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⁽¹⁾ Text with EEA relevance

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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 1395/2007

of 28 November 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 29 November 2007.

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

Done at Brussels, 28 November 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 28 November 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	71,0
	TR	90,1
	ZZ	80,6
0707 00 05	JO	196,3
	MA	51,7
	TR	112,1
	ZZ	120,0
0709 90 70	MA	48,4
	TR	120,1
	ZZ	84,3
0709 90 80	EG	342,2
	ZZ	342,2
0805 20 10	MA	66,7
	ZZ	66,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	63,4
	HR	26,3
	IL	67,6
	TR	99,6
	UY	82,5
	ZZ	67,9
0805 50 10	AR	72,2
	EG	78,5
	TR	90,3
	ZA	59,3
	ZZ	75,1
0808 10 80	AR	87,7
	CA	86,9
	CL	86,0
	CN	72,1
	MK	30,6
	US	94,3
	ZA	78,3
	ZZ	76,6
0808 20 50	AR	48,8
	CN	61,3
	TR	145,7
	US	109,4
	ZZ	91,3

⁽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 1396/2007**of 28 November 2007****correcting Regulation (EC) No 1975/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 1698/2005, as regards the implementation of control procedures as well as cross-compliance in respect of rural development support measures**

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 Articles 51(4), 74(4) and 91 thereof,

Whereas:

- (1) An administrative error has occurred at the time of adoption of Commission Regulation (EC) No 1975/2006 ⁽²⁾, as a result of which the percentage of the aid, which may be paid after finalisation of the administrative checks, was set at 70 % rather than 75 % as originally intended.

- (2) Regulation (EC) No 1975/2006 should therefore be amended accordingly.

- (3) The measure provided for in this Regulation is in accordance with the opinion of the Rural Development Committee,

HAS ADOPTED THIS REGULATION:

Article 1

In the first sentence of the second subparagraph of Article 9(1) of Regulation (EC) No 1975/2006, '70 %' is replaced by '75 %'.

Article 2

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

It shall apply to Community support concerning the programming period starting on 1 January 2007.

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

Done at Brussels, 28 November 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽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 368, 23.12.2006, p. 74.

COMMISSION REGULATION (EC) No 1397/2007**of 28 November 2007****apportioning, for the 2007/08 marketing year, 5 000 tonnes of short flax fibre and hemp fibre as national guaranteed quantities between Denmark, Greece, Ireland, Italy and Luxembourg**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1673/2000 of 27 July 2000 on the common organisation of the markets in flax and hemp grown for fibre ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) Article 8(1) of Commission Regulation (EC) No 245/2001 of 5 February 2001 laying down detailed rules for the application of Council Regulation (EC) No 1673/2000 on the common organisation of the markets in flax and hemp grown for fibre ⁽²⁾ stipulates that the apportioning of 5 000 tonnes of short flax fibre and hemp fibre as national guaranteed quantities, as provided for in Article 3(2)(b) of Regulation (EC) No 1673/2000, must be effected before 16 November of the marketing year in progress.
- (2) To that end, Denmark and Italy have sent the Commission information relating to areas covered by sale/purchase contracts, processing commitments and processing contracts, and estimated flax and hemp straw and fibre yields.
- (3) Conversely, no flax or hemp fibre will be produced for the 2007/08 marketing year in Greece, Ireland or Luxembourg.
- (4) On the basis of estimates of production resulting from the information provided, total production in the five

Member States concerned will not reach the overall quantity of 5 000 tonnes allocated to them, and the national guaranteed quantities as set out below should be set.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Natural Fibres,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2007/08 marketing year, the apportionment in national guaranteed quantities provided for in Article 3(2)(b) of Regulation (EC) No 1673/2000 shall be as follows:

- Denmark 73 tonnes;
- Greece 0 tonnes;
- Ireland 0 tonnes;
- Italy 364 tonnes;
- Luxembourg 0 tonnes.

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*.

It shall apply from 16 November 2007.

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

Done at Brussels, 28 November 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 193, 29.7.2000, p. 16. Regulation as last amended by Regulation (EC) No 953/2006 (OJ L 175, 29.6.2006, p. 1).

⁽²⁾ OJ L 35, 6.2.2001, p. 18. Regulation as last amended by Regulation (EC) No 1913/2006 (OJ L 365, 21.12.2006, p. 52).

COMMISSION REGULATION (EC) No 1398/2007

of 28 November 2007

amending Annexes II, III B and VI to Council Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules ⁽¹⁾, and in particular Article 28 thereof,

Whereas:

- (1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, was signed on 15 October 2007. The Interim Agreement on trade and trade related matters will enter into force on 1 January 2008. The Interim Agreement will allow the trade provisions of the Stabilisation and Association Agreement to apply provisionally pending its ratification. Therefore, the Republic of Montenegro should be removed from the scope of application of Regulation (EC) No 517/94 from the date of implementation of the Interim Agreement.
- (2) After the removal of all components of the former Yugoslavia from the scope of application of Regulation (EC) No 517/94, Kosovo as defined by the United

Nations Security Council Resolution 1244 of 10 June 1999 ⁽²⁾ is the only territory in the region subject to textile quotas. Therefore and in view of the lack of textile industry, it is considered appropriate that Kosovo is also excluded from the scope of application of Regulation (EC) No 517/94 in order to avoid any discrimination against this territory.

- (3) Regulation (EC) No 517/94 should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II, III B and VI to Regulation (EC) No 517/94 are replaced as set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2008.

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

Done at Brussels, 28 November 2007.

For the Commission

Peter MANDELSON

Member of the Commission

⁽¹⁾ OJ L 67, 10.3.1994, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ All references to Kosovo in the present Regulation need to be understood as referring to Kosovo under UNSCR 1244.

ANNEX

Annexes II, III B and VI to Regulation (EC) No 517/94 are amended as follows:

1. Annex II is replaced by the following:

‘ANNEX II

List of countries referred to in Article 2

North Korea’

2. Annex III B is replaced by the following:

‘ANNEX III B

Annual Community quantitative limits referred to in Article 2(1), fourth indent’

3. Annex VI is replaced by the following:

‘ANNEX VI

Outward processing traffic

Annual Community limits referred to in Article 4’

COMMISSION REGULATION (EC) No 1399/2007**of 28 November 2007****opening and providing for the administration of an autonomous and transitional import tariff quota for sausages and certain meat products originating in Switzerland**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, and in particular Article 11(1) thereof,

Whereas:

(1) Council Regulation (EC) No 1355/2007 ⁽²⁾ provides for the opening of an autonomous and transitional Community quota for the import of 1 900 tonnes of sausages and certain meat products originating from Switzerland.

(2) In order to ensure that quota benefit is available until the entry into force of the adaptation of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products ⁽³⁾ approved by Council and Commission Decision 2002/309/EC, Euratom ⁽⁴⁾ (hereafter referred to as the Agreement), it is appropriate to open the tariff quotas on an autonomous and transitional basis from 1 January 2008 until 31 December 2009.

(3) To be eligible for the benefit of those tariff quotas, products should originate in Switzerland in conformity with the rules referred to in Article 4 of the Agreement.

(4) The administration of the tariff quota should be based on import licences. To that end, detailed rules should be laid down for the submission of import licence applications and the information which must appear in these applications and import licences.

(5) Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾ and Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽⁶⁾ should apply, save as otherwise provided for in this Regulation.

(6) In order to ensure regular imports, the quantities of products covered by the import tariff quota should be spread out over four subperiods within the period from 1 January to 31 December. In any case, Regulation (EC) No 1301/2006 limits the period of validity of licences to the last day of the import tariff quota period.

(7) In the interest of the operators it should be provided that the Commission determines the quantities not applied for that will be added to the next subperiod.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

1. An import tariff quota for sausages and certain meat products as set out in Regulation (EC) No 1355/2007 is hereby opened.

The import tariff quota shall be opened annually for the period from 1 January to 31 December. The measure shall apply on an autonomous and transitional basis, from 1 January 2008 and shall end on 31 December 2009.

The order number of the quota shall be 09.4180.

2. The total annual quantity of products benefiting from the quota referred to in paragraph 1, the rate of customs duty and CN codes are set out in Annex I hereto.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 304, 22.11.2007, p. 3.

⁽³⁾ OJ L 114, 30.4.2002, p. 132. Agreement as last amended by Decision No 1/2007 of the Joint Committee on Agriculture (OJ L 173, 3.7.2007, p. 31).

⁽⁴⁾ OJ L 114, 30.4.2002, p. 1.

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1913/2006 (OJ L 365, 21.12.2006, p. 52).

⁽⁶⁾ OJ L 238, 1.9.2006, p. 13. Regulation as last amended by Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

Article 2

Regulation (EC) No 1291/2000 and Regulation (EC) No 1301/2006 shall apply, save as otherwise provided for in this Regulation.

Article 3

The annual quantity in the import tariff quota period shall be divided as follows into four subperiods:

- (a) 25 % in the period from 1 January to 31 March;
- (b) 25 % in the period from 1 April to 30 June;
- (c) 25 % in the period from 1 July to 30 September;
- (d) 25 % in the period from 1 October to 31 December.

Article 4

1. For the purposes of applying Article 5 of Regulation (EC) No 1301/2006, import licence applicants shall, when submitting their first application for a given annual quota period, furnish proof that they imported or exported, during each of the two periods referred to in that Article, at least 25 tonnes of products covered by Article 1 of Regulation (EEC) No 2759/75.

2. Import licence applications shall contain the order number and may relate to several products covered by different CN codes and originating in Switzerland. In such cases, all the CN codes shall be indicated in box 16 and their descriptions in box 15.

An import licence application shall cover at least one tonne of product weight and may not cover more than 20 % of the available quantity for each import tariff quota subperiod.

3. Import licences shall give rise to an obligation to import from the specified country.

4. Import licence applications and import licences shall contain the following:

- (a) in box 8, the country of origin and the mention 'yes' marked by a cross;
- (b) in box 20, one of the references set out in Part A of Annex II.

5. Box 24 of the import licence shall contain one of the entries set out in Part B of Annex II.

Article 5

1. Import licence applications shall be lodged during the first seven days of the month preceding each subperiod.

2. A security of EUR 20 per 100 kilograms of product weight shall be lodged together with the import licence application.

3. The Member States shall notify the Commission, by the third working day following the end of the period for submission of applications, of the total quantities, in kilograms, applied for.

4. Import licences shall be issued not earlier than the seventh and not later than the 11th working day following the end of the period for notification provided for in paragraph 3.

5. The Commission shall determine, if necessary, the quantities not applied for which shall be automatically added to the quantity fixed for the next subperiod.

Article 6

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006 the Member States shall notify the Commission, before the end of the first month of each subperiod, the total quantities in kilograms covered by import licences issued as referred to in Article 11(1)(b) of that Regulation.

2. The Member States shall notify the Commission, before the end of the fourth month following each annual period, of the quantities in kilograms actually put into free circulation under this Regulation in the period concerned.

3. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006 the Member States shall notify the Commission, on the first occasion together with the notification of the quantities applied for the last sub-period, and on the second occasion before the end of the fourth month following each annual period of the unused quantities in kilograms as referred to in Article 11(1)(c) of that Regulation.

Article 7

1. By way of derogation from Article 23 of Regulation (EC) No 1291/2000 import licences shall be valid for 150 days from the first day of the subperiod for which they were issued.

2. By way of derogation from Article 9(1) of Regulation (EC) No 1291/2000, the rights deriving from import licences may be transferred only to transferees satisfying the eligibility conditions laid down in Article 5 of Regulation (EC) No 1301/2006 and in Article 4 of this Regulation.

Article 8

The rules of origin applicable to the products referred to in Annex I shall be those provided for in Article 4 of the Agreement.

Article 9

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 December 2007.

