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Price: EUR 4

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 588/2010

of 5 July 2010

approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Soprèssa Vicentina (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the second sentence of Article 9(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 9(1) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined Italy's application for approval of an amendment to the specification for the protected designation of origin 'Soprèssa Vicentina', registered by Commission Regulation (EC) No 2400/96 ⁽²⁾, as amended by Regulation (EC) No 492/2003 ⁽³⁾.
- (2) The proposed amendment to the specification concerns the marking of the pigs used as the raw material.

- (3) The Commission has examined the amendment in question and decided that it is justified. Since the amendment is a minor one within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission can approve it without recourse to the procedure laid down in Articles 5, 6 and 7 of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected designation of origin 'Soprèssa Vicentina' is hereby amended in accordance with Annex I to this Regulation.

Article 2

The updated Single Document is set out in Annex II to this Regulation.

Article 3

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

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

Done at Brussels, 5 July 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 327, 18.12.1996, p. 11.

⁽³⁾ OJ L 73, 19.3.2003, p. 3.

ANNEX I

In the specification for the protected designation of origin 'Soprèssa Vicentina' the following amendment is approved:
in Article 2, 'Description of the product', point 2.1.3, 'Age at slaughter', 'or on the ear' is added:

'The minimum slaughter age is nine months and may be verified on the basis of the data shown on the mark tattooed on their leg in the first 30 days following birth.'

is replaced by:

'The minimum slaughter age is nine months and may be verified on the basis of the data shown on the mark tattooed on their leg or ear in the first 30 days following birth.'

ANNEX II

SINGLE DOCUMENT

Council Regulation (EC) No 510/2006 on protected geographical indications and protected designations of origin

‘SOPRÈSSA VICENTINA’

EC No: IT-PDO-0105-0145-10.8.2009

PGI () PDO (X)

1. Name

‘Soprèssa Vicentina’

2. Member State or third country

Italy

3. Description of the agricultural product or foodstuff**3.1. Type of product**

Class 1.2: Meat products

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

Description: ‘Soprèssa Vicentina’ is an uncooked sausagemeat product contained in casings and matured, average or large in size, obtained by processing all the prime cuts of pigmeat.

3.3. Raw materials (for processed products only)

The raw material used to produce ‘Soprèssa Vicentina’ is pigmeat which must come from animals born and reared on farms located in Vicenza province.

3.4. Feed (for products of animal origin only)

Meat meal may not be fed to the pigs from birth until the end of the growing-finishing phase, and feed prepared from animal material other than milk may not be given to the pigs during fattening.

Feed should preferably be in liquid form or consist of a mash to which water and, where possible, whey are added. To obtain good-quality fat cover, maximum linoleic acid content should be equivalent to 2 % of dry matter in the diet. Whey and buttermilk must not total more than 15 litres/head/day.

‘Buttermilk’ means the by-product of butter production and ‘whey’ the by-product of curds.

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

Rearing of the pigs: the raw material used to produce ‘Soprèssa Vicentina’ is pigmeat which must come from animals born and reared on farms located in Vicenza province.

The genetic characteristics of the animals that may be used must be those of pure breeds, or crossbreeds obtained without genetic manipulation, of traditional breeds such as Large White, Landrace and Duroc listed in the Italian national herd-book or non-Italian herd-books recognised by the Italian national herd-book and with aims that comply with the latter for the production of heavy pigs.

The pigs must be capable of achieving a considerable weight at the time of slaughter (130 kg deadweight).

The minimum age at slaughter is nine months. This may be verified on the basis of the data shown on the mark tattooed on their leg (or ear) in the first 30 days following birth. The housing and facilities on pig farms must be properly insulated and aired to ensure the correct temperature, optimal renewal of the air and the removal of harmful gases. Floor surfaces must be made of water-repellent, thermal and non-slip materials.

Given the type of feeding practised, all housing and facilities must satisfy anti-corrosion requirements.

Free range or semi-free range pigs may also be used.

Slaughter: the pigs must be slaughtered at establishments that hold the hygiene and health permits provided for by Italian and EU law and are located within the recognised PDO area.

Slaughtered pigs must weigh 130 kg deadweight or more.

Meat from pigs affected by evident myopathies (PSE, DFD, after-effects of previous manifest inflammatory and traumatic conditions) established by a veterinarian at the slaughterhouse may not be used for processing.

Processing of the meat: the meat must be processed and the product matured in establishments located within the defined area. Processing establishments must hold the health and hygiene permits provided for by Italian and EU law.

Recipe and ingredients: the production of 'Soprèssa Vicentina' uses all the most valuable parts of the selected half-carcass, such as the leg, neck, shoulder, belly, neck fat and loin.

The added ingredients, permitted in the following maximum quantities, are:

- salt: 2 700 g/100 kg of mix,
- ¼ cracked pepper: 300 g/100 kg of mix,
- mixture of finely ground herbs and spices (cinnamon, cloves and rosemary): 50 g/100 kg of mix,
- garlic: 100 g/100 kg of mix,
- sugars: 150 g/100 kg of mix,
- potassium nitrate within permitted limits,

Production method: the production method is as follows:

The pig half-carcasses are cut and the cuts are chilled at a temperature of between 0 °C and + 3 °C for 24 hours or more. They are then boned and trimmed and the nerves are removed.

The selected cuts are minced in a meat grinder fitted with perforated plates with holes between 6 mm and 7 mm in diameter. The premixed ingredients are added to the minced meat at a temperature of between + 3 °C and + 6 °C. Indigenous microbial cultures may be added to start fermentation. All the ingredients are then well mixed so that the fat combines with the lean until it borders on being homogenised. The resulting mixture is placed in natural gut casings with a diameter of 8 cm or more.

The cased product is marketed at the following weights: 1-1,5 kg, 1,5-2,5 kg, 2,5-3,5 kg, 3,5-8 kg.

Drying: the drying process comprises: (a) draining for 12 hours at 20-24 °C; (b) drying for four to five days at decreasing temperatures ranging from 22-24 °C to 12-14 °C.

Maturing: the maturing period for 'Soprèssa Vicentina', including draining and drying, depends on size:

- 60 days or more for sizes between 1 and 1,5 kg;
- 80 days or more for sizes between 1,5 and 2,5 kg;
- 90 days or more for sizes between 2,5 and 3,5 kg;
- 120 days or more for sizes between 3,5 and 8 kg.

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

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3.7. *Specific rules concerning labelling*

The name 'Soprèssa Vicentina DOP' is untranslatable and must appear on the label in clear, indelible letters.

The brand name 'Soprèssa Vicentina DOP' must be shown on the label in accordance with the instructions contained in the illustrated handbook: Annex A to the specification.

4. Concise definition of the geographical area

The production area of 'Soprèssa Vicentina' covers Vicenza province in its entirety.

5. Link with the geographical area

5.1. Specificity of the geographical area

The stages in the maturing process are affected by the air humidity conditions, which reflect temperature changes. These conditions give rise to the first- and second-stage fermentation undergone by the sausage.

