the Taliban regime, (b) Secretary General of the Afghan Red Crescent Society (ARCS) under the Taliban regime. Date of birth: Approximately 1967. Place of birth: Ningarhar province, Afghanistan. Nationality: Afghan. Other information: (a) Member of the Taliban's leadership as of May 2007, (b) Believed to be in the Afghanistan/Pakistan border area, (c) Member of the Taliban Council of Peshawar.'

- (21) The entry 'Atiqullah, Hadji Molla (Deputy Minister of Public Works)' under the heading 'Natural persons' shall be replaced by:

'Atiqullah Title: (a) Hadji, (b) Molla. Function: Deputy Minister of Public Works of the Taliban regime. Nationality: Afghan.'

- (22) The entry 'Azizirahman, Mr (Third Secretary, Taliban Embassy, Abu Dhabi)' under the heading 'Natural persons' shall be replaced by:

'Azizirahman. Title: Mr. Function: Third Secretary, Taliban Embassy, Abu Dhabi. Nationality: Afghan.'

- (23) The entry 'Hakimi, Gul Ahmad, Maulavi (Commercial Attaché, Taliban "Consulate General", Karachi)' under the heading 'Natural persons' shall be replaced by:

'Gul Ahmad **Hakimi**. Title: Maulavi. Function: Commercial Attaché, Taliban "Consulate General", Karachi. Nationality: Afghan.'

- (24) The entry 'Hamdullah, Maulavi (Repatriation Attaché, Taliban "Consulate General", Quetta)' under the heading 'Natural persons' shall be replaced by:

'Hamdullah. Title: Maulavi. Function: Repatriation Attaché, Taliban "Consulate General", Quetta. Nationality: Afghan.'

- (25) The entry 'Hamidi, Zabihullah (Deputy Minister of Higher Education)' under the heading 'Natural persons' shall be replaced by:

'Zabihullah **Hamidi**. Function: Deputy Minister of Higher Education of the Taliban regime. Nationality: Afghan.'

- (26) The entry 'Jallalouddine **Haqani** (*alias* (a) Jalaluddin Haqani, (b) Jallalouddin Haqqani). Title: Maulavi. Function: Minister of Frontier Affairs of the Taliban regime. Date of birth: approximately 1942. Place of birth: Khost province, Zadran district, Afghanistan. Nationality: Afghan. Other information: (a) He is an active Taliban leader, (b) Believed to be in the Afghanistan/Pakistan border area' under the heading 'Natural persons' shall be replaced by:

'Jallalouddine **Haqani** (*alias* (a) Jalaluddin Haqani, (b) Jallalouddin Haqqani). Title: Maulavi. Function: Minister of Frontier Affairs of the Taliban regime. Date of birth: Approximately 1942. Place of birth: Khost province, Zadran district, Afghanistan. Nationality: Afghan. Other information: (a) He is an active Taliban leader, (b) Believed to be in the Afghanistan/Pakistan border area, (c) Reportedly deceased in June 2007.'

- (27) The entry 'Sayeedur Rahman **Haqani** (*alias* Sayed Urrahman). Title: Maulavi. Function: Deputy Minister of Mines and Industries of the Taliban regime. Date of birth: approximately 1952. Place of birth: Kunar province, Afghanistan. Nationality: Afghan. Other information: from Laghman Province, Afghanistan' under the heading 'Natural persons' shall be replaced by:

'Sayeedur Rahman **Haqani** (*alias* Sayed Urrahman). Title: Maulavi. Function: (a) Deputy Minister of Mines and Industries of the Taliban regime, (b) Deputy Minister of Public Works of the Taliban regime. Date of birth: Approximately 1952. Place of birth: Kunar province, Afghanistan. Nationality: Afghan. Other information: from Laghman Province, Afghanistan.'

- (28) The entry '**Abdul Jalil** (*alias* Nazar Jan). Title: (a) Maulavi, (b) Mullah. Function: Deputy Minister of Foreign Affairs of the Taliban regime. Date of birth: approximately 1963. Place of birth: Arghandaab district, Kandahar province, Afghanistan. Nationality: Afghan. Other information: (a) Believed to be in the Afghanistan/Pakistan border area, (b) Member of the Taliban's leadership Council as of May 2007' under the heading 'Natural persons' shall be replaced by:

'Abdul Jalil **Haqqani** (*alias* Nazar Jan). Title: (a) Maulavi, (b) Mullah. Function: Deputy Minister of Foreign Affairs of the Taliban regime. Date of birth: Approximately 1963. Place of birth: Arghandaab district, Kandahar province, Afghanistan. Nationality: Afghan. Other information: (a) Believed to be in the Afghanistan/Pakistan border area, (b) Member of the Taliban's leadership Council as of May 2007, (c) Member of the Financial Commission of the Taliban Council.'

- (29) The entry '**Ezatullah**. Title: Maulavi. Function: Deputy Minister of Planning of the Taliban regime. Date of birth: approximately 1957. Place of birth: Laghman province, Afghanistan. Nationality: Afghan. Other information: believed to be in the Afghanistan/Pakistan border area' under the heading 'Natural persons' shall be replaced by:

'Ezatullah **Haqqani**. Title: Maulavi. Function: Deputy Minister of Planning of the Taliban regime. Date of birth: Approximately 1957. Place of birth: Laghman province, Afghanistan. Nationality: Afghan. Other information: believed to be in the Afghanistan/Pakistan border area.'