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

Done at Brussels, 28 November 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Products referred to in Article 1(2):

Order No	CN codes	Product description	Applicable duty (EUR/t)	Total quantity in tonnes product (net weight)
09.4180	ex 0210 19 50	Hams, in brine, boneless, enclosed in a bladder or in an artificial gut	0	1 900
	ex 0210 19 81	Piece of boneless chop, smoked		
	ex 1601 00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products, of animals of headings 0101 to 0104, excluding wild boars		
	ex 0210 19 81 ex 1602 49 19	Pork neck, dried in air, seasoned or not, whole, in pieces or thinly sliced		

ANNEX II

A. Entries referred to in Article 4(4)(b):

<i>in Bulgarian:</i>	Реглимент (EO) № 1399/2007
<i>in Spanish:</i>	Reglamento (CE) n.º 1399/2007
<i>in Czech:</i>	Nařízení (ES) č. 1399/2007
<i>in Danish:</i>	Forordning (EF) nr. 1399/2007
<i>in German:</i>	Verordnung (EG) Nr. 1399/2007
<i>in Estonian:</i>	Määrus (EÜ) nr 1399/2007
<i>in Greek:</i>	Κανονισμός (ΕΚ) αριθ. 1399/2007
<i>in English:</i>	Regulation (EC) No 1399/2007
<i>in French:</i>	Règlement (CE) n.º 1399/2007
<i>in Italian:</i>	Regolamento (CE) n. 1399/2007
<i>in Latvian:</i>	Regula (EK) Nr. 1399/2007
<i>in Lithuanian:</i>	Reglamentas (EB) Nr. 1399/2007
<i>in Hungarian:</i>	1399/2007/EK rendelet
<i>in Maltese:</i>	Regolament (KE) Nru 1399/2007
<i>in Dutch:</i>	Verordening (EG) nr. 1399/2007
<i>in Polish:</i>	Rozporządzenie (WE) nr 1399/2007
<i>in Portuguese:</i>	Regulamento (CE) n.º 1399/2007
<i>in Romanian:</i>	Regulamentul (CE) nr 1399/2007
<i>in Slovak:</i>	Nariadenie (ES) č. 1399/2007
<i>in Slovenian:</i>	Uredba (ES) št. 1399/2007
<i>in Finnish:</i>	Asetus (EY) N:o 1399/2007
<i>in Swedish:</i>	Förordning (EG) nr 1399/2007

B. Entries referred to in Article 4(5):

<i>in Bulgarian:</i>	Мита по ОМТ, намалени съгласно Регламент (ЕО) № 1399/2007
<i>in Spanish:</i>	Reducción de los derechos del AAC en virtud del Reglamento (CE) nº 1399/2007
<i>in Czech:</i>	SCS cla snižená podle nařízení (ES) č. 1399/2007
<i>in Danish:</i>	FTT-toldsats nedsat i henhold til forordning (EF) nr. 1399/2007
<i>in German:</i>	Ermäßigung des Zollsatzes nach dem GZT gemäß der Verordnung (EG) Nr. 1399/2007
<i>in Estonian:</i>	Ühise tollitariifistiku tollimakse vähendatakse vastavalt määrusele (EÜ) nr 1399/2007
<i>in Greek:</i>	Μειωμένος δασμός του Κοινού Δασμολογίου, όπως προβλέπει ο κανονισμός (ΕΚ) αριθ. 1399/2007
<i>in English:</i>	CCT duties reduced as provided for in Regulation (EC) No 1399/2007
<i>in French:</i>	Droits du TDC réduits conformément au règlement (CE) n° 1399/2007
<i>in Italian:</i>	Dazi TDC ridotti secondo quanto previsto dal Regolamento (CE) n. 1399/2007
<i>in Latvian:</i>	KMT nodoklis samazināts, kā noteikts Regulā (EK) Nr. 1399/2007
<i>in Lithuanian:</i>	BMT muitai sumažinti, kaip numatyta Reglamente (EB) Nr. 1399/2007
<i>in Hungarian:</i>	a közös vámtarifában meghatározott vámtételek csökkentése az 1399/2007/EK rendeletnek megfelelően
<i>in Maltese:</i>	Dazji TDK imnaqqa kif previst fir-Regolament (KE) Nru. 1399/2007
<i>in Dutch:</i>	invoer met verlaagd GDT-douanerecht overeenkomstig Verordening (EG) nr. 1399/2007
<i>in Polish:</i>	Cła pobierane na podstawie WTC obniżone jak przewidziano w rozporządzeniu (WE) nr 1399/2007
<i>in Portuguese:</i>	Direitos PAC reduzidos em conformidade com o Regulamento (CE) n.º 1399/2007
<i>in Romanian:</i>	Drepturile TVC se reduc conform prevederilor Regulamentului (CE) nr. 1399/2007
<i>in Slovak:</i>	clo SCS znížené podľa ustanovení nariadenia (ES) č. 1399/2007
<i>in Slovenian:</i>	carine SCT, znižane, kakor določa Uredba (ES) št. 1399/2007
<i>in Finnish:</i>	Yhteisen tullitariffin mukaiset tullit alennettu asetuksen (EY) N:o 1399/2007 mukaisesti
<i>in Swedish:</i>	Tullar enligt gemensamma tulltaxan skall nedsättas i enlighet med förordning (EG) nr 1399/2007

COMMISSION REGULATION (EC) No 1400/2007**of 28 November 2007****amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 ⁽²⁾ established the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005.
- (2) In accordance with Article 4(3) of Regulation (EC) No 2111/2005, some Member States communicated to the Commission information that is relevant in the context of updating the Community list. Relevant information was also communicated by third countries. On this basis, the Community list should be updated.
- (3) The Commission informed all air carriers concerned either directly or, when this was not practicable, through the authorities responsible for their regulatory oversight, indicating the essential facts and considerations which would form the basis for a decision to impose on them an operating ban within the Community or to modify the conditions of an operating ban imposed on an air carrier which is included in the Community list.
- (4) Opportunity was given by the Commission to the air carriers concerned to consult the documents provided by Member States, to submit written comments and to make an oral presentation to the Commission within 10 working days and to the Air Safety Committee established by Council Regulation (EEC) No 3922/91 of 16

December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation ⁽³⁾.

- (5) The authorities with responsibility for regulatory oversight over the air carriers concerned have been consulted by the Commission as well as, in specific cases, by some Member States.
- (6) Regulation (EC) No 474/2006 should therefore be amended accordingly.

Blue Wing Airlines

- (7) Following the analysis of documentation submitted by Blue Wing Airlines in relation to progress made in the implementation of its corrective action plan, and following the endorsement and positive assessment of this documentation by the competent authorities of Suriname, there is sufficient evidence to demonstrate that this carrier has completed successfully the corrective actions that are necessary to eliminate the deficiencies which led to its inclusion in the Community list.
- (8) On the basis of the common criteria, it is assessed that Blue Wing Airlines has taken all the required measures to conform to relevant safety standards and therefore may be withdrawn from Annex A.

Pakistan International Airlines

- (9) Pakistan International Airlines submitted to the Commission documentation which confirms the corrective actions taken to rectify the safety deficiencies on the remaining aircraft of its fleet of type Airbus A-310 (registration marks: AP-BDZ, AP-BEB, AP-BGO, AP-BEQ, AP-BGS and AP-BGQ) and Boeing B-747-300 (registration marks: AP-BFW, AP-BFV, AP-BFY) which are still subject to operational restrictions. The competent authorities of Pakistan have endorsed those measures.
- (10) As a consequence, on the basis of the common criteria, it is assessed that the current regime of operational restrictions imposed on Pakistan International Airlines should end, and the carrier should be removed from Annex B.

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ OJ L 84, 23.3.2006, p. 14. Regulation as amended by Regulation (EC) No 1043/2007 (OJ L 239, 12.9.2007, p. 50).

⁽³⁾ OJ L 373, 31.12.1991, p. 4. Regulation as last amended by Regulation (EC) No 1900/2006 of the European Parliament and of the Council (OJ L 377, 27.12.2006, p. 177).

- (11) The competent authorities of Pakistan have agreed that, before the resumption of operations to the Community of each individual aircraft concerned, and including the aircraft referred to in recital 8 of Commission Regulation (EC) No 787/2007 ⁽¹⁾, they shall provide the authorities of the Member State of the airport of destination, as well as the Commission, with a safety inspection report of the aircraft which they have conducted no more than 72 hours before the aircraft is due to operate. On receipt of the report, the relevant Member State may, if necessary, take appropriate measures in accordance with Article 6 of Regulation (EC) No 2111/2005. On arrival, a complete SAFA ramp inspection of the aircraft should be carried out, and its report should be transmitted without delay to the Commission, which will forward it to the other Member States. Member States intend to verify systematically the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier.

Mahan Air

- (12) Following the submission of a revised plan of corrective actions and supporting documentation by Mahan Air in relation to the implementation of this plan, and following the endorsement and positive assessment of those by the competent authorities of the Islamic Republic of Iran, there is sufficient evidence to demonstrate that the carrier is in the process of implementing corrective actions to eliminate the deficiencies which led to its inclusion in the Community list.
- (13) However, despite the implementation of corrective actions in the area of maintenance and engineering, there are verified major deficiencies regarding the continued airworthiness of certain aircraft operated into the Community which have led to the launch of a suspension procedure of the certificate of airworthiness of these aircraft, as well as verified evidence with regard to major deficiencies on requirements of maintenance. Furthermore, further adjustments to the corrective action plan in the area of operations have been considered necessary and requested accordingly ⁽²⁾.
- (14) On the basis of the common criteria, it is assessed that, at this stage, Mahan Air has not shown the ability to take all the required measures to conform to relevant safety standards and should therefore be retained in Annex A. The Commission takes note of the willingness of the competent authorities of the Islamic Republic of Iran to enhance the exercise of their oversight responsibilities with a view to improving safety and cooperate closely to that end with the Commission.

⁽¹⁾ OJ L 175, 5.7.2007, p. 10.

⁽²⁾ Letter from the services of the Commission addressed to Mahan Air of 19 October 2007 — also transmitted to CAO Iran on the same date.

Ukrainian Mediterranean Airlines

- (15) Following the submission of a revised plan of corrective actions and supporting documentation by Ukrainian Mediterranean Airlines in relation to the implementation of this plan, and following the endorsement and assessment of those by the competent authorities of the Ukraine, there is evidence to demonstrate that the carrier is in the process of implementing corrective actions to eliminate the deficiencies which led to its inclusion in the Community list. The competent authorities of the Ukraine have inspected the carrier and have issued a new Air Operator's Certificate with a 12 month validity period until 15 October 2008. Nevertheless, according to submissions of the competent authorities of the Ukraine dated 13 November 2007, the authorities remain concerned about an insufficient control by the air carrier's management over repeated deficiencies and the quality of flight preparation records. Furthermore, according to the competent authorities of the Ukraine, the frequency of such findings does not allow them to conclude on the solidity and sustainability of the improvements in the carrier despite the positive changes. Finally, the competent authorities of the Ukraine affirm that the carrier 'needs a lot of resources and much time for compliance with the appropriate standards'.
- (16) On the basis of the common criteria, it is assessed that Ukrainian Mediterranean Airlines has not shown the ability to take all the required measures to conform to relevant safety standards and should therefore be retained in Annex A.
- (17) The Commission takes note of the commitment of the competent authorities of the Ukraine to enhance surveillance of this carrier with a view to accelerating the appropriate implementation of the corrective action plan.

Hewa Bora Airways

- (18) Hewa Bora Airways has ceased operations into the Community for the last four months with the aircraft of type Boeing B767-266ER, cons. No 23 178, and with registration mark 9Q-CJD, with which it has been authorised to operate as provided for in Regulation (EC) No 235/2007. Instead, it has been operating into the Community under a wet lease agreement (ACMI) with a Belgian air carrier.
- (19) On the basis of this information, the Commission considers that there is no change in the status of the carrier and that the aircraft of type Boeing B767-266ER, cons. No 23 178 should remain included in Annex B.