5.2. Specificity of the product

When placed on the market 'Soprèssa Vicentina' has the following characteristics:

Physical characteristics

External appearance: cylindrical in shape, bound with colourless twine, which may be elasticated, fastened vertically and with a series of rings made of the same material, placed horizontally on top of the fastening along the entire length of the 'Soprèssa'. Netting may not be used for binding. Where the product contains garlic, coloured twine may be used, although for the end section (eyelet) only. The rings, of which there must be at least three, are placed at intervals of 2-4 cm. The outer surface has a light-coloured patina which develops naturally during the maturing process.

Appearance on cutting: the meat appears dense and at the same time tender. Slices contain a mixture with fat globules distributed in a way that surrounds the pieces of meat so that the product remains soft, even after a lengthy maturing period. Slices are slightly dull in colour, with no clear distinguishing lines between fat and lean, and of medium-large grain.

Chemical characteristics

Total protein content: 15 % or more; fat content: between 30 % and 43 %; mineral salts (ash): between 3,5 % and 5 %; moisture content less than 55 %; pH between 5,4 and 6,2.

Microbiological characteristics

Mesophilic microbe content: prevalence of lactic bacteria and Micrococcaceae.

Organoleptic characteristics

Aroma: spicy, possibly with fragrances of aromatic herbs, with or without garlic;

Flavour: delicate, slightly sweet and peppery or garlicky;

Colour: pink, tending to red;

Consistency: medium-large grain, easy to chew.

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

There is, at all stages in its production, a close link between 'Soprèssa Vicentina' and its environment.

In human terms, the product's link with its environment is demonstrated by the fact that the area of production — known as the Vicentino — has traditionally been the home of numerous farmers and/or artisans who, by using characteristic methods for rearing pigs and processing and maturing their meat, created the 'Soprèssa Vicentina', a truly one-of-a-kind product whose method of preparation has remained almost unchanged over time.

Evidence of the link with the environment is to be found in the specific characteristics of the raw material, based on the products — traditional and consisting almost entirely of high-quality cereals grown locally — used for fattening the pigs.

Another link between the raw material and the local area lies in the use of whey from the cheese-making industry in the feed, which is preferably given in the form of a mash. This is a very long-standing practice, demonstrated by the fact that Vicenza province is a producer of two major PDO cheeses (Asiago and Grana Padano).

The whey is a by-product of the milk processing involved in the production of these two PDO cheeses.

This by-product is strongly marked by the properties of the milk and, in particular, by those of the process of separation of the substances that form the cheeses, logically giving rise to the elements that remain unused and thus characterise the whey.

Farms in the Vicentino use this type of whey because of the specific characteristics it imparts to the pigmeat and hence to the processed product subsequently manufactured.

The economic aspects connected with the use of whey, a feedingstuff with a very low concentration of nutritional substances owing to its very high water content, have always meant that the whey from these cheeses is used as feed on a strictly local basis, thus creating a tradition for using it in the diet of the pigs used for the production of 'Sopressa Vicentina'.

Evidence of the link with the environment is also to be found in the presence in Vicenza province of processors with small-scale slaughtering and processing establishments which use pigs from local farms and have continued over the years to employ traditional methods for producing 'Sopressa Vicentina' which are typical of the Vicentino's farming customs.

The stages in the maturing process are affected by the air humidity conditions, which reflect temperature changes. These conditions give rise to the first- and second-stage fermentation undergone by the sausage.

This link with the natural and human environment has created a unique product whose special characteristics have distinguished, and continue to distinguish, the 'Sopressa' produced in the Vicentino from similar sausage products from other areas, as demonstrated by the historical sources.

Reference to the publication of the specification

The Ministry launched the national objection procedure with the publication of the proposal for recognising 'Sopressa Vicentina' as a protected designation of origin in *Official Gazette of the Italian Republic* No 73 of 28 March 2009.

The full text of the product specification is available on the following website: www.politicheagricole.it/DocumentiPubblicazioni/Search_Documenti_Elenco.htm?txtTipoDocumento=Disciplinare%20in%20esame%20UE&txtDocArgomento=Prodotti%20di%20Qualit%E0>Prodotti%20Dop,%20Igp%20e%20Stg

or via the home page of the Ministry for Agricultural, Food and Forestry Policy (www.politicheagricole.it): click on 'Prodotti di Qualità' (on the left of the screen) then on 'Disciplinari di Produzione all'esame dell'UE (Reg CE 510/2006)'.

COMMISSION REGULATION (EU) No 589/2010**of 5 July 2010****amending Council Regulation (EU) No 53/2010 as regards catch limits for the fisheries on sandeel in EU waters of IIIa and EU waters of IIa and IV**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) No 53/2010 of 14 January 2010 fixing for 2010 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in waters where catch limitations are required ⁽¹⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Catch limits for sandeel in ICES IIa and IV are laid down in Annex IA of Regulation (EU) No 53/2010.
- (2) Pursuant to point 6 of Annex IID to Regulation (EU) No 53/2010, the Commission is to revise the total allowable catches (TAC) and quotas for 2010 for sandeel in those zones based on advice from the International Council for the Exploration of the Sea (ICES) and the Scientific, Technical and Economic Committee for Fisheries (STECF).
- (3) The STECF indicates that the function laid down in point 6 of Annex IID to Regulation (EU) No 53/2010 would indicate a TAC of up to 400 000 tonnes.
- (4) Sandeel is a North Sea stock which is shared with Norway but which is currently not jointly managed. The measures provided for in this Regulation are in accordance with consultations with Norway pursuant to

the provisions of the agreed record of conclusions of fisheries consultations between the European Commission and Norway of 26 January 2010. In consequence, the European Union share of that part of the TAC that can be caught in EU waters of ICES zones IIa and IV should be fixed at 90 % of 400 000 tonnes.

- (5) Following negotiations with Norway, the amount allocated to Norway from the EU's share of the TAC should be increased from 20 000 tonnes to 27 500 tonnes in exchange for fishing opportunities on other species in Norwegian waters.
- (6) The Scientific Technical and Economic Committee for Fisheries recommends that the TAC should be increased by 4,23 % to cover EU waters of ICES zone IIIa.
- (7) Annex IA to Regulation (EU) No 53/2010 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IA to Regulation (EU) No 53/2010 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 5 July 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 21, 26.1.2010, p. 1.

ANNEX

Annex IA to Regulation (EU) No 53/2010 is amended as follows:

The entry concerning the species sandeel in EU waters of IIIa and EU waters of IIa and IV is replaced by the following:

Species:	Sandeel <i>Ammodytidae</i>	Zone:	EU waters of IIIa, EU waters of IIa and IV ⁽¹⁾ SAN/2A3A4.
Denmark	327 250 ⁽²⁾		
United Kingdom	7 153 ⁽³⁾		
Germany	500 ⁽⁴⁾		
Sweden	12 017 ⁽⁵⁾		
EU	346 920 ⁽⁶⁾	Analytical TAC. Article 3 of Regulation (EC) No 847/96 does not apply. Article 4 of Regulation (EC) No 847/96 does not apply. Article 5(2) of Regulation (EC) No 847/96 applies.	
Norway	27 500 ⁽⁷⁾		
Faeroes	2 500		
TAC	376 920		

⁽¹⁾ Excluding waters within 6 miles of UK baselines at Shetland, Fair Isle and Foula.