- (30) The entry 'Turab, Hidayatullah Abu (Deputy Minister of Civil Aviation)' under the heading 'Natural persons' shall be replaced by:

'**Hidayatullah** (*alias* Abu Turab). Function: Deputy Minister of Civil Aviation of the Taliban regime. Date of birth: Approximately 1968. Place of birth: Arghandab district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (31) The entry 'Najibullah Haqqani **Hydayetullah** (*alias* Najibullah Haqani). Title: Maulavi. Function: (a) Deputy Minister of Public Works of the Taliban regime, (b) Deputy Minister of Finance of the Taliban regime. Date of birth: approximately 1964. Nationality: Afghan. Other information: (a) From Eastern Afghanistan, (b) Member of Taliban "Council" in Kunar province, Afghanistan, as of May 2007, (c) Cousin of Moulavi Noor Jalal' under the heading 'Natural persons' shall be replaced by:

'Najibullah Haqqani **Hydayetullah** (*alias* Najibullah Haqani). Title: Maulavi. Function: Deputy Minister of Finance of the Taliban regime. Date of birth: Approximately 1964. Nationality: Afghan. Other information: (a) From Eastern Afghanistan, (b) Member of Taliban "Council" in Kunar province, Afghanistan, as of May 2007, (c) Cousin of Moulavi Noor Jalal.'

- (32) The entry 'Rauf, Abdul, Mullah (Commander of Central Corpus)' under the heading 'Natural persons' shall be replaced by:

'Abdul Rauf **Khadem**. Title: Mullah. Function: Commander of Central Corpus under the Taliban regime. Date of birth: Between 1958 and 1963. Place of birth: Uruzgan/Kandahar, Afghanistan. Nationality: Afghan.'

- (33) The entry 'Khairkhwah, Khair Mohammad, Maulavi (Governor of Herat Province)' under the heading 'Natural persons' shall be replaced by:

'Khairullah Mohammad **Khairkhwah**. Title: Maulavi. Function: Governor of Herat Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1963. Place of birth: Arghistan district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (34) The entry 'Kmalzada Shamsalah, Mr (Second Secretary, Taliban Embassy, Abu Dhabi)' under the heading 'Natural persons' shall be replaced by:

'Shamsalah **Kmalzada**. Title: Mr. Function: Second Secretary, Taliban Embassy, Abu Dhabi. Nationality: Afghan.'

- (35) The entry 'Madani, Jan Mohammad, Mr (Chargé d'Affaires, Taliban Embassy, Abu Dhabi)' under the heading 'Natural persons' shall be replaced by:

'Jan Mohmmad **Madani**. Title: Mr. Function: Chargé d'Affaires, Taliban Embassy, Abu Dhabi. Nationality: Afghan.'

- (36) The entry 'Zia-ur-Rahman **Madani** (*alias* (a) Ziaurrahman Madani, (b) Zaia u Rahman Madani, (c) Madani Saheb) Title: Maulavi. Function: Governor of Logar Province under the Taliban regime. Date of birth: approximately 1960. Place of birth: Taliqan, Takhar province, Afghanistan. Nationality: Afghan. Other information: in charge of Taliban's military affairs in Takhar province, Afghanistan, as of May 2007' under the heading 'Natural persons' shall be replaced by:

'Zia-ur-Rahman **Madani** (*alias* (a) Ziaurrahman Madani, (b) Zaia u Rahman Madani, (c) Madani Saheb) Title: Maulavi. Function: Governor of Logar Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1960. Place of birth: Taliqan, Takhar province, Afghanistan. Nationality: Afghan. Other information: (a) In charge of Taliban's military affairs in Takhar province, Afghanistan, as of May 2007, (b) In charge of Nangahar province.'

- (37) The entry 'Mohammad Husayn **Mustasaeed** (*alias* (a) Mohammad Hassan Mastasaeed, (b) Mstasaeed, (c) Mostas'eed). Title: Mullah. Function: Head of Academy of Sciences under the Taliban regime. Date of birth: approximately 1964. Other information: believed to be in the Afghanistan/Pakistan border area' under the heading 'Natural persons' shall be replaced by:

'Mohammad Husayn **Mastasaeed** (*alias* (a) Mohammad Hassan Mastasaeed, (b) Mstasaeed, (c) Mostas'eed). Title: Mullah. Function: Head of Academy of Sciences under the Taliban regime. Date of birth: approximately 1964. Other information: believed to be in the Afghanistan/Pakistan border area.'

- (38) The entry 'Mati, Mohammadullah, Maulavi (Minister of Public Works)' under the heading 'Natural persons' shall be replaced by:

'Mohammadullah **Mati**. Title: Maulavi. Function: Minister of Public Works of the Taliban regime. Place of birth: Arghandab district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (39) The entry 'Matiullah, Mullah, Kabul Custom House' under the heading 'Natural persons' shall be replaced by:

'Matiullah; Title: Mullah. Function: Director, Kabul Custom House under the Taliban regime. Date of birth: Approximately 1973. Place of birth: Daman district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (40) The entry 'Mazloom, Fazel M, Mullah (Deputy Chief of Army Staff)' under the heading 'Natural persons' shall be replaced by:

'Fazel Mohammad **Mazloom**. Title: Mullah. Function: Deputy Chief of Army Staff of the Taliban regime. Date of birth: Between 1963 and 1968. Place of birth: Uruzgan, Afghanistan. Nationality: Afghan.'