Air carriers from Equatorial Guinea

- (20) The undertaking Cronos Airlines has informed the Commission that it has been granted an Air Operator's Certificate by the authorities of Equatorial Guinea. Since this new air carrier has been certified by the authorities of Equatorial Guinea which have shown a lack of ability to carry out adequate safety oversight, it should be included in Annex A.
- (21) The authorities of Equatorial Guinea have provided the Commission with updated information regarding the operations of the carriers certified by these authorities. In particular, these authorities have stated that Guinea Airways has ceased its operations. However, there is no evidence of withdrawal of the Air Operator's Certificate of that air carrier. Therefore, without such information, this carrier cannot be, at this stage, withdrawn from Annex A.

Air carriers from the Kyrgyz Republic

- (22) The authorities of the Kyrgyz Republic have provided the Commission with evidence of the withdrawal of the Air Operator's Certificates of World Wing Aviation on grounds of safety. Since this carrier certified in the Kyrgyz Republic has consequently ceased its activities, it should be withdrawn from Annex A.

Air carriers from the Republic of Indonesia

- (23) Following the invitation of the Indonesian Directorate General for Civil Aviation (DGCA), a team of European experts conducted a fact-finding mission to Indonesia from 5 to 9 November 2007. Its report shows that already in 2007 the DGCA has started putting in place corrective actions meant to improve its ability to implement and enforce the relevant safety standards. The DGCA has informed that during 2007 it has begun with the restructuring of the DGCA and has granted increased powers to its inspectors. However, it also shows that the safety oversight functions on the carriers certified could not be fully executed during the first 10 months of 2007. As of beginning 2008, the DGCA intends to obtain additional human and financial resources in order to fulfil its obligations under the Chicago Convention. The Commission takes note of this progress, and strongly encourages the DGCA to implement all the corrective actions presented to the Commission. The Commission considers, however, that the current status of implementation of corrective actions by the DGCA of Indonesia does not allow, at this stage, the removal of the operating ban imposed on all carriers certified by this authority.
- (24) The authorities of Indonesia have provided the Commission with an updated list of air carriers holding an Air Operator's Certificate. At present, the air carriers certified in Indonesia are the following: Garuda Indonesia, Merpati Nusantara, Kartika Airlines, Mandala Airlines, Trigana Air Service (AOCs 121-006 and

135-005), Metro Batavia, Pelita Air Service (AOCs 121-008 and 135-001), Indonesia Air Asia, Lion Mentari Airlines, Wing Adabi Nusantara, Cardig Air, Riau Airlines, Trans Wisata Prima Aviation, Tri MG Intra Airlines (AOCs 121-018 and 135-037), Ekspres Transportasi Antar Benua (AOCs 121-019 and 135-032), Manunggal Air Service, Megantara Airlines, Sriwijaya Air, Adam Skyconnection Airlines, Travel Ekspres Airlines, Republic Ekspres Airlines, Airfast Indonesia, Travira Utama, Derazona Air Service, National Utility Helicopter, Deraya Air Taxi, Dirgantara Air Service, SMAC, Kura-Kura Aviation, Indonesia Air Transport, Gatari Air Service, Intan Angkasa Air Service, Air Pacific Utama, Transwisata Prima Aviation, Asco Nusa Air Transport, Pura Wisata Baruna, Panarbangan Angkasa Semesta, Asi Pujiastuti, Aviastar Mandiri, Dabi Air Nusantara, Balai Kalibrasi Fasilitas Penerbangan, Sampurna Air Nusantara, and Eastindo. The Community list should be updated accordingly and these carriers should be included in Annex A.

TAAG Angola Airlines

- (25) The competent authorities of Angola submitted to the Commission a new corrective action plan aimed at enhancing their capability to implement and enforce the relevant safety standards with respect to the carrier TAAG Angola Airlines, as well as addressing the safety concerns raised by ICAO during the 2004 ICAO USOAP audit.
- (26) The carrier TAAG Angola Airlines submitted to the Commission information on the corrective actions being implemented so as to address the root causes of the safety deficiencies identified during ramp inspections performed under the SAFA programme, and indicating the systemic nature of the said deficiencies.
- (27) The Commission acknowledges the effort made by the carrier towards achieving all the required measures to conform to relevant safety standards, as well as the strong disposition towards collaboration shown by both the carrier and the competent authorities of Angola. However, the Commission considers that a decision to withdraw TAAG Angola Airlines from the Community list is, at this stage, premature because there are still significant safety deficiencies which have to be addressed, as well as the recertification process of the carrier by the competent authorities. The Commission will undertake an on-site visit so as to verify the full implementation of the corrective actions which the carrier is still in the process of completing.

Air carriers from Albania

- (28) On 29 August 2007 the Albanian Civil Aviation Authority submitted a comprehensive recovery action plan to the Commission, committing itself to providing the Commission with regular update reports on the progress achieved in the implementation of the said plan.

- (29) The first update report, submitted by the Albanian Civil Aviation Authority on 5 November 2007, shows that the competent authorities of Albania have made progress in the implementation of the said action plan and that they intend to have completed its implementation by the end of 2008. Their commitment to improve their aviation safety oversight capabilities has been further corroborated by the report of the last assessment visit conducted in Albania from 22 to 26 October 2007 within the framework of the European Common Aviation Area (ECAA).
- (30) The Commission intends to keep monitoring the implementation of the corrective action plan through the agreed regular updates to be submitted by the Albanian Authorities. Member States intend to verify systematically the effective compliance with relevant safety standards through ramp inspections to be carried out on aircraft of these air carriers.
- (34) By virtue of the same decision, certain air carriers are authorised to operate into the Community only with specific equipment: these air carriers are the following: Krasnoyarsk Airlines: aircraft Boeing-737 (EI-DNH/DNS/DNT/CBQ/CLZ/CLW), Boeing-757 (EI-DUA/DUD/DUC/DUE), Boeing-767 (EI-DMP/DMH), Tu-214 (RA-65508), Tu-154M (RA-85720); Ural Airlines: aircraft A-320 (VP-BQY/BQZ), Tu-154M (RA-85807/85814/85833/85844); Gazpromavia: aircraft Falcon-900 (RA-09000/09001/09006/09008); Atlant-Soyuz: aircraft Boeing-737 (VP-BBL/BBM), Tu-154M (RA-85709/85740); UTair: aircraft ATR-42 (VP-BCB/BCF/BPJ/BPK), Gulfstream IV (RA-10201/10202), Tu-154M (RA-85805/85808); Kavminvodyavia: aircraft Tu-204 (RA-64022/64016), Tu-154M (RA-85715/85826/85746); Kuban Airlines: aircraft Yak-42 (RA-42386/42367/42375); Air Company Yakutia: aircraft Tu-154M (RA-85700/85794) and Boeing-757-200 (VP-BFI); Airlines 400: aircraft Tu-204 (RA-64018/64020).

Air carriers from the Republic of Moldova

- (31) The Commission has reviewed the corrective action plan of the competent authorities of the Republic of Moldova which has been submitted on 3 September 2007 and it has taken note of the status of its implementation. The submitted action plan offers sustainable solutions for the present number of carriers certified in the Republic of Moldova.
- (32) The Commission considers therefore that, as long as the number of operators under regulatory oversight of the competent authorities of the Republic of Moldova is kept at present level, the measures taken by these authorities are sufficient to reinstate their capability to perform their surveillance responsibilities in accordance with the Chicago Convention. In order to ensure that these measures provide for a sustainable solution of the deficiencies previously identified, the Commission intends to keep monitoring the implementation of the corrective action plan. Member States intend to verify systematically the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of air carriers licensed by these authorities and to transmit the results of these inspections without delay to the Commission.
- (35) Furthermore, according to the above mentioned decision, the competent authorities of the Russian Federation have imposed operating restrictions on specific aircraft of Orenburg Airlines — aircraft Tu 154 (RA-85768) and B-737-400 (VP-BGQ), Air Company Tatarstan — aircraft Tu-154 (RA 85101 and RA-85109); Air Company Sibir — aircraft B-737-400 (VP-BTA) and Rossija — aircraft Tu-154 (RA-85753 and RA-85835). These aircraft are not allowed to operate into the Community. By virtue of the same decision, the competent authorities of the Russian Federation will present to the Commission by 20 February 2008 their assessment after verification of completion and efficacy of corrective actions which the carriers concerned have undertaken to have completed before that date. It is recalled that all Russian-built aircraft registered in the Russian Federation operating in commercial mode must be in compliance with requirement of Part II Chapter 3, Volume 1 of Annex 16 to the Chicago Convention.
- (36) The Commission takes note of the decision of the competent authorities of the Russian Federation, and in particular the fact that the measures referred to therein will not be modified until the safety deficiencies of the air carriers concerned have been resolved to the mutual satisfaction of both the competent authorities of the Russian Federation and the Commission and that any modifications to these measures can be adopted by the competent authorities of the Russian Federation only in coordination with the Commission. Also, it takes note of the fact that all Russian air carriers which operate international services, including into the Community, are informed, that any ramp inspection resulting in significant (category 2) and major (category 3) findings, if not duly rectified, will lead to the imposition of operating restrictions by the Russian authorities. Finally, the competent authorities of the Russian Federation, by virtue of their decision, have undertaken to submit to the Commission the results of inspections and audits of the air carriers carried out by these authorities.

Air carriers from the Russian Federation

- (33) Following discussions between the competent authorities of the Russian Federation and the Commission and the submission of evidence of verification by the former of corrective actions implemented by air carriers which have been subject to operating restrictions since 23 June 2007, the competent authorities of the Russian Federation have decided on 26 November 2007 to modify the operating restrictions imposed previously by virtue of their decision of 23 June 2007. Accordingly, by this decision the full operating ban on the companies Kuban Airlines, Yakutia Airlines, Kavminvodyavia has been removed.

- (37) The Commission takes note of these developments and intends to verify the evidence of corrective actions implemented by the air carriers concerned before the next update of Regulation (EC) No 474/2006.
- (38) In the meantime, Member States intend to verify systematically the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of these air carriers and to transmit the results of these inspections without delay to the Commission. The Commission should transmit these results on a monthly basis to the competent authorities of the Russian Federation.

Air carriers from Bulgaria

- (39) As stated in Regulation (EC) No 787/2007, the competent authorities of Bulgaria informed the Commission of the revocation of the Air Operator's Certificate of the carriers Vega Airlines, Bright Aviation, Scorpion Air and Air Sofia, of the suspension of the Air Operator's Certificate of Air Scorpio and of the imposition of operating restrictions on the aircraft of the carrier Heli Air that were not equipped with the necessary obligatory safety equipment (EGPWS and TCAS) to perform safe flights within the Community.
- (40) The competent authorities of Bulgaria have submitted documentation to the Commission containing information about measures taken by these authorities after the adoption of the measures referred to in recitals 38 and 39 of Regulation (EC) No 787/2007.
- (41) Accordingly, these authorities have reported the removal from the Bulgarian register of all aircraft of type Antonov 12 of the air carriers Scorpion Air, Bright Aviation Services and Vega Airlines. The same measure has been taken with regard to the aircraft of the same type of Air Sofia with the exception of one aircraft whose Certificate of Airworthiness expired in July 2007 and which will be removed from the Bulgarian register on 30 January 2008. With regard to Air Scorpio, after the suspension of its Air Operator's Certificate, the undertaking is performing flight training and non commercial operations.
- (42) With regard to Heli Air, the competent authorities of Bulgaria informed that the carrier will be in a position

to operate all aircraft on its fleet of type LET L-410 fully equipped with the necessary obligatory safety equipment (EGPWS and TCAS) and therefore able to ensure safe operation within the Community at the latest by 5 December 2007.