⁽²⁾ Of which no more than 311 289 tonnes may be fished in EU waters of IIa and IV. The remaining quantity may be fished in EU waters of ICES zone IIIa only (SAN/*03A.).

⁽³⁾ Of which no more than 6 804 tonnes may be fished in EU waters of IIa and IV. The remaining quantity may be fished in EU waters of ICES zone IIIa only (SAN/*03A.).

⁽⁴⁾ Of which no more than 476 tonnes may be fished in EU waters of IIa and IV. The remaining quantity may be fished in EU waters of ICES zone IIIa only (SAN/*03A.).

⁽⁵⁾ Of which no more than 11 431 tonnes may be fished in EU waters of IIa and IV. The remaining quantity may be fished in EU waters of ICES zone IIIa only. (SAN/*03A.).

⁽⁶⁾ Of which no more than 330 000 tonnes may be fished in EU waters of IIa and IV. The remaining quantity may be fished in EU waters of ICES zone IIIa only. (SAN/*03A.).

⁽⁷⁾ To be taken in ICES zone IV.

COMMISSION REGULATION (EU) No 590/2010**of 5 July 2010****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 EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Commission Regulation (EC) No 474/2006 of 22 March 2006 established the Community list of air carriers which are subject to an operating ban within the European Union referred to in Chapter II of Regulation (EC) No 2111/2005 ⁽²⁾.
- (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 European Union 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) The Air Safety Committee has heard presentations by the European Aviation Safety Agency (EASA) and the Commission about the technical assistance projects carried out in countries affected by Regulation (EC) No 2111/2005. It has been informed about the requests for further technical assistance and cooperation to improve the administrative and technical capability of civil aviation authorities with a view to resolving any non compliance with applicable international standards.
- (7) The Air Safety Committee has also been informed about enforcement actions taken by EASA and Member States to ensure the continuing airworthiness and maintenance of aircraft registered in the European Union and operated by air carriers certified by civil aviation authorities of third countries.
- (8) Regulation (EC) No 474/2006 should therefore be amended accordingly.

European Union carriers

- (9) Following information resulting from SAFA ramp checks carried out on aircraft of certain European Union air carriers, as well as area specific inspections and audits carried out by their national aviation authorities, some Member States have taken certain enforcement measures. They informed the Commission and the Air Safety Committee about these measures: the competent authorities of the UK revoked the Air Operator Certificate (AOC) of the air carrier Trans Euro Air Limited on 6 April 2010 and suspended the AOC of MK Airlines on 12 April 2010; the competent authorities of Spain suspended the AOC and the operating licence of the air carrier Baleares Link Express on 9 June 2010; the competent authorities of Slovakia revoked the operating licence of the air carrier Seagle Air on 11 December 2009 and that of Air Slovakia on 3 May 2010.

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ OJ L 84, 23.3.2006, p. 14.

⁽³⁾ OJ L 373, 31.12.1991, p. 4.

Air Algérie

- (10) On the basis of an analysis of the results of SAFA inspections carried out on aircraft operated by Air Algérie into the EU since January 2009, the Commission entered into consultations with the competent authorities of Algeria on 7 December 2009 and 5 February 2010 in order to resolve the findings in the areas of safety of cargo on board, airworthiness and operations of the aircraft and flight crew licences.
- (11) In their reply of 15 March 2010, the competent authorities of Algeria provided information concerning actions taken following ramp inspections in order to address the detected non-compliances.
- (12) The Commission sent further requests for information on 6 May 2010. The competent authorities submitted additional information on 27 May 2010. Following a meeting with the competent authorities of Algeria, the air carrier as well as the competent authorities of France and EASA on 9 June 2010, the competent authorities of Algeria committed themselves to provide complementary information before the meeting of the Air Safety Committee, including a list of surveillance activities carried out by this authority on Air Algérie. Information was sent on 18 June 2010. Also, these authorities undertook to submit shortly a detailed corrective action plan including a time-table for its verification and completion. In parallel, upon request of the air carrier, the competent authorities of France have developed an initiative to raise awareness and provide training in the framework of the EU SAFA programme.
- (13) In order to develop a continuous monitoring of the safety performance of the air carrier, the Commission requested the competent authorities of Algeria to also send monthly reports on their surveillance activities in the areas of continuing airworthiness, maintenance and operations on Air Algérie including on the verification of implementation of the corrective action plan which has to be submitted. The Commission encourages the competent authorities of Algeria to pursue their efforts to enhance compliance with the applicable safety standards.
- (14) In the meantime, Member States shall verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier pursuant to Regulation (EC) No 351/2008 to ensure that the number of inspections of Air Algérie will be intensified in order to provide the basis for reassessment of this case during the next Air Safety Committee meeting which is to take place in November 2010.

Air Bangladesh

- (15) The Commission informed the Air Safety Committee on the results of a technical assistance mission carried out by the European Aviation Safety Agency to the People's Republic of Bangladesh following the ICAO USOAP Audit, conducted in May 2009. The ICAO USOAP Audit resulted in a Significant Safety Concern regarding aircraft operations, certification, and supervision exercised by the Civil Aviation Authority of Bangladesh (CAAB). It was noted during the mission that the CAAB had made clear efforts at every level to implement a corrective action plan and had demonstrated a strong commitment to overcome the safety issues highlighted by the ICAO audit. Whilst the Commission welcomes these encouraging moves it will continue to closely monitor the progress the CAAB make with the implementation of their corrective action plan to ensure the current safety deficiencies are addressed without undue delay.
- (16) During the mission the CAAB informed that team that a B747-269B, with registration S2-ADT, had been removed from the Bangladeshi Register, and that the operator Air Bangladesh no longer existed. The CAAB officially communicated this fact to the Commission on 16 May 2010.
- (17) In view of the above, on the basis of the common criteria, it is assessed that the aforementioned air carrier should be removed from Annex B.

Blue Wing Airlines

- (18) There is verified evidence of serious deficiencies involving the air carrier Blue Wing Airlines certified in Suriname, as demonstrated by a series of recent accidents and deficiencies reported in ramp inspections carried out by Member States.
- (19) Blue Wing Airlines was involved in an accident on 3 April 2008 with 19 fatalities, another accident on 15 October 2009 which lead to injuries, and a last accident on 15 May 2010 with 8 fatalities. The overall number of accidents experienced by this air carrier in the last two years raises serious safety concerns whilst it has been impossible to learn the lessons of the previous accidents in the absence of any official accident investigation report.
- (20) In addition, there is verified evidence of serious non-compliances with the specific safety standards established by the Chicago Convention, as revealed by the deficiencies observed by the competent authorities of France in a recent ramp inspection⁽¹⁾ carried out in the framework of the SAFA programme.