- (41) The entry 'Mohammad, Nazar, Maulavi (Governor of Kunduz Province)' under the heading 'Natural persons' shall be replaced by:

'Nazar **Mohammad**. Title: Maulavi. Function: Governor of Kunduz Province (Afghanistan) under the Taliban regime. Nationality: Afghan.'

- (42) The entry 'Homayoon, Mohammad, Eng. (Deputy Minister of Water and Electricity)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Homayoon. Title: Eng. Function: Deputy Minister of Water and Electricity of the Taliban regime. Nationality: Afghan.'

- (43) The entry 'Mohammadi, Shafiqullah, Maulavi (Governor of Khost Province)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Shafiq **Mohammadi**. Title: Maulavi. Function: Governor of Khost Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1948. Place of birth: Uruzgan province, Afghanistan. Nationality: Afghan.'

- (44) The entry 'Muhammad Islam **Mohammadi**. Function: Governor of Bamiyan Province, Afghanistan. Date of birth: between 1953 and 1958. Place of birth: Rori-Du-Aab district, Samangan province, Afghanistan. Nationality: Afghan. Other information: reportedly deceased in 2007' under the heading 'Natural persons' shall be replaced by:

'Muhammad Islam **Mohammadi**. Function: Governor of Bamiyan Province (Afghanistan) under the Taliban regime. Date of birth: between 1953 and 1958. Place of birth: Rori-Du-Aab district, Samangan province, Afghanistan. Nationality: Afghan. Other information: reportedly deceased in 2007.'

- (45) The entry 'Rasul, M, Mullah (Governor of Nimroz Province)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Rasul. Title: Maulavi. Function: Governor of Nimroz Province (Afghanistan) under the Taliban regime. Date of birth: Between 1958 and 1963. Place of birth: Spinboldak district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (46) The entry 'Wali, Mohammad, Maulavi (Minister of Department of Preventing Vice and Propagating Virtue)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Wali. Title: Maulavi. Function: Minister of Department of Preventing Vice and Propagating Virtue of the Taliban regime. Date of birth: Approximately 1965. Place of birth: Kandahar province, Afghanistan. Nationality: Afghan.'

- (47) The entry 'Yaqoub, Mohammad, Maulavi (Head of BIA)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Yaqoub. Title: Maulavi. Function: Head of BIA under the Taliban regime. Nationality: Afghan.'

- (48) The entry 'Abdul Hakim Mujahid **Moh Aurang** (*alias* Abdul Hakim Mojahed). Title: Maulavi. Function: Taliban "envoy" to the United Nations. Address: Dehbori district Ward, Kabul, Afghanistan. Date of birth: 1956. Place of birth: Khajakhel village, Sharan district, Paktika province, Afghanistan. Nationality: Afghan. National identification No: 106266' under the heading 'Natural persons' shall be replaced by:

'Abdul Hakim Mujahid **Moh Aurang** (*alias* Abdul Hakim Mojahed). Title: Maulavi. Function: Taliban "envoy" to the United Nations during the Taliban regime. Address: Dehbori district Ward, Kabul, Afghanistan. Date of birth: 1956. Place of birth: Khajakhel village, Sharan district, Paktika province, Afghanistan. Nationality: Afghan. National identification No: 106266.'

- (49) The entry 'Motaqi, Amir Khan, Mullah (Minister of Education)' under the heading 'Natural persons' shall be replaced by:

'Amir Khan **Motaqi** (*alias* Amir Khan **Muttaqi**). Title: Mullah. Function: (a) Minister of Education of the Taliban regime, (b) Taliban representative in UN-led talks during the Taliban regime. Date of birth: Approximately 1968. Place of birth: Helmand province, Afghanistan. Nationality: Afghan.'

- (50) The entry 'Motmaen, Abdulhai (Information and Culture Dept, Kandahar)' under the heading 'Natural persons' shall be replaced by:

'Abdulhai **Motmaen**. Title: Maulavi. Function: Director, Information and Culture Dept, Kandahar, Afghanistan during the Taliban regime. Date of birth: Approximately 1973. Place of birth: Zabul province, Afghanistan. Nationality: Afghan.'

- (51) The entry 'Muazen, Samiullah, Maulavi (Deputy of High Court)' under the heading 'Natural persons' shall be replaced by:

'Rafiullah **Muazen**. Title: Maulavi. Function: Deputy of High Court under the Taliban regime. Date of birth: Approximately 1943. Place of birth: Paktia province, Afghanistan. Nationality: Afghan.'

- (52) The entry 'Mohammad, Nik, Maulavi (Deputy Minister of Commerce)' under the heading 'Natural persons' shall be replaced by:

'Nik Mohammad. Title: Maulavi. Function: Deputy Minister of Commerce of the Taliban regime. Nationality: Afghan.'