- (43) The Commission takes note of these measures and acknowledges the continued efforts made by the competent authorities of Bulgaria to improve the exercise of oversight responsibilities. The Commission supports the efforts of the competent authorities of Bulgaria to continue the exercise of oversight responsibilities. It shall continue to monitor this process with the assistance of EASA and the Member States.

General considerations concerning the other carriers included in Annexes A and B

- (44) No evidence of the full implementation of appropriate remedial actions by the other carriers included in the Community list updated on 11 September 2007 and by the authorities with responsibility for regulatory oversight of these air carriers has been communicated to the Commission so far in spite of specific requests submitted by the latter. Therefore, on the basis of the common criteria, it is assessed that these air carriers should continue to be subject to an operating ban (Annex A) or operating restrictions (Annex B), as the case may be.
- (45) The measures provided for in this Regulation are in accordance with the opinion of the Air Safety Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 474/2006 is amended as follows:

1. Annex A is replaced by Annex A to this Regulation.
2. Annex B is replaced by Annex B to this Regulation.

Article 2

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, 28 November 2007.

For the Commission
Jacques BARROT
Vice-President

ANNEX A

LIST OF AIR CARRIERS OF WHICH ALL OPERATIONS ARE SUBJECT TO A BAN WITHIN THE COMMUNITY ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
AIR KORYO	Unknown	KOR	Democratic People Republic of Korea (DPRK)
AIR WEST CO. LTD	004/A	AWZ	Sudan
ARIANA AFGHAN AIRLINES	009	AFG	Afghanistan
MAHAN AIR	FS 105	IRM	Islamic Republic of Iran
SILVERBACK CARGO FREIGHTERS	Unknown	VRB	Rwanda
TAAG ANGOLA AIRLINES	001	DTA	Angola
UKRAINIAN MEDITERRANEAN AIRLINES	164	UKM	Ukraine
VOLARE AVIATION ENTREPRISE	143	VRE	Ukraine
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (RDC), including,		—	Democratic Republic of Congo (RDC)
AFRICA ONE	409/CAB/MIN/TC/0114/2006	CFR	Democratic Republic of Congo (RDC)
AFRICAN AIR SERVICES COMMUTER SPRL	409/CAB/MIN/TC/0005/2007	Unknown	Democratic Republic of Congo (RDC)
AIGLE AVIATION	409/CAB/MIN/TC/0042/2006	Unknown	Democratic Republic of Congo (RDC)
AIR BENI	409/CAB/MIN/TC/0019/2005	Unknown	Democratic Republic of Congo (RDC)
AIR BOYOMA	409/CAB/MIN/TC/0049/2006	Unknown	Democratic Republic of Congo (RDC)
AIR INFINI	409/CAB/MIN/TC/006/2006	Unknown	Democratic Republic of Congo (RDC)
AIR KASAI	409/CAB/MIN/TC/0118/2006	Unknown	Democratic Republic of Congo (RDC)
AIR NAVETTE	409/CAB/MIN/TC/015/2005	Unknown	Democratic Republic of Congo (RDC)
AIR TROPIQUES S.P.R.L.	409/CAB/MIN/TC/0107/2006	Unknown	Democratic Republic of Congo (RDC)

⁽¹⁾ Air carriers listed in Annex A could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
BEL GLOB AIRLINES	409/CAB/MIN/TC/0073/2006	Unknown	Democratic Republic of Congo (RDC)
BLUE AIRLINES	409/CAB/MIN/TC/0109/2006	BUL	Democratic Republic of Congo (RDC)
BRAVO AIR CONGO	409/CAB/MIN/TC/0090/2006	Unknown	Democratic Republic of Congo (RDC)
BUSINESS AVIATION S.P.R.L.	409/CAB/MIN/TC/0117/2006	Unknown	Democratic Republic of Congo (RDC)
BUTEMBO AIRLINES	409/CAB/MIN/TC/0056/2006	Unknown	Democratic Republic of Congo (RDC)
CARGO BULL AVIATION	409/CAB/MIN/TC/0106/2006	Unknown	Democratic Republic of Congo (RDC)
CETRACA AVIATION SERVICE	409/CAB/MIN/TC/037/2005	CER	Democratic Republic of Congo (RDC)
CHC STELLAVIA	409/CAB/MIN/TC/0050/2006	Unknown	Democratic Republic of Congo (RDC)
COMAIR	409/CAB/MIN/TC/0057/2006	Unknown	Democratic Republic of Congo (RDC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	409/CAB/MIN/TC/0111/2006	Unknown	Democratic Republic of Congo (RDC)
DOREN AIR CONGO	409/CAB/MIN/TC/0054/2006	Unknown	Democratic Republic of Congo (RDC)
EL SAM AIRLIFT	409/CAB/MIN/TC/0002/2007	Unknown	Democratic Republic of Congo (RDC)
ESPACE AVIATION SERVICE	409/CAB/MIN/TC/0003/2007	Unknown	Democratic Republic of Congo (RDC)
FILAIR	409/CAB/MIN/TC/0008/2007	Unknown	Democratic Republic of Congo (RDC)
FREE AIRLINES	409/CAB/MIN/TC/0047/2006	Unknown	Democratic Republic of Congo (RDC)
GALAXY INCORPORATION	409/CAB/MIN/TC/0078/2006	Unknown	Democratic Republic of Congo (RDC)
GOMA EXPRESS	409/CAB/MIN/TC/0051/2006	Unknown	Democratic Republic of Congo (RDC)
GOMAIR	409/CAB/MIN/TC/0023/2005	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
GREAT LAKE BUSINESS COMPANY	409/CAB/MIN/TC/0048/2006	Unknown	Democratic Republic of Congo (RDC)
I.T.A.B. — INTERNATIONAL TRANS AIR BUSINESS	409/CAB/MIN/TC/0022/2005	Unknown	Democratic Republic of Congo (RDC)
KATANGA AIRWAYS	409/CAB/MIN/TC/0088/2006	Unknown	Democratic Republic of Congo (RDC)
KIVU AIR	409/CAB/MIN/TC/0044/2006	Unknown	Democratic Republic of Congo (RDC)
LIGNES AÉRIENNES CONGOLAISES	Ministerial signature (ordonnance 78/205)	LCG	Democratic Republic of Congo (RDC)
MALU AVIATION	409/CAB/MIN/TC/0113/2006	Unknown	Democratic Republic of Congo (RDC)
MALILA AIRLIFT	409/CAB/MIN/TC/0112/2006	MLC	Democratic Republic of Congo (RDC)
MANGO AIRLINES	409/CAB/MIN/TC/0007/2007	Unknown	Democratic Republic of Congo (RDC)
PIVA AIRLINES	409/CAB/MIN/TC/0001/2007	Unknown	Democratic Republic of Congo (RDC)
RWAKABIKA BUSHI EXPRESS	409/CAB/MIN/TC/0052/2006	Unknown	Democratic Republic of Congo (RDC)
SAFARI LOGISTICS SPRL	409/CAB/MIN/TC/0076/2006	Unknown	Democratic Republic of Congo (RDC)
SAFE AIR COMPANY	409/CAB/MIN/TC/0004/2007	Unknown	Democratic Republic of Congo (RDC)
SERVICES AIR	409/CAB/MIN/TC/0115/2006	Unknown	Democratic Republic of Congo (RDC)
SUN AIR SERVICES	409/CAB/MIN/TC/0077/2006	Unknown	Democratic Republic of Congo (RDC)
TEMBO AIR SERVICES	409/CAB/MIN/TC/0089/2006	Unknown	Democratic Republic of Congo (RDC)
THOM'S AIRWAYS	409/CAB/MIN/TC/0009/2007	Unknown	Democratic Republic of Congo (RDC)
TMK AIR COMMUTER	409/CAB/MIN/TC/020/2005	Unknown	Democratic Republic of Congo (RDC)
TRACEP CONGO	409/CAB/MIN/TC/0055/2006	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
TRANS AIR CARGO SERVICE	409/CAB/MIN/TC/0110/2006	Unknown	Democratic Republic of Congo (RDC)
TRANSPORTS AERIENS CONGOLAIS (TRACO)	409/CAB/MIN/TC/0105/2006	Unknown	Democratic Republic of Congo (RDC)
VIRUNGA AIR CHARTER	409/CAB/MIN/TC/018/2005	Unknown	Democratic Republic of Congo (RDC)
WIMBI DIRA AIRWAYS	409/CAB/MIN/TC/0116/2006	WDA	Democratic Republic of Congo (RDC)
ZAABU INTERNATIONAL	409/CAB/MIN/TC/0046/2006	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including,			Equatorial Guinea
CRONOS AIRLINES	Unknown	Unknown	Equatorial Guinea
EUROGUINEANA DE AVIACION Y TRANSPORTES	2006/001/MTTCT/DGAC/SOPS	EUG	Equatorial Guinea
GENERAL WORK AVIACION	002/ANAC	n/a	Equatorial Guinea
GETRA — GUINEA ECUATORIAL DE TRANSPORTES AEREOS	739	GET	Equatorial Guinea
GUINEA AIRWAYS	738	n/a	Equatorial Guinea
UTAGE — UNION DE TRANSPORT AEREO DE GUINEA ECUATORIAL	737	UTG	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Indonesia, including,			Indonesia
ADAM SKY CONNECTION AIRLINES	121-036	DHI	Indonesia
AIR PACIFIC UTAMA	135-020	Unknown	Indonesia
AIRFAST INDONESIA	135-002	AFE	Indonesia
ASCO NUSA AIR TRANSPORT	135-022	Unknown	Indonesia
ASI PUDJIASTUTI	135-028	Unknown	Indonesia
AVIASTAR MANDIRI	135-029	Unknown	Indonesia
BALAI KALIBRASI FASITAS PENERBANGAN	135-031	Unknown	Indonesia
CARDIG AIR	121-013	Unknown	Indonesia
DABI AIR NUSANTARA	135-030	Unknown	Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
DERAYA AIR TAXI	135-013	DRY	Indonesia
DERAZONA AIR SERVICE	135-010	Unknown	Indonesia
DIRGANTARA AIR SERVICE	135-014	DIR	Indonesia
EASTINDO	135-038	Unknown	Indonesia
EKSPRES TRANSPORTASI ANTAR BENUA	121-019	Unknown	Indonesia
EKSPRES TRANSPORTASI ANTAR BENUA	135-032	Unknown	Indonesia
GARUDA INDONESIA	121-001	GIA	Indonesia
GATARI AIR SERVICE	135-018	GHS	Indonesia
INDONESIA AIR ASIA	121-009	AWQ	Indonesia
INDONESIA AIR TRANSPORT	135-017	IDA	Indonesia
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Indonesia
KARTIKA AIRLINES	121-003	KAE	Indonesia
KURA-KURA AVIATION	135-016	Unknown	Indonesia
LION MENTARI AIRLINES	121-010	LNI	Indonesia
MANDALA AIRLINES	121-005	MDL	Indonesia
MANUNGGA AIR SERVICE	121-020	Unknown	Indonesia
MEGANTARA AIRLINES	121-025	Unknown	Indonesia
MERPATI NUSANTARA	121-002	MNA	Indonesia
METRO BATAVIA	121-007	BTV	Indonesia
NATIONAL UTILITY HELICOPTER	135-011	Unknown	Indonesia
PELITA AIR SERVICE	121-008	PAS	Indonesia
PELITA AIR SERVICE	135-001	PAS	Indonesia
PENERBANGAN ANGKASA SEMESTA	135-026	Unknown	Indonesia
PURA WISATA BARUNA	135-025	Unknown	Indonesia
REPUBLIC EXPRES AIRLINES	121-040	RPH	Indonesia
RIAU AIRLINES	121-016	RIU	Indonesia
SAMPURNA AIR NUSANTARA	135-036	Unknown	Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
SMAC	135-015	SMC	Indonesia
SRIWIJAYA AIR	121-035	SJY	Indonesia
TRANS WISATA PRIMA AVIATION	121-017	Unknown	Indonesia
TRANSWISATA PRIMA AVIATION	135-021	Unknown	Indonesia
TRAVEL EXPRES AIRLINES	121-038	XAR	Indonesia
TRAVIRA UTAMA	135-009	Unknown	Indonesia
TRI MG INTRA AIRLINES	121-018	TMG	Indonesia
TRI MG INTRA AIRLINES	135-037	TMG	Indonesia
TRIGANA AIR SERVICE	121-006	TGN	Indonesia
TRIGANA AIR SERVICE	135-005	TGN	Indonesia
WING ABADI NUSANTARA	121-012	WON	Indonesia
All air carriers certified by the authorities with responsibility for regulatory oversight of the Kyrgyz Republic, including,		—	Kyrgyz Republic
AIR CENTRAL ASIA	34	AAT	Kyrgyz Republic
AIR MANAS	17	MBB	Kyrgyz Republic
ASIA ALPHA AIRWAYS	32	SAL	Kyrgyz Republic
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyz Republic
BISTAIR-FEZ BISHKEK	08	BSC	Kyrgyz Republic
BOTIR AVIA	10	BTR	Kyrgyz Republic
CLICK AIRWAYS	11	CGK	Kyrgyz Republic
DAMES	20	DAM	Kyrgyz Republic
EASTOK AVIA	15	Unknown	Kyrgyz Republic
ESEN AIR	2	ESD	Kyrgyz Republic
GALAXY AIR	12	GAL	Kyrgyz Republic
GOLDEN RULE AIRLINES	22	GRS	Kyrgyz Republic
INTAL AVIA	27	INL	Kyrgyz Republic
ITEK AIR	04	IKA	Kyrgyz Republic
KYRGYZ TRANS AVIA	31	KTC	Kyrgyz Republic
KYRGYZSTAN	03	LYN	Kyrgyz Republic