⁽¹⁾ DGAC/F-2010-818.

- (21) The competent authorities of France (DGAC) invited the competent authorities of Suriname and Blue Wing Airlines to provide the necessary guarantees on the safety of the operations of this carrier. Since neither the response of the competent authorities of Suriname nor of Blue Wing Airlines permitted to identify the root cause of the accidents and the safety deficiencies observed in ramp inspections and to prevent their re-occurrence, the DGAC decided to impose exceptional measures banning all activities of Blue Wing Airlines over the French territory as from 1 June 2010 and undertook to inform immediately the Commission pursuant to Article 6 of Regulation (EC) No 473/2006.
- (22) The Commission initiated immediately the consultations with the competent authorities of Suriname and Blue Wing Airlines with the view to decide urgently on the extension of the measures taken by France to the European Union at the meeting of the Air Safety Committee. The Commission and Member States heard Blue Wing Airlines assisted by its competent authority on 25 June 2010. Neither the responses of the competent authorities of Suriname nor that of Blue Wing Airlines enabled the identification of the root causes of the accidents, nor of the safety deficiencies observed in ramp inspections, nor the prevention of their re-occurrence.
- (23) Given the prior performance of the air carrier, which had already been previously subject to a operating ban within the EU ⁽¹⁾, ⁽²⁾, the number and gravity of accidents suffered by this air carrier, the safety deficiencies detected and their repetitiveness, on the basis of the common criteria, it is assessed that the continuation of operations of this air carrier into the EU would constitute a serious risk to safety which cannot be satisfactorily resolved by the measures taken by a Member State pursuant to Article 6 of Regulation (EC) No 2111/2005 and that therefore the air carrier Blue Wing Airlines should be added to Annex A.
- (25) EASA informed that the DGCA had presented a comprehensive action plan that was found acceptable and agreed on 29 April 2010. This plan foresees a series of remedial actions to be implemented progressively until the end of 2011, with immediate actions to address the safety deficiencies.
- (26) Moreover, the competent authorities of Italy have embarked on a comprehensive twinning project with the competent authorities of Albania which should start in September 2010 to assist these authorities to build its technical and administrative capacity.
- (27) The consultations which were held on 28 May 2010 with the competent authorities of Albania and EASA with the participation of the competent authorities of Italy confirmed that the implementation of this action plan is in progress and in line with its schedule. A first series of actions was completed representing a major change to the previous system: an independent Albanian Civil Aviation Authority (ACAA) was established and is operational since May 2010; the newly established ACAA revoked all previous derogations granted to the industry and ascertained to the undertakings that failure to comply with the applicable legislation by 1 June 2010 would expose them to enforcement actions such as suspension, limitation or revocation of the approvals they held. The ACAA was invited to the Air Safety Committee to report on the recertification of air carriers.
- (28) The ACAA was heard by the Air Safety Committee on 21 June 2010 and confirmed that Belle Air and Albanian Airlines were duly recertified in June 2010 in compliance with the applicable safety rules. They also informed that the AOC of Star Airways was suspended. Furthermore, ACAA committed to refrain from issuing further AOCs until further notice.

Air carriers from Albania

- (24) Further to the presentations made by the competent authorities of Albania at the meeting of the Air Safety Committee in March 2010 and pursuant to the provisions of Regulation No 273/2010 ⁽³⁾, the Commission, assisted by the European Aviation Safety Agency (EASA), continued actively the consultations with the competent authorities of Albania to follow-up the results of the comprehensive standardisation inspection of Albania made in January 2010. The final report of this inspection, issued on 7 March 2010, revealed significant deficiencies in all areas audited that needed to be immediately remedied.
- (29) ACAA is urged to take the necessary actions to continue to implement effectively and timely the action plan agreed with EASA, with priority to the resolution of the deficiencies identified that raise safety concerns if not promptly corrected. The ACAA is invited in particular to speed up its capacity building and to ensure the safety oversight of all air carriers certified in Albania in accordance with the applicable safety regulations and to take enforcement measures as necessary.
- (30) ACAA committed to report periodically on the progress made in the implementation of its corrective action plan. The Commission, assisted by EASA, and with the support of Member States, will continue to monitor the effectiveness of the actions undertaken by ACAA and the safety performance of air carriers licensed in Albania.

⁽¹⁾ Recitals (20) to (22) of Regulation (EC) No 910/2006 of 20 June 2006, OJ L 168, 21.6.2006, p. 17.

⁽²⁾ Recitals (7) to (8) of Regulation (EC) No 1400/2007 of 28 November 2007, OJ L 311, 29.11.2007, p. 12.

⁽³⁾ Recitals (55) to (58) of Regulation (EC) No 273/2010 of 30 March 2010, OJ L 84, 31.3.2010, p. 30.

Air carriers from the Kingdom of Cambodia

- (31) The competent authorities of Cambodia (SSCA) informed of further progress in the implementation of their corrective action plan established to remedy the deficiencies identified by ICAO during the audit carried out in 2007 in the framework of its Universal Safety Oversight Audit Programme.
- (32) The ICAO Coordinated Validation Mission (ICVM) which was conducted from 26 to 29 October 2009 confirmed some progress as the lack of effective implementation of ICAO Standards was evaluated in October 2009 at 58 % down from 71 % in 2007. However the mission also concluded on the need to continue the effective implementation of all corrective actions, notably with regard to the organisation of the SSCA and its capacity building.
- (33) The SSCA reported that the remaining air carriers licensed in Cambodia have had their Air Operator Certificate (AOC) been either suspended or revoked. In particular, the AOC of Helicopter Cambodia expired on 15 October 2009 and was not renewed; the AOC of Sokha Airlines was revoked on 27 October 2009; the AOCs of Angkor Airways and PMT Air were revoked on 21 April 2010. As a consequence, ICAO removed the significant safety concern pertaining to the air carriers licensed in the Kingdom of Cambodia ⁽¹⁾.
- (34) The SSCA also informed that Siem Reap International Airways, whose AOC is suspended, has been engaged in a recertification process since January 2009. The SSCA stated that the air carrier was given an additional period of 4 months to complete the process, failing which its AOC should be revoked. Given the uncertainty about the situation of Siem Reap International Airways, on the basis of the common criteria, it is assessed that this air carrier should remain in Annex A.
- (35) The Commission takes note of the enforcement measures undertaken by the SSCA and of the progress in the implementation of the corrective action plan aiming at resolving the deficiencies identified by ICAO and is ready to support the capacity building of the competent authorities of the Kingdom of Cambodia through dedicated technical assistance.