- (53) The entry 'Nomani, Hamidullah, Maulavi (high ranking official in the Ministry of Higher Education)' under the heading 'Natural persons' shall be replaced by:

'Hamdullah **Nomani**. Title: Maulavi. Function: High ranking official in the Ministry of Higher Education under the Taliban regime. Date of birth: Approximately 1968. Place of birth: Ghazni province, Afghanistan. Nationality: Afghan.'

- (54) The entry 'Noorani, Mufti Mohammad Aleem (First Secretary, Taliban "Consulate General", Karachi)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Aleem **Noorani**. Title: Mufti. Function: First Secretary, Taliban "Consulate General", Karachi. Nationality: Afghan.'

- (55) The entry 'Nuri, Maulavi Nurullah (Governor of Balkh Province, Head of Northern Zone)' under the heading 'Natural persons' shall be replaced by:

'Nurullah **Nuri**. Title: Maulavi. Function: (a) Governor of Balkh Province (Afghanistan) under the Taliban regime, (b) Head of Northern Zone under the Taliban regime. Date of birth: Approximately 1958. Place of birth: Shahjoe district, Zabul province, Afghanistan. Nationality: Afghan.'

- (56) The entry 'Omar, Mohammed, Mullah, Leader of the Faithful ("Amir ul-Mumineen"), Afghanistan' under the heading 'Natural persons' shall be replaced by:

'Mohammed **Omar**. Title: Mullah. Function: Leader of the Faithful ("Amir ul-Mumineen"), Afghanistan. Date of birth: Approximately 1966. Place of birth: Uruzgan province, Adehrawood village. Nationality: Afghan.'

- (57) The entry 'Jabbar, Abdul, Maulavi (Governor of Baghlan Province)' under the heading 'Natural persons' shall be replaced by:

'Abdul Jabbar **Omar**. Title: Maulavi. Function: Governor of Baghlan Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1958. Place of birth: Zabul, Afghanistan. Nationality: Afghan.'

- (58) The entry 'Omari, Alhaj M. Ibrahim (Deputy Minister of Frontier Affairs)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Ibrahim **Omari**. Title: Alhaj. Function: Deputy Minister of Frontier Affairs of the Taliban regime. Date of birth: Approximately 1958. Place of birth: Zadran valley, Khost province, Afghanistan. Nationality: Afghan.'

- (59) The entry 'Abdul Salam Hanafi Ali Mardan **Qul** (alias (a) Abdussalam Hanifi, (b) Hanafi Saheb). Title: (a) Mullah, (b) Maulavi. Function: Deputy Minister of Education of the Taliban regime. Date of birth: Approximately 1968. Place of birth: Darzab district, Faryab district, Afghanistan. Nationality: Afghan. Other information: Taliban member responsible for Jawzjan province, Afghanistan as of May 2007' under the heading 'Natural persons' shall be replaced by:

'Abdul Salam Hanafi Ali Mardan **Qul** (alias (a) Abdussalam Hanifi, (b) Hanafi Saheb). Title: (a) Mullah, (b) Maulavi. Function: Deputy Minister of Education of the Taliban regime. Date of birth: Approximately 1968. Place of birth: Darzab district, Faryab district, Afghanistan. Nationality: Afghan. Other information: Taliban member responsible for Northern Afghanistan as of May 2007.'

- (60) The entry 'Rahimi, Yar Mohammad Mullah (Minister of Communication)' under the heading 'Natural persons' shall be replaced by:

'Yar Mohammad **Rahimi**. Title: Mullah. Function: Minister of Communication of the Taliban regime. Date of birth: Approximately 1953. Place of birth: Panjwaee district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (61) The entry 'Rahmani, M. Hasan, Mullah (Governor of Kandahar Province)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Hasan **Rahmani**. Title: Mullah. Function: Governor of Kandahar Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1963. Place of birth: Panjwaee district, Kandahar province, Afghanistan. Nationality: Afghan.'

- (62) The entry 'Reshad, Habibullah, Mullah (Head of Investigation Dept.)' under the heading 'Natural persons' shall be replaced by:

'Habibullah **Reshad**. Title: Mullah. Function: Head of Investigation Department under the Taliban regime. Date of birth: Between 1968 and 1973. Place of birth: Ghazni province, Afghanistan. Nationality: Afghan.'

- (63) The entry 'Salek, Abdulhai, Maulavi (Governor of Urouzgan Province)' under the heading 'Natural persons' shall be replaced by:

'Abdulhai **Salek**. Title: Maulavi. Function: Governor of Urouzgan Province (Afghanistan) under the Taliban regime. Nationality: Afghan.'

- (64) The entry 'Sanani, Maulavi, Head of Dar-ul-Efta' under the heading 'Natural persons' shall be replaced by:

'**Sanani**. Title: Maulavi. Function: Head of Dar-ul-Efta under the Taliban regime. Date of birth: Approximately 1923. Place of birth: Zabul province, Afghanistan. Nationality: Afghan.'

- (65) The entry 'Saqib, Noor Mohammad (Chief Justice of Supreme Court)' under the heading 'Natural persons' shall be replaced by:

'Noor Mohammad **Saqib**. Function: Chief Justice of Supreme Court under the Taliban regime. Date of birth: Approximately 1958. Place of birth: Bagrami district, Kabul province, Afghanistan. Nationality: Afghan.'