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
KYRGYZSTAN AIRLINES	01	KGA	Kyrgyz Republic
MAX AVIA	33	MAI	Kyrgyz Republic
OHS AVIA	09	OSH	Kyrgyz Republic
S GROUP AVIATION	6	Unknown	Kyrgyz Republic
SKY GATE INTERNATIONAL AVIATION	14	SGD	Kyrgyz Republic
SKY WAY AIR	21	SAB	Kyrgyz Republic
TENIR AIRLINES	26	TEB	Kyrgyz Republic
TRAST AERO	05	TSJ	Kyrgyz Republic
All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia	—	—	Liberia
All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone, including,	—	—	Sierra Leone
AIR RUM, LTD	Unknown	RUM	Sierra Leone
BELLVIEW AIRLINES (S/L) LTD	Unknown	BVU	Sierra Leone
DESTINY AIR SERVICES, LTD	Unknown	DTY	Sierra Leone
HEAVYLIFT CARGO	Unknown	Unknown	Sierra Leone
ORANGE AIR SIERRA LEONE LTD	Unknown	ORJ	Sierra Leone
PARAMOUNT AIRLINES, LTD	Unknown	PRR	Sierra Leone
SEVEN FOUR EIGHT AIR SERVICES LTD	Unknown	SVT	Sierra Leone
TEEBAH AIRWAYS	Unknown	Unknown	Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Swaziland, including,	—	—	Swaziland
AERO AFRICA (PTY) LTD	Unknown	RFC	Swaziland
JET AFRICA SWAZILAND	Unknown	OSW	Swaziland
ROYAL SWAZI NATIONAL AIRWAYS CORPORATION	Unknown	RSN	Swaziland
SCAN AIR CHARTER, LTD	Unknown	Unknown	Swaziland
SWAZI EXPRESS AIRWAYS	Unknown	SWX	Swaziland
SWAZILAND AIRLINK	Unknown	SZL	Swaziland

ANNEX B

LIST OF AIR CARRIERS OF WHICH OPERATIONS ARE SUBJECT TO OPERATIONAL RESTRICTIONS
WITHIN THE COMMUNITY ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type	Registration mark(s) and, when available, construction serial number(s)	State of registry
AIR BANGLADESH	17	BGD	Bangladesh	B747-269B	S2-ADT	Bangladesh
AIR SERVICE COMORES	06-819/TA-15/DGACM	KMD	Comoros	All fleet with the exception of: LET 410 UVP	All fleet with the exception of: D6-CAM (851336)	Comoros
HEWA BORA AIRWAYS (HBA)	409/CAB/MIN/TC/0108/2006	ALX	Democratic Republic of Congo (RDC)	All fleet with the exception of: B767-266 ER	All fleet with the exception of: 9Q-CJD (cons. No 23 178)	Democratic Republic of Congo (RDC)

⁽¹⁾ Air carriers listed in Annex B could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

COMMISSION REGULATION (EC) No 1401/2007**of 28 November 2007****reopening the fishery for anglerfish in ICES zones VIII c, IX and X; EC waters of CECAF 34.1.1 by vessels flying the flag of Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2007.
- (2) On 23 August 2007 Portugal notified the Commission, pursuant to Article 21(2) of Regulation (EEC) No 2847/93, that it would close the fishery for anglerfish in the waters of ICES zone VIII c, IX and X; EC waters of CECAF 34.1.1 for its vessels from 27 August 2007.
- (3) On 3 October 2007 the Commission, pursuant to Article 21(3) of Regulation (EEC) No 2847/93 and Article 26(4) of Regulation (EC) No 2371/2002, adopted Regulation (EC) No 1160/2007 ⁽⁴⁾ prohibiting fishing for anglerfish

in the waters of ICES zone VIII c, IX and X; EC waters of CECAF 34.1.1 by vessels flying the flag of Portugal or registered in Portugal, with effect from the same date.

- (4) According to the information received by the Commission from the Portuguese authorities, a quantity of anglerfish is still available in the Portuguese quota in area VIII c, IX and X; EC waters of CECAF 34.1.1. Consequently, fishing for anglerfish in these waters by vessels flying the flag of Portugal or registered in Portugal should be authorised.
- (5) This authorisation should take effect on 8 November 2007, in order to allow the quantity of anglerfish in question to be fished before the end of the current year.
- (6) Commission Regulation (EC) No 1160/2007 should be repealed with effect from 8 November 2007,

HAS ADOPTED THIS REGULATION:

Article 1**Repeal**

Regulation (EC) No 1160/2007 is hereby repealed.

Article 2**Entry into force**

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

It shall apply from 8 November 2007.

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

Done at Brussels, 28 November 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

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

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as corrected by OJ L 36, 8.2.2007, p. 6.

⁽³⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

⁽⁴⁾ OJ L 258, 4.10.2007, p. 21.

ANNEX

No	73 — Reopening
Member State	Portugal
Stock	ANF/8C3411
Species	Anglerfish (<i>Lophiidae</i>)
Zone	VIII c, IX and X; EC waters of CECAF 34.1.1
Date	8.11.2007

COMMISSION REGULATION (EC) No 1402/2007**of 28 November 2007****laying down rules for the management and distribution of textile quotas established for the year 2008 under Council Regulation (EC) No 517/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules ⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a first come, first served basis.
- (2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches, or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.
- (3) Rules for management of the quotas established for 2008 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.
- (4) The measures adopted in previous years, such as those in Commission Regulation (EC) No 1785/2006 laying down rules for the management and distribution of textile quotas established for the year 2007 under Council Regulation (EC) No 517/94 ⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2008.
- (5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.

(6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2008 equivalent to the quantity which they imported in 2007.

(7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.

(8) For the sake of sound administration, import authorisations should be valid for nine months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary, that he has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by three months and up to 31 March 2009 licences of which at least one half has been used by the application date.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annexes III B and IV to Regulation (EC) No 517/94 for the year 2008.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex I.

⁽¹⁾ OJ L 67, 10.3.1994, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ L 337, 5.12.2006, p. 5.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2008, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2007.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2007 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 % or more of the amount allocated to him under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex I.

Article 4

1. The competent national authorities listed in Annex II may, from 10.00 o'clock a.m. on 4 January 2008, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

2. The competent national authorities shall issue authorisations only after being notified by the Commission pursuant

to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation.

They shall issue authorisations only if an operator:

- (a) proves the existence of a contract relating to the provision of the goods; and
- (b) certifies in writing that, in respect of the categories and countries concerned:
 - (i) he has not already been allocated an authorisation under this Regulation; or
 - (ii) he has been allocated an authorisation under this Regulation but has used up at least 50 % of it.

3. Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2008 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 % used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2009.

Article 5

This Regulation shall enter into force on 1 January 2008.

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

Done at Brussels, 28 November 2007.

For the Commission

Peter MANDELSON

Member of the Commission

ANNEX I

Maximum amounts referred to in Articles 2 and 3

Country concerned	Category	Unit	Maximum amount
North Korea	1	kilograms	10 000
	2	kilograms	10 000
	3	kilograms	10 000
	4	pieces	10 000
	5	pieces	10 000
	6	pieces	10 000
	7	pieces	10 000
	8	pieces	10 000
	9	kilograms	10 000
	12	pairs	10 000
	13	pieces	10 000
	14	pieces	10 000
	15	pieces	10 000
	16	pieces	10 000
	17	pieces	10 000
	18	kilograms	10 000
	19	pieces	10 000
	20	kilograms	10 000
	21	pieces	10 000
	24	pieces	10 000
	26	pieces	10 000
	27	pieces	10 000
	28	pieces	10 000
	29	pieces	10 000
	31	pieces	10 000
	36	kilograms	10 000
	37	kilograms	10 000
	39	kilograms	10 000
	59	kilograms	10 000
	61	kilograms	10 000
	68	kilograms	10 000
	69	pieces	10 000
	70	pieces	10 000
	73	pieces	10 000
	74	pieces	10 000
	75	pieces	10 000
	76	kilograms	10 000
	77	kilograms	5 000
	78	kilograms	5 000
	83	kilograms	10 000
	87	kilograms	10 000
	109	kilograms	10 000
	117	kilograms	10 000
	118	kilograms	10 000
	142	kilograms	10 000
	151A	kilograms	10 000
	151B	kilograms	10 000
	161	kilograms	10 000

ANNEX II

List of Licensing offices referred to in Article 4

1. Austria Bundesministerium für Wirtschaft und Arbeit Außenwirtschaftsadministration Abteilung C2/2 Stubenring 1 A-1011 Wien Tel. (43-1) 711 00-0 Fax (43-1) 711 00-8386	2. Belgium FOD Economie, KMO, Middenstand en Energie Economisch Potentieel KBO-Beheerscel — Vergunningen Leuvenseweg 44 B-1000 Brussel Tel. (32-2) 277 67 13 Fax (32-2) 277 50 63	SPF économie, PME, classes moyennes et énergie Potentiel économique Cellule de gestion BCE — Licences Rue de Louvain 44 B-1000 Bruxelles Tél. (32-2) 277 67 13 Fax (32-2) 548 65 70
3. Bulgaria Министерство на икономиката и енергетиката Дирекция „Регистриране, лицензиране и контрол“ ул. „Славянска“ № 8 BG-1052 София Република България Тел. (359-2) 940 70 08/(359-2) 940 76 73/ (359-2) 940 78 00 Факс (359-2) 981 50 41/(359-2) 980 47 10/ (359-2) 988 36 54	4. Cyprus Ministry of Commerce, Industry and Tourism Trade Department 6 Andrea Araouzou Str. CY-1421 Nicosia Tel: ++357 2 867100 Fax: ++357 2 375120	
5. Czech Republic Ministerstvo průmyslu a obchodu Licenční správa Na Františku 32 CZ-110 15 Praha 1 Tel.: (420) 224 90 71 11 Fax: (420) 224 21 21 33	6. Denmark Erhvervs- og Byggestyrelsen Økonomi- og Erhvervsministeriet Langelinje Allé 17 DK-2100 København Ø Tlf. (45) 35 46 60 30 Fax (45) 35 46 60 29	
7. Estonia Majandus- ja Kommunikatsiooniministeerium Harju 11 EE15072 Tallinn Estonia Tel.: (372) 625 6400 Fax: (372) 631 3660	8. Finland Tullihallitus PL 512 FI-00101 Helsinki Tel.: (358-9) 61 41 Fax: (358-20) 492 28 52	Tullstyrelsen PB 512 FI-00101 Helsingfors Tel.: (358-9) 61 41 Fax (358-20) 492 28 52
9. France Ministère de l'économie, des finances et de l'emploi Direction générale des entreprises Service des industries manufacturières et des activités postales (SIMAP) Bureau textile-importations Le Bervil 12, rue Villiot F-75572 Paris Cedex 12 Tél. (33) 153 44 96 60 Fax (33) 153 44 91 81	10. Germany Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA) Frankfurter Str. 29—35 D-65760 Eschborn Tel.: (49 61 96) 9 08-0 Fax: (49 61 96) 9 42 26	