Air carriers from the Democratic Republic of Congo

- (36) All air carriers certified in the Democratic Republic of Congo are subject to an operational ban within the EU and listed in Annex A. The Commission received information that the competent authorities of the Democratic Republic of Congo have issued an Air Operator

Certificate to the air carrier Congo Express. The Commission entered into consultations with the competent authorities of the Democratic Republic of Congo to obtain confirmation of this information. These authorities did not reply.

- (37) As there is no evidence of any change to the capacity of the competent authorities of the Democratic Republic of Congo to ensure the oversight of air carriers licensed in that State in compliance with the applicable safety standards, on the basis of the common criteria, it is assessed that Congo Express should be added to Annex A.

Air carriers from the Republic of Gabon

- (38) On request of the Commission, the European Aviation Safety Agency (EASA) carried out a technical assistance mission to the Republic of Gabon from 11 to 15 January 2010. The report arising from this mission, issued on 6 April 2010, reveals that the competent authorities of Gabon (ANAC) are working towards the resolution of the deficiencies identified by ICAO in its audit carried out in May 2007 in the framework of the Universal Safety Oversight Audit Programme. However, the report also highlights the need to continue the capacity building of ANAC through adequate budget and further recruitment and training of qualified inspectors, as well as the need to ensure a robust continuing oversight of air carriers licensed in the Republic of Gabon. The report includes a roadmap, established together with ANAC, detailing the corrective actions necessary and useful in the resolution of ICAO findings. According to this roadmap, the completion of the necessary actions is not expected before the beginning of 2011.
- (39) The competent authorities of Gabon (ANAC) requested to be heard by the Air Safety Committee to present the progress made to date and did so on 21 June 2010. ANAC informed that the legislative framework is currently being revised, with a reform of the civil aviation code, the adoption of which is expected by 31 December 2010, as well as the progressive establishment of a comprehensive set of Gabonese aeronautical regulations (RAG), which will be progressively entered into force by 2011. ANAC reported further progress in its capacity-building, with the recruitment of additional inspectors, 7 of whom are in the process of qualification. Moreover, ANAC reported progress in the oversight of the air carriers and the enforcement of the current safety regulations (RACAM), as demonstrated by the suspension of the AOC of SCD Aviation on 16 October 2009, the warnings addressed to the air carriers Air Service, Gabon Airlines, National Regional Transport, SN2AG and the fines imposed to the air carriers Allegiance and Sky Gabon. The number and the nature of some of the deficiencies identified reveal that further enforcement actions may be necessary, should the air carriers fail to implement the applicable safety standards.

⁽¹⁾ Recitals (12) to Regulation (EC) No 1131/2008 of 14 November 2008, OJ L 306, 15.11.2009, p. 48.

- (40) Afrijet Business Services licensed in Gabon requested to be heard by the Air Safety Committee with the view of having the current restrictions imposed on the aircraft of type Falcon 900B with registration mark TR-AFR lifted, and made written submission in that respect. They provided assurance that the operations and the maintenance of the said aircraft are conducted in compliance with the applicable safety standards and this was confirmed by ANAC. Consequently, on the basis of the common criteria, it is assessed that there is no reason to restrict the operations of Afrijet Business Services conducted with the aircraft of type Falcon 900B with registration mark TR-AFR and that this aircraft should be added to the aircraft with which the air carrier is allowed to operate into the EU as per Annex B.
- (41) No evidence of the full implementation of appropriate remedial actions by the air carriers included in the Community list and by the authorities with responsibility for regulatory oversight of these air carriers has been communicated to the Commission so far. 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.
- (42) The Commission welcomes the progress in the implementation of the corrective action plan aiming at resolving the deficiencies identified by ICAO and in the capacity building of the competent authorities of Gabon and is ready to assist, including via an on-site mission to validate the achievements, once the legislative framework is in place.
- Air carriers from the Republic of Indonesia**
- (43) The competent authorities of Indonesia (DGCA) reported major progress towards the resolution of all findings identified by ICAO in its audit carried out in February 2007 in the framework of the Universal Safety Oversight Audit Programme. The ICAO Coordination and Validation Mission (ICVM) carried out in August 2009 confirmed substantial progress, as demonstrated by a lack of effective implementation of ICAO standards reduced to 20 %. DGCA reported to ICAO on 19 March 2010 the completion of the remaining corrective actions.
- (44) DGCA informed on the developments of its safety oversight capability, with a major increase in its budget in 2009 and 2010, the recruitment of 25 additional flight operations inspectors and 8 cabin safety inspectors, complemented by extensive technical assistance from ICAO and from the civil aviation authorities of Australia and of The Netherlands, which permitted to further update the Civil Aviation Safety Regulations (CASR) and to strengthen the oversight of additional air carriers.
- (45) The competent authorities of Indonesia (DGCA) requested to be heard by the Air Safety Committee with the view to lifting the current restrictions imposed on the following three air carriers: Indonesia Air Asia, Metro Batavia and Lion Air; they made written submissions as well as oral presentations on 22 June 2010.
- (46) The presentations made by Indonesia Air Asia as well as by the DGCA confirmed that this air carrier was recertified on 30 September 2009 in accordance with the CASR and that this carrier is subject to an adequate oversight by the DGCA. The DGCA confirmed that this air carrier fully meets the applicable safety standards. Consequently, on the basis of the common criteria, it is assessed that Indonesia Air Asia should be removed from Annex A.
- (47) The presentations made by Metro Batavia as well as by the DGCA confirmed that this air carrier was also recertified on 30 September 2009 in accordance with the CASR and that this carrier is subject to an adequate oversight by the DGCA. The DGCA confirmed that this air carrier fully meets the applicable safety standards. Consequently, on the basis of the common criteria, it is assessed that Metro Batavia should be removed from Annex A.
- (48) The presentations made by Lion Air revealed that this air carrier, which is currently operating a fleet of 50 aircraft, experienced 2 accidents and 2 serious incidents since 2004. However, the carrier failed to provide sufficient information on these accidents and incidents and their causes and equally failed to demonstrate that adequate actions had been undertaken to prevent further re-occurrence, in particular in view of the significant development of the fleet which is expected in the coming years. In addition, it was not possible to conclude on an adequate oversight by the DGCA in the field of operations, as demonstrated by the absence of any recorded finding in the course of more than 100 flight operations inspections recorded in 2009 and 2010. Consequently, on the basis of the common criteria, it is assessed that Lion Air should remain in Annex A.
- (49) No evidence of the full implementation of appropriate remedial actions by the other air carriers included in the Community list has been communicated to the Commission so far. 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).

- (50) The Commission encourages the efforts and progress made by the competent authorities of Indonesia towards the sustainable resolution of safety deficiencies.