- (66) The entry 'Ehsanullah, Maulavi (Deputy Minister of Security (Intelligence))' under the heading 'Natural persons' shall be replaced by:

'Ehsanullah **Sarfida**. Title: Maulavi. Function: Deputy Minister of Security (Intelligence) of the Taliban regime. Date of birth: Approximately 1963. Place of birth: Qarabagh district, Ghazni province, Afghanistan. Nationality: Afghan.'

- (67) The entry 'Sayyed, Saiduddine, Maulavi (Vice-Minister of Work and Social Affairs)' under the heading 'Natural persons' shall be replaced by:

'Saduddin **Sayyed** (*alias* (a) Sadudin Sayed, (b) Sadruddin). Title: (a) Maulavi, (b) Alhaj, (c) Mullah. Function: (a) Vice-Minister of Work and Social Affairs of the Taliban regime, (b) Mayor of Kabul City under the Taliban regime. Date of birth: Approximately 1968. Place of birth: Chaman district, Pakistan.'

- (68) The entry 'Qari Abdul Wali **Seddiqi**. Function: Third Secretary. Date of birth: 1974. Place of birth: Ghazni, Afghanistan. Nationality: Afghan. Passport No: D 000769 (issued on 2.2.1997)' under the heading 'Natural persons' shall be replaced by:

'Qari Abdul Wali **Seddiqi**. Function: Third Secretary under the Taliban regime. Date of birth: 1974. Place of birth: Ghazni, Afghanistan. Nationality: Afghan. Passport No: D 000769 (Afghan passport issued on 2.2.1997).'

- (69) The entry 'Shafiq, A. Wahed, Maulavi (Deputy Governor of Kabul Province)' under the heading 'Natural persons' shall be replaced by:

'Abdul Wahed **Shafiq**. Title: Maulavi. Function: Deputy Governor of Kabul Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1968. Place of birth: Ningarhar province, Afghanistan. Nationality: Afghan.'

- (70) The entry 'Shaheen, Mohammad Sohail (Second Secretary, Taliban "Embassy", Islamabad)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Sohail **Shaheen**. Function: Second Secretary, Taliban "Embassy" Islamabad. Nationality: Afghan.'

- (71) The entry 'Hamsudin, Maulavi (Governor of Wardak (Maidan) Province)' under the heading 'Natural persons' shall be replaced by:

'Shamsudin. Title: Maulavi. Function: Governor of Wardak (Maidan) Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1968. Place of birth: Keshim district, Badakhshan province, Afghanistan. Nationality: Afghan.'

- (72) The entry 'Sharif, Mohammad (Deputy Minister of Interior Affairs)' under the heading 'Natural persons' shall be replaced by:

'Mohammad **Sharif**. Function: Deputy Minister of Interior Affairs of the Taliban regime. Nationality: Afghan.'

- (73) The entry 'Shinwari, Jalaluddine, Maulavi (Deputy Minister of Justice)' under the heading 'Natural persons' shall be replaced by:

'Jalaluddine **Shinwari**. Title: Maulavi. Function: Deputy Minister of Justice of the Taliban regime. Date of birth: Approximately 1968. Place of birth: Shinwar district, Ningarhar province, Afghanistan. Nationality: Afghan.'

- (74) The entry 'Siddiqmal, Mohammad Sarwar (Third Secretary, Taliban "Embassy", Islamabad)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Sarwar **Siddiqmal**. Function: Third Secretary, Taliban "Embassy", Islamabad. Nationality: Afghan.'

- (75) The entry 'Stanekzai, Sher Abbas (Deputy Minister of Public Health)' under the heading 'Natural persons' shall be replaced by:

'Sher Mohammad Abbas **Stanekzai**. Function: Deputy Minister of Public Health of the Taliban regime. Date of birth: Approximately 1963. Place of birth: Logar province, Afghanistan. Nationality: Afghan.'

- (76) The entry 'Tawana, Maulavi (Governor of Paktia Province)' under the heading 'Natural persons' shall be replaced by:

'Taha. Title: Maulavi. Function: Governor of Paktia Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1963. Place of birth: Ningarhar province, Afghanistan. Nationality: Afghan.'

- (77) The entry 'Tahis, Hadji (Deputy Minister of Civil Aviation)' under the heading 'Natural persons' shall be replaced by:

'Tahis. Title: Hadji. Function: Deputy Minister of Civil Aviation of the Taliban regime. Nationality: Afghan.'

- (78) The entry 'Takhari, Abdul Raqib, Maulavi (Minister of Repatriation)' under the heading 'Natural persons' shall be replaced by:

'Abdul Raqib **Takhari**. Title: Maulavi. Function: Minister of Repatriation of the Taliban regime. Date of birth: Between 1968 and 1973. Place of birth: Takhar province, Afghanistan. Nationality: Afghan.'

- (79) The entry 'Turabi, Nooruddin, Mullah (Minister of Justice)' under the heading 'Natural persons' shall be replaced by:

'Nooruddin **Turabi**. Title: Mullah. Function: Minister of Justice of the Taliban regime. Date of birth: Approximately 1963. Place of birth: Kandahar, Afghanistan. Nationality: Afghan.'

- (80) The entry 'Shams-ur-Rahman, Mullah (Deputy Minister of Agriculture)' under the heading 'Natural persons' shall be replaced by:

'Shams **Ur-Rahman**. Title: Mullah. Function: Deputy Minister of Agriculture of the Taliban regime. Nationality: Afghan.'