11. Greece Υπουργείο Οικονομίας και Οικονομικών Γενική Διεύθυνση Διεθνούς Οικονομικής Πολιτικής Διεύθυνση Καθεστώτων Εισαγωγών-Εξαγωγών, Εμπορικής Άμυνας Κορνάρου 1 GR-105 63 Αθήνα Τηλ. (30210) 328 6021-22 Φαξ: 210 328 60 94	12. Hungary Magyar Kereskedelmi Engedélyezési Hivatal Margit krt. 85. H-1024 Budapest Postafiók: 1537 Budapest Pf. 345. Tel.: (36-1) 336 73 00 Fax: (36-1) 336 73 02
13. Ireland Department of Enterprise, Trade and Employment Internal Market Kildare Street IRL-Dublin 2 Tel. (353-1) 631 21 21 Fax (353-1) 631 28 26	14. Italy Ministero del Commercio con l'estero Direzione generale per la Politica commerciale e per la gestione del regime degli scambi DIV. III Viale America 341 I-00144 Roma Tel. (39) 06 59 64 75 17, 06 59 93 22 02/22 15 Fax (39) 06 59 93 22 35/22 63 Telex (39) 06 59 64 75 31
15. Latvia Ekonomikas ministrija Brīvības iela 55 LV-1519 Rīga Tel: (371) 701 30 06 Fax: (371) 728 08 82	16. Lithuania Lietuvos Respublikos ūkio ministerija Gedimino pr. 38/2 LT-01104 Vilnius Tel.: (370-5) 262 87 50/(370-5) 261 94 88 Faks.: (370-5) 262 39 74
17. Luxembourg Ministère des affaires étrangères Office des licences Boîte postale 113 L-2011 Luxembourg Tél. (352) 47 82-371 Fax (352) 46 61-38	18. Malta Ministry for Competitiveness and Communication Commerce Division, Trade Services Directorate Lascaris Valletta CMR02 Malta Tel: (356) 21 237 112 Fax: (356) 21 237 900
19. Netherlands Belastingdienst/Douane Centrale dienst voor in- en uitvoer Engelse Kamp 2 Postbus 30003 9700 RD Groningen Nederland Tel. (31-50) 523 91 11 Fax (31-50) 523 22 10	20. Poland Ministerstwo Gospodarki pl. Trzech Krzyży 3/5 PL-00-950 Warszawa Tel: (0048) 22 693 55 53 Fax: (0048) 22 693 40 21
21. Portugal Ministério das Finanças Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo Rua da Alfândega, 5 – r/c P-1149-006 Lisboa Tel.: (351) 218 81 37 00 Fax: (351) 218 81 39 90 E-mail: dsl@dgaiec.min-financas.pt	22. Romania Ministerul Întreprinderilor Mici și Mijlocii, Comerțului, Turismului și Profesiiilor Libere Direcția Generală Politici Comerciale Str. Ion Câmpineanu nr. 16 București, sector 1 RO-010036 Tel.: (40-21) 315 00 81 Fax: (40-21) 315 04 54 E-mail: clc@dce.gov.ro

23. Slovakia Ministerstvo hospodárstva SR Oddelenie licencií Mierová 19 827 15 Bratislava Slovenská republika Tel: (421-2) 48 54 20 21/48 54 71 19 Fax: (421-2) 43 42 39 19	24. Slovenia Ministrstvo za finance Carinska uprava Republike Slovenije Carinski urad Jesenice Center za TARIC in kvote Spodnji Plavž 6c SI-4270 Jesenice Slovenija Tel. (386-4) 297 44 70 Faks (386-4) 297 44 72 E-mail: taric.cuje@gov.si
25. Spain Ministerio de Industria, Turismo y Comercio Secretaría General de Comercio Exterior Paseo de la Castellana, 162 E-28046 Madrid Tel. (34) 913 49 38 17, 913 49 37 48 Fax (34) 915 63 18 23, 913 49 38 31	26. Sweden National Board of Trade (Kommerskollegium) Box 6803 S-113 86 Stockholm Tel.: (46-8) 690 48 00 Fax: (46-8) 30 67 59
27. United Kingdom Department for Business, Enterprise and Regulatory Reform Import Licensing Branch Queensway House West Precinct Billingham TS23 2NF Tel. (44-1642) 36 43 33, 36 43 34 Fax (44-1642) 36 42 03	

COMMISSION REGULATION (EC) No 1403/2007**of 28 November 2007****reopening the fishery for red seabream in ICES zones VI, VII and VIII (Community waters and waters not under the sovereignty or jurisdiction of third countries) by vessels flying the flag of Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

(1) Council Regulation (EC) No 2015/2006 of 19 December 2006 fixing for 2007 and 2008 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks ⁽³⁾, lays down quotas for 2007 and 2008.

(2) On 22 October 2007 Spain notified the Commission, pursuant to Article 21(2) of Regulation (EEC) No 2847/93, that it would close the fishery for red seabream in the waters of ICES zones VI, VII and VIII (Community waters and waters not under the sovereignty or jurisdiction of third countries) from 19 October 2007.

(3) On 13 November 2007 the Commission, pursuant to Article 21(3) of Regulation (EEC) No 2847/93 and Article 26(4) of Regulation (EC) No 2371/2002,

adopted Regulation (EC) No 1328/2007 ⁽⁴⁾ prohibiting fishing for red seabream in the waters of ICES zones VI, VII and VIII (Community waters and waters not under the sovereignty or jurisdiction of third countries) by vessels flying the flag of Spain or registered in Spain.

(4) According to the information received by the Commission from the Spanish authorities, a quantity of red seabream is still available in the Spanish quota in ICES zones VI, VII and VIII (Community waters and waters not under the sovereignty or jurisdiction of third countries). Consequently, fishing for red seabream in these waters by vessels flying the flag of Spain or registered in Spain should be authorised.

(5) This authorisation should take effect on 30 October 2007, in order to allow the quantity of red seabream in question to be fished before the end of the current year.

(6) Commission Regulation (EC) No 1328/2007, should be repealed with effect from 30 October 2007,

HAS ADOPTED THIS REGULATION:

Article 1**Repeal**

Regulation (EC) No 1328/2007 is hereby repealed.

Article 2**Entry into force**

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

It shall apply from 30 October 2007.

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

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as corrected by OJ L 36, 8.2.2007, p. 6.

⁽³⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

⁽⁴⁾ OJ L 295, 14.11.2007, p. 3.

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

Done at Brussels, 28 November 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

ANNEX

No	81 - Reopening
Member State	SPAIN
Stock	SBR/678-
Species	Red seabream (<i>Pagellus bogaraveo</i>)
Zone	Community waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII and VIII
Date	30.10.2007

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 19 November 2007

on the acceptance, on behalf of the European Community, of the Protocol amending the TRIPS Agreement, done at Geneva on 6 December 2005

(2007/768/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133(5) in conjunction with the first sentence of the first subparagraph of Article 300(2) and the second subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

(1) On 14 November 2001 at Doha, the Fourth Session of the Ministerial Conference of the World Trade Organisation (hereinafter referred to as the WTO) adopted the Declaration on the TRIPS Agreement and Public Health (WTO doc. WT/MIN(01)/DEC/2).

(2) Paragraph 6 of that Declaration instructed the Council for TRIPS to find an expeditious solution to the problem of the difficulties that WTO Members with insufficient or no manufacturing capacities in the pharmaceutical sector could face in making effective use of compulsory licensing under the Agreement on Trade-Related Aspects of Intellectual Property Rights (hereinafter referred to as the TRIPS Agreement).

(3) On 30 August 2003, the WTO General Council adopted a temporary Decision on the implementation of paragraph 6 of the Declaration on the TRIPS Agreement and Public Health.

(4) Paragraph 11 of that Decision provides that that Decision, including the waivers granted in it, is to terminate for each Member on the date on which an amendment to the TRIPS Agreement replacing its provisions takes effect for that Member.

(5) On 6 December 2005, in order to transform the 30 August 2003 Decision into an amendment of the TRIPS Agreement, the WTO General Council adopted a Protocol amending the TRIPS Agreement and submitted it to the Members of the WTO for acceptance.

(6) Paragraph 3 of the Protocol provides that the Protocol is to be open for acceptance by Members until 1 December 2007 or such later date as may be decided by the Ministerial Conference.

(7) The Commission participated, on behalf of the Community, in the negotiation of the Protocol.

(8) In accordance with Article 133(5) of the Treaty, the Community is competent to conclude agreements in the field of commercial aspects of intellectual property.

⁽¹⁾ Assent of 24 October 2007 (not yet published in the Official Journal).

(9) The Protocol should be accepted on behalf of the Community.

(10) In its instrument of acceptance, the Community should also confirm, in accordance with Article 300(7) of the Treaty, that the Protocol will be binding on its Member States,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol amending the TRIPS Agreement, done at Geneva on 6 December 2005, is hereby accepted on behalf of the Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to deposit the instrument of acceptance of the Protocol with the Director-General of the WTO.

Article 3

In its instrument of acceptance, the Community shall confirm, in accordance with Article 300(7) of the Treaty, that the Protocol will be binding on its Member States.

Done at Brussels, 19 November 2007.

For the Council

The President

L. AMADO

PROTOCOL
amending the TRIPS Agreement

MEMBERS OF THE WORLD TRADE ORGANISATION;

HAVING REGARD to the Decision of the General Council in document WT/L/641, adopted pursuant to paragraph 1 of Article X of the Marrakesh Agreement Establishing the World Trade Organisation ('the WTO Agreement'),

HEREBY AGREE AS FOLLOWS:

1. The Agreement on Trade-Related Aspects of Intellectual Property Rights (the 'TRIPS Agreement') shall, upon the entry into force of the Protocol pursuant to paragraph 4, be amended as set out in the Annex to this Protocol, by inserting Article 31bis after Article 31 and by inserting the Annex to the TRIPS Agreement after Article 73.
2. Reservations may not be entered in respect of any of the provisions of this Protocol without the consent of the other Members.
3. This Protocol shall be open for acceptance by Members until 1 December 2007 or such later date as may be decided by the Ministerial Conference.
4. This Protocol shall enter into force in accordance with paragraph 3 of Article X of the WTO Agreement.
5. This Protocol shall be deposited with the Director-General of the World Trade Organisation who shall promptly furnish to each Member a certified copy thereof and a notification of each acceptance thereof pursuant to paragraph 3.
6. This Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this sixth day of December two thousand and five, in a single copy in the English, French and Spanish languages, each text being authentic.