Air carriers from the Philippines

- (51) Further to Regulation No 273/2010 ⁽¹⁾, the Commission continued actively the consultations with the competent authorities of the Philippines (CAAP) on the actions undertaken by them to improve aviation safety in the Philippines and compliance with the applicable safety standards.
- (52) The competent authorities of the Philippines (CAAP) informed that they launched a series of actions, entailing in particular: a re-writing of the current implementing rules and regulations, expected by the end of 2010; further capacity building of the CAAP via the transfer of qualified inspectors currently working for ICAO under the technical assistance project, expected to be finalised by the end of 2010, and the hiring of additional staff; the re-auditing and the re-certification of all air carriers, including those that had already been certified by the CAAP before March 2010; the establishment of continuous surveillance plans for all air carriers; and the strengthening of enforcement actions in the case of identified safety deficiencies.
- (53) The CAAP informed that they suspended on 19 March 2010 the Air Operator Certificate (AOC) of Pacific East Asia Cargo Airlines (PEAC), a carrier which had continued operations without being adequately certified by the competent authorities of the Philippines.
- (54) The air carrier Interisland Airlines Inc., which had been certified by the CAAP on 16 March 2010, experienced a fatal accident on 21 April 2010, involving an aircraft on its AOC of type Antonov 12BP with registration mark UP-AN216. The CAAP, which investigated the case after the accident, decided on 23 April 2010 to revoke the AOC of Interisland Airlines Inc, which consequently ceased completely its operations. On the basis of the common criteria, it is therefore assessed that Interisland Airlines Inc. should be removed from Annex A.
- (55) Philippine Airlines requested to be heard by the Air Safety Committee to report on recent progress and did so on 22 June 2010. The air carrier confirmed it underwent a comprehensive recertification audit by the CAAP, that all corrective actions were appropriately

closed and that a new AOC was issued on 17 June 2010. However, the recent conclusion of this recertification process and the late submission of the corresponding evidence did not permit to verify the situation on site as expected.

- (56) Cebu Pacific Airlines requested to be heard by the Air Safety Committee to report on recent progress and did so on 22 June 2010. The air carrier confirmed it underwent a comprehensive recertification audit by the CAAP and that the necessary corrective actions were ongoing, several of those being still open, although a new AOC had already been issued on 7 June 2010, with operational specifications restricted to exclude the carriage of dangerous goods and precision approaches in Cat II for ATR-72 fleet. However, the late submission of the corresponding evidence and the existence of open findings did not permit to verify the situation on site as expected.
- (57) The significant safety concern notified by ICAO after its USOAP audit of the Philippines carried out in October 2009 to all States party to the Chicago Convention and affecting the safety oversight of carriers licensed in the Philippines ⁽²⁾ remains unresolved. The CAAP informed that they submitted to ICAO a comprehensive action plan to remedy the deficiencies identified by this organisation. However, they failed to communicate this corrective action plan and the assessment of ICAO on these. Also, the CAAP informed that the Philippines will not be in a position to apply for a revision of the current classification by the US FAA before the fourth quarter 2010.
- (58) The Commission acknowledges the efforts undertaken by the competent authorities to reform the civil aviation system in the Philippines. However, pending the effective implementation of adequate corrective actions to remedy the deficiencies identified by the US FAA and ICAO, it is assessed that the competent authorities of the Philippines continue, at this stage, not to be able to implement and enforce effectively the relevant safety standards on all air carriers under their regulatory control. Therefore, in view of the common criteria, it is assessed that all air carriers certified in the Philippines, except Interisland Airlines Inc, should remain in Annex A.
- (59) The Commission remains ready to support the efforts of the Philippines, through an assessment visit in close cooperation with ICAO, with the participation of Member States and the European Aviation Safety Agency, if practicable before the next Air Safety Committee, to verify the progress made by the CAAP including the safety performance of the operators.

⁽¹⁾ Recitals (74) to (87) of Regulation (EU) No 273/2010 of 30 March 2010, OJ L 84, 31.3.2010, p. 33.

⁽²⁾ ICAO finding OPS/01.

Iran Air

- (60) Pursuant to Regulation (EC) No 273/2010⁽¹⁾, the Commission, assisted by the European Aviation Safety Agency and with the support of Member States, carried out a safety assessment visit to the Islamic Republic of Iran between 29 May and 3 June 2010 in order to verify the satisfactory implementation of the measures announced by the competent authorities (CAO-IRI) and Iran Air.
- (61) During the visit, the CAO-IRI was able to demonstrate it had an oversight system in place in the field of air operations which complies with the intent of ICAO Document 8335 — Manual of Procedures for Operations Inspection, Certification and Continued Surveillance. In addition, the authority had corrected a previously identified weakness in their audit follow-up procedures by adopting a three tiered finding classification system which enabled urgent safety issues to be addressed without delay. Also, it showed that it had taken action to address safety concerns with Iranian carriers, and Iran Air in particular.
- (62) However, in the area of airworthiness and maintenance, several weaknesses in the CAO-IRI's oversight of Iran Air were evident, including a lack of a detailed review of the Maintenance Programmes and the Minimum Equipment Lists, leading to a failure to detect errors made by the air carrier.
- (63) In addition, the CAO-IRI were unable to provide a consolidated list of incidents which had occurred to Iran Air flights and thus were not in a position to gauge the overall safety performance of the air carrier. However, the CAO-IRI was able to show that they conducted detailed investigations of all significant incidents and made recommendations.
- (64) The verification visit noted the strong commitment by the CAO-IRI to adopting modern safety management techniques and to the significant advances made during the past six months. The team also noted the open, cooperative and constructive approach by the CAO-IRI in addressing shortfalls identified in their procedures.
- (65) In the case of Iran Air, the report points to significant deficiencies in the management of airworthiness and maintenance. In particular basic errors had been made in the Maintenance Programmes leading to significant omissions from the programmes for safety related equipment on the Airbus A-320 fleet and the Boeing 747-200 freighter. Furthermore the maintenance system for the Airbus A-320 fleet failed to ensure that deferred items had been rectified in the specified timescales. In addition, no Flight Data monitoring was taking place on the Airbus A-320 fleet, and the rate of data gathering for the other fleets was very low. Moreover, the report concludes that the company is failing to address the basics in terms of the continued airworthiness of its aircraft. This is particularly evident in the management of the Airbus A320 and Boeing 727 and 747 aircraft.
- (66) The report also notes however, clear improvements in Iran Air's quality management system and safety management processes, in particular in the use of Line Oriented Safety Audits and the formation on a 'High Safety Council', chaired by the Managing Director, tasked with the coordination and supervision of activities directed at implementing sound safety standards in the operational departments. Furthermore, it notes the open and cooperative approach to solving the identified safety shortcomings and the air carrier's willingness to embrace modern safety management techniques.
- (67) Iran Air made presentations to the Air Safety Committee and provided details of a corrective action plan to address the observations made during the on-site visit.
- (68) The results of ramp checks conducted by the Member States under the auspices of the SAFA programme over the past 14 months show a steady improvement in performance; however the results concerning the A-320 aircraft are noticeably worse than other aircraft of the air carrier.
- (69) As a result of the verified failings concerning continued airworthiness and maintenance, and the results of SAFA inspections, it is assessed that, on the basis of the common criteria, all aircraft of type A-320, Boeing B-727, B-747 series -100, Boeing B-747 series -200 and Boeing B-747-SP on the AOC of the air carrier should not be allowed to operate into the European Union and accordingly, these aircraft should be included in Annex B. The air carrier should be permitted to fly into the European Union provided that its operations are strictly limited to their present level (frequencies and destinations) with the aircraft allowed as per Annex B.
- (70) The Commission will continue to closely monitor the performance of Iran Air. However, given the current situation of oversight exercised by the competent authorities of Iran the Air Safety Committee urges the Commission to intensify its consultations with these authorities with a view to providing for sustainable solutions to the identified safety deficiencies, the Commission requests the CAO-IRI to send monthly reports on the verification of the implementation of the corrective action plan and to provide information on all oversight activities in the area of continuing airworthiness, maintenance and operations carried out by the CAO-IRI on Iran Air.