- (81) The entry 'Walijan, Maulavi (Governor of Jawzjan Province)' under the heading 'Natural persons' shall be replaced by:

'Walijan. Title: Maulavi. Function: Governor of Jawzjan Province (Afghanistan) under the Taliban regime. Date of birth: Approximately 1968. Place of birth: Quetta, Pakistan.'

- (82) The entry 'Wasseq, Abdul-Haq-, Maulavi (Deputy Minister of Security (Intelligence))' under the heading 'Natural persons' shall be replaced by:

'Abdul-Haq **Wasseq**. Title: Maulavi. Function: Deputy Minister of Security (Intelligence) of the Taliban regime. Date of birth: Approximately 1975. Place of birth: Central Ghazni province, Afghanistan. Nationality: Afghan.'

- (83) The entry 'Waziri, M. Jawaz (UN Dept, Ministry of Foreign Affairs)' under the heading 'Natural persons' shall be replaced by:

'Mohammad Jawad **Waziri**. Function: UN Department, Ministry of Foreign Affairs of the Taliban regime. Nationality: Afghan.'

- (84) The entry 'Zurmati, Maulavi Rahimullah (Deputy (Publication) Minister of Information and Culture)' under the heading 'Natural persons' shall be replaced by:

'Rahimullah **Zurmati**. Title: Maulavi. Function: Deputy (Publication) Minister of Information and Culture of the Taliban regime. Date of birth: Between 1953 and 1958. Place of birth: Zurmat district, Paktia province, Afghanistan. Nationality: Afghan.'

II

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

DECISIONS

COMMISSION

COMMISSION DECISION

of 16 October 2007

amending Decision 2004/452/EC laying down a list of bodies whose researchers may access confidential data for scientific purposes

(notified under document number C(2007) 4672)

(Text with EEA relevance)

(2007/678/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

- (2) Commission Decision 2004/452/EC ⁽³⁾ has laid down a list of bodies whose researchers may access confidential data for scientific purposes.

Having regard to the Treaty establishing the European Community,

- (3) The University of Illinois at Chicago (UIC), Chicago, USA, has to be regarded as a body fulfilling the required conditions and should therefore be added to the list of agencies, organisations and institutions referred to in Article 3(1)(c) of Regulation (EC) No 831/2002.

Having regard to Council Regulation (EC) No 322/97 of 17 February 1997 on Community statistics ⁽¹⁾, and in particular Article 20(1) thereof,

Whereas:

- (4) The measures provided for in this Decision are in accordance with the opinion of the Committee on Statistical Confidentiality,

- (1) Commission Regulation (EC) No 831/2002 of 17 May 2002 implementing Council Regulation (EC) No 322/97 on Community Statistics, concerning access to confidential data for scientific purposes ⁽²⁾ establishes, for the purpose of enabling statistical conclusions to be drawn for scientific purposes, the conditions under which access to confidential data transmitted to the Community authority may be granted and the rules of cooperation between the Community and national authorities in order to facilitate such access.

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2004/452/EC is replaced by the text set out in the Annex to this Decision.

⁽¹⁾ OJ L 52, 22.2.1997, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 133, 18.5.2002, p. 7. Regulation as amended by Regulation (EC) No 1000/2007 (OJ L 226, 30.8.2007, p. 7).

⁽³⁾ OJ L 156, 30.4.2004, p. 1, as corrected by OJ L 202, 7.6.2004, p. 1. Decision as last amended by Decision 2007/439/EC (OJ L 164, 26.6.2007, p. 30).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 October 2007.

For the Commission

Joaquín ALMUNIA

Member of the Commission

ANNEX

'ANNEX

BODIES WHOSE RESEARCHERS MAY ACCESS CONFIDENTIAL DATA FOR SCIENTIFIC PURPOSES

European Central Bank

Spanish Central Bank

Italian Central Bank

University of Cornell (New York State, United States of America)

Department of Political Science, Baruch College, New York City University (New York State, United States of America)

German Central Bank

Employment Analysis Unit, Directorate General for Employment, social affairs and equal opportunities of the European Commission

University of Tel Aviv (Israel)

World Bank

Center of Health and Wellbeing (CHW) of the Woodrow Wilson School of Public and International Affairs at Princeton University, New Jersey, United States of America

The University of Chicago (UofC), Illinois, United States of America

Organisation for Economic Co-operation and Development (OECD)

Family and Labour Studies Division of Statistics Canada, Ottawa, Ontario, Canada

Econometrics and Statistical Support to Antifraud (ESAF) Unit, Directorate General Joint Research Centre of the European Commission

Support to the European Research Area (SERA) Unit, Directorate General Joint Research Centre of the European Commission

Canada Research Chair of the School of Social Science in the Atkinson Faculty of Liberal and Professional Studies at York University, Ontario, Canada

University of Illinois at Chicago (UIC), Chicago, USA'

COMMISSION DECISION

of 22 October 2007

fixing the net amounts resulting from the application of voluntary modulation in the United Kingdom for the calendar years 2007 to 2012

(notified under document number C(2007) 5104)

(Only the English text is authentic)

(2007/679/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 378/2007 of 27 March 2007 laying down rules for voluntary modulation of direct payments provided for in Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and amending Regulation (EC) No 1290/2005 ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

(1) Article 1(1) of Regulation (EC) No 378/2007 provides that Member States where at the entry into force of that Regulation the system of additional reductions of direct payments referred to in Article 1 of Commission Regulation (EC) No 1655/2004 of 22 September 2004 laying down rules for the transition from the optional modulation system established by Article 4 of Council Regulation (EC) No 1259/1999 to the mandatory modulation system established by Council Regulation (EC) No 1782/2003 ⁽²⁾ is applied may apply a reduction, during the period 2007-2012, hereinafter referred to as 'voluntary modulation', to all the amounts of direct payments within the meaning of Article 2(d) of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers ⁽³⁾.