ANNEX TO THE PROTOCOL AMENDING THE TRIPS AGREEMENT

Article 31bis

1. The obligations of an exporting Member under Article 31(f) shall not apply with respect to the grant by it of a compulsory licence to the extent necessary for the purposes of production of a pharmaceutical product(s) and its export to an eligible importing Member(s) in accordance with the terms set out in paragraph 2 of the Annex to this Agreement.
 2. Where a compulsory licence is granted by an exporting Member under the system set out in this Article and the Annex to this Agreement, adequate remuneration pursuant to Article 31(h) shall be paid in that Member taking into account the economic value to the importing Member of the use that has been authorised in the exporting Member. Where a compulsory licence is granted for the same products in the eligible importing Member, the obligation of that Member under Article 31(h) shall not apply in respect of those products for which remuneration in accordance with the first sentence of this paragraph is paid in the exporting Member.
 3. With a view to harnessing economies of scale for the purposes of enhancing purchasing power for, and facilitating the local production of, pharmaceutical products: where a developing or least-developed country WTO Member is a party to a regional trade agreement within the meaning of Article XXIV of the GATT 1994 and the Decision of 28 November 1979 on Differential and More Favourable Treatment Reciprocity and Fuller Participation of Developing Countries (L/4903), at least half of the current membership of which is made up of countries presently on the United Nations list of least-developed countries, the obligation of that Member under Article 31(f) shall not apply to the extent necessary to enable a pharmaceutical product produced or imported under a compulsory licence in that Member to be exported to the markets of those other developing or least-developed country parties to the regional trade agreement that share the health problem in question. It is understood that this will not prejudice the territorial nature of the patent rights in question.
 4. Members shall not challenge any measures taken in conformity with the provisions of this Article and the Annex to this Agreement under subparagraphs 1(b) and 1(c) of Article XXIII of GATT 1994.
 5. This Article and the Annex to this Agreement are without prejudice to the rights, obligations and flexibilities that Members have under the provisions of this Agreement other than paragraphs (f) and (h) of Article 31, including those reaffirmed by the Declaration on the TRIPS Agreement and Public Health (WT/MIN(01)/DEC/2), and to their interpretation. They are also without prejudice to the extent to which pharmaceutical products produced under a compulsory licence can be exported under the provisions of Article 31(f).
-

ANNEX TO THE TRIPS AGREEMENT

1. For the purposes of Article 31bis and this Annex:

- (a) 'pharmaceutical product' means any patented product, or product manufactured through a patented process, of the pharmaceutical sector needed to address the public health problems as recognised in paragraph 1 of the Declaration on the TRIPS Agreement and Public Health (WT/MIN(01)/DEC/2). It is understood that active ingredients necessary for its manufacture and diagnostic kits needed for its use would be included ⁽¹⁾;
- (b) 'eligible importing Member' means any least-developed country Member, and any other Member that has made a notification ⁽²⁾ to the Council for TRIPS of its intention to use the system set out in Article 31bis and this Annex ('system') as an importer, it being understood that a Member may notify at any time that it will use the system in whole or in a limited way, for example only in the case of a national emergency or other circumstances of extreme urgency or in cases of public non-commercial use. It is noted that some Members will not use the system as importing Members ⁽³⁾ and that some other Members have stated that, if they use the system, it would be in no more than situations of national emergency or other circumstances of extreme urgency;
- (c) 'exporting Member' means a Member using the system to produce pharmaceutical products for, and export them to, an eligible importing Member.

2. The terms referred to in paragraph 1 of Article 31bis are that:

- (a) the eligible importing Member(s) ⁽⁴⁾ has made a notification ⁽⁵⁾ to the Council for TRIPS, that:
 - (i) specifies the names and expected quantities of the product(s) needed ⁽⁵⁾;
 - (ii) confirms that the eligible importing Member in question, other than a least-developed country Member, has established that it has insufficient or no manufacturing capacities in the pharmaceutical sector for the product(s) in question in one of the ways set out in the Appendix to this Annex; and
 - (iii) confirms that, where a pharmaceutical product is patented in its territory, it has granted or intends to grant a compulsory licence in accordance with Articles 31 and 31bis of this Agreement and the provisions of this Annex ⁽⁶⁾;
- (b) the compulsory licence issued by the exporting Member under the system shall contain the following conditions:
 - (i) only the amount necessary to meet the needs of the eligible importing Member(s) may be manufactured under the licence and the entirety of this production shall be exported to the Member(s) which has notified its needs to the Council for TRIPS;
 - (ii) products produced under the licence shall be clearly identified as being produced under the system through specific labelling or marking. Suppliers should distinguish such products through special packaging and/or special colouring/shaping of the products themselves, provided that such distinction is feasible and does not have a significant impact on price; and

⁽¹⁾ This subparagraph is without prejudice to subparagraph 1(b).

⁽²⁾ It is understood that this notification does not need to be approved by a WTO body in order to use the system.

⁽³⁾ Australia, Canada, the European Communities with, for the purposes of Article 31bis and this Annex, its Member States, Iceland, Japan, New Zealand, Norway, Switzerland, and the United States.

⁽⁴⁾ Joint notifications providing the information required under this subparagraph may be made by the regional organisations referred to in paragraph 3 of Article 31bis on behalf of eligible importing Members using the system that are parties to them, with the agreement of those parties.

⁽⁵⁾ The notification will be made available publicly by the WTO Secretariat through a page on the WTO website dedicated to the system.

⁽⁶⁾ This subparagraph is without prejudice to Article 66.1 of this Agreement.

(iii) before shipment begins, the licensee shall post on a website ⁽¹⁾ the following information:

- the quantities being supplied to each destination as referred to in indent (i) above, and
- the distinguishing features of the product(s) referred to in indent (ii) above;

(c) the exporting Member shall notify ⁽²⁾ the Council for TRIPS of the grant of the licence, including the conditions attached to it ⁽³⁾. The information provided shall include the name and address of the licensee, the product(s) for which the licence has been granted, the quantity(ies) for which it has been granted, the country(ies) to which the product(s) is (are) to be supplied and the duration of the licence. The notification shall also indicate the address of the website referred to in subparagraph (b)(iii) above.

3. In order to ensure that the products imported under the system are used for the public health purposes underlying their importation, eligible importing Members shall take reasonable measures within their means, proportionate to their administrative capacities and to the risk of trade diversion to prevent re-exportation of the products that have actually been imported into their territories under the system. In the event that an eligible importing Member that is a developing country Member or a least-developed country Member experiences difficulty in implementing this provision, developed country Members shall provide, on request and on mutually agreed terms and conditions, technical and financial cooperation in order to facilitate its implementation.
4. Members shall ensure the availability of effective legal means to prevent the importation into, and sale in, their territories of products produced under the system and diverted to their markets inconsistently with its provisions, using the means already required to be available under this Agreement. If any Member considers that such measures are proving insufficient for this purpose, the matter may be reviewed in the Council for TRIPS at the request of that Member.
5. With a view to harnessing economies of scale for the purposes of enhancing purchasing power for, and facilitating the local production of, pharmaceutical products, it is recognised that the development of systems providing for the grant of regional patents to be applicable in the Members described in paragraph 3 of Article 31bis should be promoted. To this end, developed country Members undertake to provide technical cooperation in accordance with Article 67 of this Agreement, including in conjunction with other relevant intergovernmental organisations.
6. Members recognise the desirability of promoting the transfer of technology and capacity building in the pharmaceutical sector in order to overcome the problem faced by Members with insufficient or no manufacturing capacities in the pharmaceutical sector. To this end, eligible importing Members and exporting Members are encouraged to use the system in a way which would promote this objective. Members undertake to cooperate in paying special attention to the transfer of technology and capacity building in the pharmaceutical sector in the work to be undertaken pursuant to Article 66.2 of this Agreement, paragraph 7 of the Declaration on the TRIPS Agreement and Public Health and any other relevant work of the Council for TRIPS.
7. The Council for TRIPS shall review annually the functioning of the system with a view to ensuring its effective operation and shall annually report on its operation to the General Council.

⁽¹⁾ The licensee may use for this purpose its own website or, with the assistance of the WTO Secretariat, the page on the WTO website dedicated to the system.

⁽²⁾ It is understood that this notification does not need to be approved by a WTO body in order to use the system.

⁽³⁾ The notification will be made available publicly by the WTO Secretariat through a page on the WTO website dedicated to the system.

*APPENDIX TO THE ANNEX TO THE TRIPS AGREEMENT***Assessment of manufacturing capacities in the pharmaceutical sector**

Least-developed country Members are deemed to have insufficient or no manufacturing capacities in the pharmaceutical sector.

For other eligible importing Members insufficient or no manufacturing capacities for the product(s) in question may be established in either of the following ways:

- (i) the Member in question has established that it has no manufacturing capacity in the pharmaceutical sector,
 - or
 - (ii) where the Member has some manufacturing capacity in this sector, it has examined this capacity and found that, excluding any capacity owned or controlled by the patent owner, it is currently insufficient for the purposes of meeting its needs. When it is established that such capacity has become sufficient to meet the Member's needs, the system shall no longer apply.
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COMMISSION

COMMISSION DECISION

of 16 November 2007

on the appointment of members of the Committee of Senior Labour Inspectors for a new term of office

(2007/769/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Commission Decision 95/319/EC of 12 July 1995 setting up a Committee of Senior Labour Inspectors ⁽¹⁾, and in particular Article 5 thereof,

Having regard to the list of candidates submitted by the Member States,

Whereas:

- (1) Article 5(1) of the Decision provides that the Committee shall consist of two representatives from each Member State.
- (2) Article 5(2) of that Decision provides that the members of the Committee shall be nominated by the Commission on a proposal from the Member States.
- (3) Article 5(3) of that Decision provides that the term of office of the members of the Committee shall be three years and that their appointment shall be renewable.
- (4) The Committee's previous term of office ended on 31 December 2006.

- (5) The Commission has consequently to appoint the members of this Committee on the basis of the proposals from the Member States for a period of three years,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The persons named in the Annex to this Decision are appointed as members of the Committee of Senior Labour Inspectors (SLIC) for a period of three years from 1 January 2007 to 31 December 2009.
2. The list of the members shall be published in the *Official Journal of the European Union* for information purposes.

Done at Brussels, 16 November 2007.

For the Commission
Vladimír ŠPIDLA
Member of the Commission

⁽¹⁾ OJ L 188, 9.8.1995, p. 11.

ANNEX

BELGIUM	Mr Karel VAN DAMME Mr Michel ASEGLIO
BULGARIA	Mr Totyu MLADENOV Mr Veselin VESELINOV
CZECH REPUBLIC	Mr Rudolf HAHN Mrs Anežka SIXTOVÁ
DENMARK	Mr Jens JENSEN Mrs Annemarie KNUDSEN
GERMANY	Mr Hans-Jürgen BIENECK Dr Helmut DE DEN
ESTONIA	Mr Herko SUNTS Ms Katrin KAARMA
IRELAND	Mr Michael HENRY Mr Peter CLAFFEY
GREECE	Mr Alexandros KARAGEORGIOU Mrs Ioanna PAPAIOANNOU
SPAIN	Mr Raimundo ARAGON BOMBIN Mr Javier VALLEJO SANTAMARIA
FRANCE	Mr Jean BESSIERE Mrs Christiane GIRAUD
ITALY	Mr Mario NOTARO Mr Mariano MARTONE
CYPRUS	Mr Leandros NICOLAIDES Mr Anastasios YIANNAKI
LATVIA	Mrs Rita ELCE Mrs Tatjana ZABAROVSKA
LITHUANIA	Mr Mindaugas PLUKTAS Mrs Dalia LEGIENE
LUXEMBOURG	Mr Robert HUBERTY Mr Paul WEBER
HUNGARY	Mr István PAPP Mr János GÁDOR
MALTA	Mr Mark GAUCI Mr Vincent ATTARD
NETHERLANDS	Mr Jaap UIJLENBROEK Mr Peter WEEDA
AUSTRIA	Mrs Eva-Elisabeth SZYMANSKI Mrs Gertrud BREINDL

POLAND	Mrs Bożena BORYS-SZOPA Mr Roman GIEDROJĆ
PORTUGAL	Mr Paulo MORGADO DE CARVALHO Mr Manuel Joaquim FERREIRA MADURO ROXO
ROMANIA	Mrs Mariana BĂSUC Mrs Silvia TRUFĂȘILĂ
SLOVENIA	Mr Borut BREZOVAR Mr Boris RUŽIC
SLOVAKIA	Mr Andrej GMITTER Mrs Jana GIBÓDOVÁ
FINLAND	Mr Mikko HURMALAINEN Mr Jaakko ITÄKANNAS
SWEDEN	Mr Bernt NILSSON Mr Bertil REMAEUS
UNITED KINGDOM	Mr Justin MC CRACKEN Mrs Sandra CALDWELL

COMMISSION DECISION

of 28 November 2007

amending Decision 2006/415/EC concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in Romania

(notified under document number C(2007) 5914)

(Text with EEA relevance)

(2007/770/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(3) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(3) thereof,

Whereas:

(1) Commission Decision 2006/415/EC of 14 June 2006 concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community and repealing Decision 2006/135/EC ⁽³⁾ lays down certain protection measures to be applied in order to prevent the spread of that disease, including the establishment of areas A and B following a suspected or confirmed outbreak of the disease.