⁽¹⁾ Recital (49) of Regulation (EC) No 273/2010 of 30 March 2010, OJ L 84, 31.3.2010, p. 29.

- (71) Member States will continue to verify the effective compliance of Iran Air with the relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier pursuant to Regulation (EC) No 351/2008.

Air carriers from the Russian Federation

- (72) The competent authorities of the Russian Federation informed the Air Safety Committee during its meeting on 22 June 2010 that they had taken a series of measures to enhance oversight on certain air carriers following information received by the Commission on 6 May about an increasing number of findings raised during ramp checks having an impact on safety.
- (73) In particular they informed that following their decision, as from 18 May 2010, the air carrier YAK Service was not allowed to operate into the airspace of ECAC States. However, should this decision not be enforced, the Commission reserves the right to take appropriate measures in accordance with Regulation (EC) No 2111/2005 in relation to this air carrier.
- (74) As during previous updates of Regulation (EC) No 474/2006, the competent authorities of the Russian Federation also informed the Air Safety Committee that as part of a process of continuing surveillance of the airworthiness of aircraft on their register, they modified their decision of 25 April 2008, whereby they excluded from operations into the European Union aircraft on the AOC of 13 Russian air carriers. These aircraft were not equipped to perform international flights as per ICAO standards (not equipped with TAWS/E-GPWS) and/or their certificate of airworthiness had expired and/or had not been renewed. Accordingly, the Air Safety Committee was provided with a list of all aircraft operating on AOCs in Russia, together with the associated equipment. Based upon this information the following aircraft are excluded from operations into, within and out of the European Union because they are not fitted with equipment required by ICAO Annex 6:
- (a) Aircompany Yakutia: Antonov AN-140: RA-41250; AN-24RV: RA-46496, RA-46665, RA-47304, RA-47352, RA-47353, RA-47360; AN-26: RA-26660; AN-24RB: RA-46470, RA-46496, RA-46510, RA-46665, RA-47304, RA-47352, RA-47353, RA-47360, RA-47363.
 - (b) Atlant Soyuz: Tupolev TU-154M: RA-85672 and RA-85682 both aircraft are currently operated by other air carriers certified in the Russian Federation.
 - (c) Gazpromavia: Tupolev TU-154M: RA-85625 and RA-85774; Yakovlev Yak-40: RA-87511 and RA-88186; Yak-40K: RA-21505, RA-98109 and RA-88300; Yak-42D: RA-42437; all (22) helicopters Kamov Ka-26 (unknown registration); all (49) helicopters Mi-8 (unknown registration); all (11) helicopters Mi-171 (unknown registration); all (8) helicopters Mi-2 (unknown registration); all (1) helicopter EC-120B: RA-04116.
 - (d) Kavminvodyavia: Tupolev TU-154B: RA-85494 and RA-85457.
 - (e) Krasnoyarsky Airlines: The aircraft of type TU-154M RA-85682 previously on the AOC of Krasnoyarsky Airlines, which was revoked in 2009 is currently operated by another air carrier certified in the Russian Federation.
 - (f) Kuban Airlines: Yakovlev Yak-42: RA-42331, RA-42336, RA-42350, RA-42538, and RA-42541.
 - (g) Orenburg Airlines: Tupolev TU-154B: RA-85602; all TU-134 (unknown registration); all Antonov An-24 (unknown registration); all An-2 (unknown registration); all helicopters Mi-2 (unknown registration); all helicopters Mi-8 (unknown registration).
 - (h) Siberia Airlines: Tupolev - no aircraft.
 - (i) Tatarstan Airlines: Yakovlev Yak-42D: RA-42374, RA-42433; all Tupolev TU-134A including: RA-65065 and RA-65102; all Antonov AN-24RV including: RA-46625 and RA-47818; the aircraft of type AN24RV with registration marks RA-46625 and RA-47818 are currently operated by another Russian carrier.
 - (j) Ural Airlines: Tupolev TU-154B: RA-85508 (the aircraft RA-85319, RA-85337, RA-85357, RA-85375, RA-85374 and RA-85432 are currently not operated for financial reasons).
 - (k) UTAir: Tupolev TU-154M: RA-85733, RA-85755, RA-85806, RA-85820; all (25) TU-134: RA-65024, RA-65033, RA-65127, RA-65148, RA-65560, RA-65572, RA-65575, RA-65607, RA-65608, RA-65609, RA-65611, RA-65613, RA-65616, RA-65620, RA-65622, RA-65728, RA-65755, RA-65777, RA-65780, RA-65793, RA-65901, RA-65902, and RA-65977; the aircraft RA-65143 and RA-65916 are operated by another Russian carrier; all (1) TU-134B: RA-65726; all (10) Yakovlev Yak-40: RA-87348 (currently not operated for financial reasons), RA-87907, RA-87941, RA-87997, RA-88209, RA-88227 and RA-88280; all helicopters Mil-26: (unknown registration); all helicopters Mil-10: (unknown registration); all helicopters AS-355 (unknown registration); all helicopters BO-105 (unknown registration); the aircraft of type AN-24B: RA-46388, the aircraft RA-46267 and RA-47289 and the aircraft of type AN-24RV RA-46509, RA-46519 and RA-47800 are operated by another Russian carrier.

- (l) Rossija (STC Russia): Tupolev TU-134: RA-65979, the aircraft RA-65904, RA-65905, RA-65911, RA-65921 and RA-65555 are operated by another Russian carrier; Ilyushin IL-18: RA-75454 is operated by another Russian carrier; Yakovlev Yak-40: RA-87203, RA-87968, RA-87971, RA-87972 and RA-88200 are operated by another Russian carrier.
- (75) In order to enhance cooperation with the Commission and Member States, the Air Safety Committee requested the competent authorities of the Russian Federation to appoint a focal point for all communication with the members of the Air Safety Committee on matters pertaining to results of ramp checks performed on Russian air carriers at EU airports and those performed on EU air carriers at airports in the Russian Federation as well as to work towards greater transparency through the use of safety data exchange.
- (76) Moreover, in the framework of enhanced cooperation and in order to ensure legal certainty and appropriate enforcement of measures taken to exclude air carriers and aircraft not complying with the relevant safety standards, it was agreed that the competent authorities of the Russian Federation shall review together with the Commission and Member States, before the next meeting of the Air Safety Committee, the Joint Decision of the European Commission and of these authorities of 24 April 2008. The Air Safety Committee agreed to evaluate the progress made at its next meeting and where appropriate, request the Commission to present the necessary measures in the framework of Regulation (EC) No 2111/2005.
- (77) In the meantime, Member States shall continue to verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier pursuant to Regulation (EC) No 351/2008 to ensure that the number of

inspections performed on Russian air carriers will be intensified in order to provide the basis for reassessment of their performance during the next Air Safety Committee meeting which is to take place in November 2010.