(2) Article 2 of Regulation (EC) No 378/2007 provides that, within two months of the entry into force of that Regulation, Member States decide on and communicate to the Commission the annual rate of voluntary modulation that will apply for the period 2007 to 2012 with an assessment in order to gauge the impact of the application of such modulation.

(3) Under Article 3(1) of Regulation (EC) No 378/2007, any Member State where at the entry into force of that Regulation the system of additional reductions of direct payments referred to in Article 1 of Regulation (EC) No 1655/2004 is applied and the single payment scheme is applied at regional level may, for the period 2007 to 2012, choose to apply rates that are regionally differentiated according to objective criteria. The maximum rate for any of the regions of each Member State concerned is 20 %.

(4) Article 3(2) of Regulation (EC) No 378/2007 provides that any Member State applying regionally differentiated rates of voluntary modulation submits to the Commission, within two months of the entry into force of that Regulation, for the period 2007 to 2012, information concerning (a) the annual rates of voluntary modulation for each region and for the whole territory, (b) the annual total amounts to be reduced under voluntary modulation, (c) where appropriate, the annual total additional amounts needed to cover the additional amount of aid referred to in the second subparagraph of Article 1(3) of that Regulation, and (d) statistical and other supportive data used to establish the amounts referred to in points (b) and (c).

(5) Article 4(1) of Regulation (EC) No 378/2007 provides that the Commission fixes the net amounts resulting from the application of voluntary modulation based on: (a) a calculation in case of a single national rate of voluntary modulation; (b) in the case of Member States applying regionally differentiated rates, the amounts communicated by the Member States as provided for in Article 3(2) of that Regulation.

(6) The United Kingdom has submitted to the Commission the following annual rates of voluntary modulation fixed at regional level:

Region	2007	2008	2009	2010	2011	2012
England	12 %	13 %	14 %	14 %	14 %	14 %
Northern Ireland	4,5 %	6 %	7 %	8 %	9 %	9 %
Wales	0 %	2,5 %	4,2 %	5,8 %	6,5 %	6,5 %
Scotland	5 %	8 %	8,5 %	9 %	9 %	9 %

⁽¹⁾ OJ L 95, 5.4.2007, p. 1.

⁽²⁾ OJ L 298, 23.9.2004, p. 3.

⁽³⁾ OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 552/2007 (OJ L 131, 23.5.2007, p. 10).

- (7) The United Kingdom has also communicated the total amounts to be reduced under voluntary modulation and an assessment in order to gauge the impact of the application of such modulation.

Article 2

This Decision shall apply as from budget year 2008.

- (8) It is therefore necessary to fix the net amounts resulting from the application of voluntary modulation in the United Kingdom,

Article 3

This Decision is addressed to the United Kingdom.

HAS ADOPTED THIS DECISION:

Done at Brussels, 22 October 2007.

Article 1

The net amounts resulting from the application of voluntary modulation in the United Kingdom for the calendar years 2007 to 2012 are fixed in the Annex to this Decision.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Net amounts resulting from the application of voluntary modulation in the United Kingdom

(EUR million)

	2007	2008	2009	2010	2011	2012
Total	362,0	424,0	464,4	475,5	481,6	481,6
of which						
Single payment scheme, Title III of Regulation (EC) No 1782/2003	358,6	419,6	459,6	470,6	476,7	476,7
Beef and veal, Article 69 of Regulation (EC) No 1782/2003	1,49	2,38	2,53	2,68	2,68	2,68
Nuts, Article 83 of Regulation (EC) No 1782/2003	0,001	0,002	0,002	0,002	0,002	0,002
Others (*)	1,909	2,018	2,268	2,218	2,218	2,218

(*) Assessment of the amounts resulting from the application of voluntary modulation to payments concerning protein crops (Article 76 of Regulation (EC) No 1782/2003) and energy crops (Article 88 of Regulation (EC) No 1782/2003).

COMMISSION DECISION

of 22 October 2007

amending Decision 2006/410/EC, setting the amounts which, pursuant to Articles 10(2), 143d and 143e of Council Regulation (EC) No 1782/2003, are made available to the EAFRD and the amounts available for EAGF expenditure, and Decision 2006/636/EC fixing the annual breakdown by Member State for Community support to rural development for the period from 1 January 2007 to 31 December 2013

(notified under document number C(2007) 5106)

(2007/680/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

and establishing certain support schemes for farmers ⁽³⁾, are made available to the EAFRD, and the net balance available for EAGF expenditure.