(2) Romania has notified the Commission of an outbreak of highly pathogenic avian influenza of subtype H5N1 in a backyard holding on its territory in the County of Tulcea and has taken the appropriate measures as provided for in Decision 2006/415/EC, including the establishment of areas A and B as provided for in Article 4 of that Decision.

(3) The Commission has examined those measures in collaboration with Romania, and is satisfied that the borders of areas A and B established by the competent authority in that Member State are at a sufficient distance to the actual location of the outbreak. areas A and B in Romania can therefore be confirmed and the duration of that regionalisation fixed.

(4) Decision 2006/415/EC should therefore be amended accordingly.

(5) The measures provided for in this Decision should be reviewed at the next meeting of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2006/415/EC is amended in accordance with the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 November 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC (OJ L 157, 30.4.2004, p. 33); corrected version (OJ L 195, 2.6.2004, p. 12).

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 164, 16.6.2006, p. 51. Decision as last amended by Decision 2007/731/EC (OJ L 295, 14.11.2007, p. 28).

ANNEX

The Annex to Decision 2006/415/EC is amended as follows:

1. The following text is added to Part A:

ISO Country Code	Member State	Area A		Date until applicable Article 4(4) (b)(iii)
		Code (if available)	Name	
RO	ROMANIA			31.12.2007'
	Protection zone	00038	1. Murighiol	
	Surveillance zone	00038	1. Dunavatu de Jos 2. Dunavatu de Sus 3. Colina 4. Plopu 5. Sarinasuf 6. Mahmudia	

2. The following text is added to Part B:

ISO Country Code	Member State	Area B		Date until applicable Article 4(4) (b)(iii)
		Code (if available)	Name	
RO	ROMANIA	00038	County of Tulcea	31.12.2007'

GUIDELINES

EUROPEAN CENTRAL BANK

GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 15 November 2007

amending Guideline ECB/2002/7 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts**(ECB/2007/13)**

(2007/771/EC)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,
Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 5.1 and 5.2, 12.1 and 14.3 thereof,

Whereas:

- (1) Article 8(3) of Guideline ECB/2002/7 of 21 November 2002 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts⁽¹⁾ provides that the Governing Council will on a yearly basis review the derogations granted to the national central banks (NCBs) that are unable to comply with the requirements laid down in Article 2 of the Guideline.
- (2) Guideline ECB/2005/13 of 17 November 2005 amending Guideline ECB/2002/7 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts⁽²⁾ and Guideline ECB/2006/6 contained updated derogations from the data reporting requirements in respect of the Member States that had adopted the euro by the time of adoption of those legal acts.
- (3) Cyprus will adopt the euro on 1 January 2008 and derogations need to be inserted into Guideline ECB/2002/7 in respect of Cyprus.
- (4) In accordance with Article 3.5 of the Rules of Procedure of the European Central Bank, the Governor of the

Central Bank of Cyprus has been invited to attend the meeting of the Governing Council adopting this Guideline,

HAS ADOPTED THIS GUIDELINE:

Article 1

Annex III to Guideline ECB/2002/7 is amended in accordance with the Annex to this Guideline.

*Article 2***Entry into force**

This Guideline shall enter into force on 1 January 2008.

*Article 3***Addressees**

This Guideline is addressed to the NCBs of Member States that have adopted the euro.

Done at Frankfurt-am-Main, 15 November 2007.

For the Governing Council of the ECB
The President of the ECB
Jean-Claude TRICHET

⁽¹⁾ OJ L 334, 11.12.2002, p. 24. Guideline as last amended by Guideline ECB/2006/6 (OJ L 115, 28.4.2006, p. 46).

⁽²⁾ OJ L 30, 2.2.2006, p. 1.

ANNEX

Annex III to Guideline ECB/2002/7 is amended as follows:

In Table 1 (Current data), the following section is inserted between the sections entitled 'Italy' and 'Luxembourg':

'CYPRUS'		
4, 5/2-21/A, B, D-I	Short-term and long-term loans granted by total economy, NFCs, OFIFAs, OFIs, FA, ICPFs, GG and HHs to residents and non-residents, broken down by counterpart sector and area	Fourth quarter 2008'

GUIDELINE OF THE EUROPEAN CENTRAL BANK**of 15 November 2007****amending Guideline ECB/2005/5 on the statistical reporting requirements of the European Central Bank and the procedures for exchanging statistical information within the European System of Central Banks in the field of government finance statistics****(ECB/2007/14)**

(2007/772/EC)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 5.1 and 5.2, 12.1 and 14.3 thereof,

Whereas:

- (1) Article 8(3) of Guideline ECB/2005/5 of 17 February 2005 on the statistical reporting requirements of the European Central Bank and the procedures for exchanging statistical information within the European System of Central Banks in the field of government finance statistics ⁽¹⁾ provides that the Governing Council will on a yearly basis review the derogations granted to the national central banks (NCBs) that are unable to comply with the requirements laid down in Article 2 and Article 4(1) of the Guideline.
- (2) Guideline ECB/2006/27 contained updated derogations from the data reporting requirements in respect of the Member States that had adopted the euro by 18 December 2006, as well as Slovenia.
- (3) Cyprus will adopt the euro on 1 January 2008 and derogations need to be inserted into Guideline ECB/2005/5 in respect of Cyprus.
- (4) In accordance with Article 3.5 of the Rules of Procedure of the European Central Bank, the Governor of the

Central Bank of Cyprus has been invited to attend the meeting of the Governing Council adopting this Guideline,

HAS ADOPTED THIS GUIDELINE:

Article 1

Annex IV to Guideline ECB/2005/5 is replaced by the Annex to this Guideline.

*Article 2***Entry into force**

This Guideline shall enter into force on 1 January 2008.

*Article 3***Addressees**

This Guideline is addressed to the NCBs of the Member States that have adopted the euro.

Done at Frankfurt-am-Main, 15 November 2007.

*For the Governing Council of the ECB**The President of the ECB*

Jean-Claude TRICHET

⁽¹⁾ OJ L 109, 29.4.2005, p. 81. Guideline as last amended by Guideline ECB/2006/27 (OJ C 17, 25.1.2007, p. 1).

ANNEX

'ANNEX IV

DEROGATIONS RELATED TO THE TIME SERIES LISTED IN ANNEX I, TABLES 1A TO 3B

Table/row	Description of the time series	First date of transmission
GERMANY		
2A.30	Foreign exchange holding gains and losses	October 2008
3A.13,14	Debt held by non-residents, breakdown	
3A.23,25	Debt, breakdown by residual maturity of which variable interest rate	
GREECE		
3A.13,14	Debt held by non-residents, breakdown	October 2008
3A.20	Long-term debt of which variable interest rate	
3A.21,22,23,24,25	Debt, breakdown by residual maturity	
FRANCE		
3A.13,14	Debt held by non-residents, breakdown	October 2008
IRELAND		
3A.13,14	Debt held by non-residents, breakdown	October 2008
3A.31	Debt-zero coupon bonds	
ITALY		
3A.13,14	Debt held by non-residents, breakdown	October 2008
CYPRUS ⁽¹⁾		
1B.13	Capital transfers payable by EU budget to non-government units	October 2008
2A.2	Adjustment between financial and non-financial accounts	
2A.6	Transactions in securities other than shares — short- and long-term securities	
2A.8	Transactions in loans	
2A.9	Transactions in shares and other equity	
2A.12	Transactions in shares and other equity — other	
2A.22	Transactions in other liabilities	
2A.29	Valuation effects on debt	
2A.30	Foreign exchange holding gains and losses	
2A.31	Other valuation effects — face value	
2A.32	Other changes in volume of debt	
3A.10	Debt held by other financial institutions	
3A.28	Local government debt component	
3B.11	Debt issued by local government	

Table/row	Description of the time series	First date of transmission
LUXEMBOURG ⁽²⁾		
2A.2	Adjustment between financial and non-financial accounts	October 2008
2A.3	Net transactions in financial assets and liabilities	
2A.11,12	Transactions in shares and other equity, breakdown	
2A.7,19	Transactions in financial assets and liabilities of which transactions in financial derivatives	
2A.13,22	Transactions in other financial assets and other liabilities	
2A.29,30,31	Valuation effects on debt and breakdown	
2A.32	Other changes in volume of debt	
3A.12,13,14	Debt held by non-residents, breakdown	
3A.21,22,23,24,25	Debt, breakdown by residual maturity	
3A.30	Average residual maturity of debt	
NETHERLANDS		
3A.13,14	Debt held by non-residents, breakdown	October 2008
AUSTRIA		
2A.10,11,12	Transactions in shares and other equity, breakdown	October 2008
2A.25,26,27	Transactions in debt instruments, breakdown by currency in which they are denominated	
2A.29,30,31	Valuation effects on debt and breakdown	
2A.32	Other changes in volume of debt	
3A.13,14	Debt held by non-residents, breakdown	
3A.15,16,17	Debt, breakdown by currency in which it is denominated	
3A.20	Long-term debt of which variable interest rate	
3A.21,22,23,24,25	Debt, breakdown by residual maturity	
3A.30	Average residual maturity of debt	
3A.31	Debt-zero coupon bonds	
SLOVENIA ⁽³⁾		
1A.2,3,4,5	Deficit by subsectors	October 2008
2A.10,11,12	Transactions in shares and other equity, breakdown	
2A.24	Transactions in long-term debt instruments	
2A.25,26,27	Transactions in debt instruments, breakdown by currency in which they are denominated	
2A.29,30,31	Valuation effects on debt and breakdown	
2A.32	Other changes in volume of debt	
3A.13,14	Debt held by non-residents, breakdown	

Table/row	Description of the time series	First date of transmission
3A.20	Long-term debt of which variable interest rate	
3A.30	Average residual maturity of debt	
3A.31	Debt-zero coupon bonds	

(¹) For item 2A.2 the derogation only applies to data requested for 1997. For items 2A.6, 8, 9, 22 the derogation only applies to data requested for the period from 1995 to 1998. For items 2A.12, 29, 30, 31, 32 the derogation only applies to data requested for the period from 1995 to 2001. For items 3A.28 and 3B.11 the derogation only applies to data requested for the period from 1995 to 1997.

(²) For items 2A.2, 3, 7, 13, 19, 22 the derogation only applies to data requested for the period from 1995 to 1998.

(³) Slovenia has derogations for all data requested in Tables 2A, 2B, 3A and 3B of Annex I for the period from 1995 to 1998. For items 1A.2, 3, 4, 5 the derogation only applies to data requested for the period from 1995 to 1998. For items 2A.10, 11, 12, 24 the derogation only applies to data requested for 1999.'