Having regard to the Treaty establishing the European Community,

- (3) The amounts to be made available to the EAFRD and the net balance available for EAGF expenditure have to be set on the basis of the maximum annual amounts corresponding to the financial years 2007 to 2013.

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 12(2) and (3) thereof,

- (4) Commission Decision 2006/410/EC ⁽⁴⁾ established the amounts resulting from the application of the reductions of direct payments provided for in Articles 10(2), 143d and 143e of Regulation (EC) No 1782/2003, which are made available to EAFRD, and the net balance available for EAGF expenditure, for the financial years 2007 to 2013.

Having regard to Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) ⁽²⁾, and in particular Article 69(4) thereof,

- (5) Council Decision 2006/493/EC ⁽⁵⁾ fixed the amount of Community support to rural development for the period from 1 January 2007 to 31 December 2013, its annual breakdown and the minimum amount to be concentrated in regions eligible under the Convergence Objective.

Whereas:

- (1) Article 4(1) of Council Regulation (EC) No 378/2007 of 27 March 2007 laying down rules for voluntary modulation of direct payments provided for in Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, and amending Regulation (EC) No 1290/2005, stipulates that the Commission should set the net amounts resulting from the application of voluntary modulation and that these amounts should be incorporated into the annual breakdown by Member State relating to Community support to rural development referred to in Article 69(4) and (5) of Regulation (EC) No 1698/2005.

- (6) Commission Decision 2006/636/EC ⁽⁶⁾ established the breakdown by Member State of Community support to rural development for the period from 1 January 2007 to 31 December 2013, including as regards the amount of the transfers to the EAFRD.

- (2) Article 12 of Regulation (EC) No 1290/2005 stipulates that the Commission should set the amounts which, pursuant to Article 4(1) of Regulation (EC) No 378/2007 and Articles 10(2), 143d and 143e of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy

- (7) As a result of the adoption of Commission Decision 2007/679/EC 22 October 2007 fixing the net amounts resulting from the application of voluntary modulation to the United Kingdom for the calendar years 2007 to 2012 ⁽⁷⁾, under Article 4(1) of Regulation (EC) No 378/2007, the amounts which are made available to the EAFRD should be adjusted and added to the annual breakdown for Community support to rural development for the United Kingdom.

⁽¹⁾ OJ L 209, 11.8.2005, p. 1. Regulation as last amended by Regulation (EC) No 378/2007 (OJ L 95, 5.4.2007, p. 1).

⁽²⁾ OJ L 277, 21.10.2005, p. 1. Regulation as last amended by Regulation (EC) No 1012/2006 (OJ L 384, 29.12.2006, p. 8).

⁽³⁾ OJ L 270, 21.10.2003, p. 1. Regulation as last amended by Commission Regulation (EC) No 552/2007 (OJ L 131, 23.5.2007, p. 10).

⁽⁴⁾ OJ L 163, 15.6.2006, p. 10.

⁽⁵⁾ OJ L 195, 15.7.2006, p. 22.

⁽⁶⁾ OJ L 261, 22.9.2006, p. 32. Decision as amended by Decision 2007/383/EC (OJ L 142, 5.6.2007, p. 21).

⁽⁷⁾ See p. 25 of this Official Journal.

- (8) Decisions 2006/410/EC and 2006/636/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2006/410/EC is amended as follows:

1. The sole article is replaced by the following:

'Sole Article

The amounts available for the budget years 2007-13 to the European Agricultural Fund for Rural Development (EAFRD) pursuant to Articles 10(2), 143d and 143e of Regulation (EC) No 1782/2003 and Article 1(1) of Regulation (EC) No 378/2007, as well as the net balance available for European Agricultural Guarantee Fund (EAGF) expenditure, are set out in the Annex to this Decision.';

2. The Annex to the Decision is replaced by the text appearing in Annex I to this Decision.

Article 2

In the table appearing in the Annex to Decision 2006/636/EC, the amounts concerning the United Kingdom and the total amounts resulting from the addition of the amounts concerning all the Member States are replaced by the amounts which appear in Annex II to this Decision.

Article 3

This Decision applies as from the budget year 2008.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 22 October 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

'ANNEX

(EUR million):

Budget year	Amounts available for EAFRD				Net balance available for EAGF expenditure
	Article 10(2) of Regulation (EC) No 1782/2003	Article 143d of Regulation (EC) No 1782/2003	Article 143e of Regulation (EC) No 1782/2003	Article 1(1) of Regulation (EC) No 378/2007	
2007	984	22			44 753
2008	1 241	22		362,0	44 592
2009	1 252	22		424,0	44 981
2010	1 257	22		464,4	45 402,6
2011	1 231	22	484	475,5	45 404,5
2012	1 231	22	484	481,6	45 874,4
2013	1 228	22	484	481,6	46 358,4'

ANNEX II

(current prices in EUR)									
	2007	2008	2009	2010	2011	2012	2013	Total 2007-2013	Of which, as a minimum, for regions eligible under the convergence objective
United Kingdom	2 63 996 373	645 001 582	698 582 271	741 000 084	748 834 332	752 295 626	748 964 152	4 598 674 420	188 337 515
Total	12 343 028 110	12 904 462 561	12 915 336 508	12 926 752 114	13 346 691 325	13 301 303 256	13 245 900 813	90 983 474 687	31 232 644 963'