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

- (78) No evidence of the full implementation of appropriate remedial actions by the other air carriers included in the EU list updated on 30 March 2010 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.
- (79) 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 the text set out in Annex A to this Regulation.
2. Annex B is replaced by the text set out in 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, 5 July 2010.

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

ANNEX A

LIST OF AIR CARRIERS OF WHICH ALL OPERATIONS ARE SUBJECT TO A BAN WITHIN THE EU ⁽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
ARIANA AFGHAN AIRLINES	AOC 009	AFG	Afghanistan
BLUE WING AIRLINES	SRBWA-01/2002	BWI	Suriname
SIEM REAP AIRWAYS INTERNATIONAL	AOC/013/00	SRH	Kingdom of Cambodia
SILVERBACK CARGO FREIGHTERS	Unknown	VRB	Republic of Rwanda
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines put in Annex B, including,			Republic of Angola
AEROJET	015	Unknown	Republic of Angola
AIR26	004	DCD	Republic of Angola
AIR GEMINI	002	GLL	Republic of Angola
AIR GICANGO	009	Unknown	Republic of Angola
AIR JET	003	MBC	Republic of Angola
AIR NAVE	017	Unknown	Republic of Angola
ALADA	005	RAD	Republic of Angola
ANGOLA AIR SERVICES	006	Unknown	Republic of Angola
DIEXIM	007	Unknown	Republic of Angola
GIRA GLOBO	008	GGL	Republic of Angola
HELIANG	010	Unknown	Republic of Angola
HELIMALONGO	011	Unknown	Republic of Angola
MAVEWA	016	Unknown	Republic of Angola
PHA	019	Unknown	Republic of Angola
RUI & CONCEICAO	012	Unknown	Republic of Angola
SAL	013	Unknown	Republic of Angola
SERVISAIR	018	Unknown	Republic of Angola
SONAIR	014	SOR	Republic of Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Benin, including,		—	Republic of Benin
AERO BENIN	PEA No 014/ MDCTTTATP-PR/ANAC/ DEA/SCS	Unknown	Republic of Benin

⁽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
AFRICA AIRWAYS	Unknown	AFF	Republic of Benin
ALAFIA JET	PEA No 014/ANAC/ MDCTTTATP-PR/DEA/SCS	N/A	Republic of Benin
BENIN GOLF AIR	PEA No 012/MDCTTP-PR/ ANAC/DEA/SCS.	Unknown	Republic of Benin
BENIN LITTORAL AIRWAYS	PEA No 013/ MDCTTTATP-PR/ANAC/ DEA/SCS.	LTL	Republic of Benin
COTAIR	PEA No 015/ MDCTTTATP-PR/ANAC/ DEA/SCS.	COB	Republic of Benin
ROYAL AIR	PEA No 11/ANAC/ MDCTTP-PR/DEA/SCS	BNR	Republic of Benin
TRANS AIR BENIN	PEA No 016/ MDCTTTATP-PR/ANAC/ DEA/SCS	TNB	Republic of Benin
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Congo, including			Republic of Congo
AERO SERVICE	RAC06-002	RSR	Republic of Congo
EQUAFLIGHT SERVICES	RAC 06-003	EKA	Republic of Congo
SOCIETE NOUVELLE AIR CONGO	RAC 06-004	Unknown	Republic of Congo
TRANS AIR CONGO	RAC 06-001	Unknown	Republic of Congo
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (RDC), including,		—	Democratic Republic of Congo (RDC)
AFRICAN AIR SERVICES COMMUTER	409/CAB/MIN/TVC/051/ 09	Unknown	Democratic Republic of Congo (RDC)
AIR KASAI	409/CAB/MIN/TVC/036/ 08	Unknown	Democratic Republic of Congo (RDC)
AIR KATANGA	409/CAB/MIN/TVC/031/ 08	Unknown	Democratic Republic of Congo (RDC)
AIR TROPIQUES	409/CAB/MIN/TVC/029/ 08	Unknown	Democratic Republic of Congo (RDC)
BLUE AIRLINES	409/CAB/MIN/TVC/028/ 08	BUL	Democratic Republic of Congo (RDC)
BRAVO AIR CONGO	409/CAB/MIN/TC/0090/ 2006	BRV	Democratic Republic of Congo (RDC)
BUSINESS AVIATION	409/CAB/MIN/TVC/048/ 09	Unknown	Democratic Republic of Congo (RDC)
BUSY BEE CONGO	409/CAB/MIN/TVC/052/ 09	Unknown	Democratic Republic of Congo (RDC)
CETRACA AVIATION SERVICE	409/CAB/MIN/TVC/026/ 08	CER	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
CHC STELLAVIA	409/CAB/MIN/TC/0050/2006	Unknown	Democratic Republic of Congo (RDC)
CONGO EXPRESS	409/CAB/MIN/TVC/083/2009	EXY	Democratic Republic of Congo (RDC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	409/CAB/MIN/TVC/035/08	Unknown	Democratic Republic of Congo (RDC)
DOREN AIR CONGO	409/CAB/MIN/TVC/0032/08	Unknown	Democratic Republic of Congo (RDC)
ENTREPRISE WORLD AIRWAYS (EWA)	409/CAB/MIN/TVC/003/08	EWS	Democratic Republic of Congo (RDC)
FILAIR	409/CAB/MIN/TVC/037/08	Unknown	Democratic Republic of Congo (RDC)
GALAXY KAVATSI	409/CAB/MIN/TVC/027/08	Unknown	Democratic Republic of Congo (RDC)
GILEMBE AIR SOUTENANCE (GISAIR)	409/CAB/MIN/TVC/053/09	Unknown	Democratic Republic of Congo (RDC)
GOMA EXPRESS	409/CAB/MIN/TC/0051/2006	Unknown	Democratic Republic of Congo (RDC)
GOMAIR	409/CAB/MIN/TVC/045/09	Unknown	Democratic Republic of Congo (RDC)
HEWA BORA AIRWAYS (HBA)	409/CAB/MIN/TVC/038/08	ALX	Democratic Republic of Congo (RDC)
INTERNATIONAL TRANS AIR BUSINESS (ITAB)	409/CAB/MIN/TVC/033/08	Unknown	Democratic Republic of Congo (RDC)
KIN AVIA	409/CAB/MIN/TVC/042/09	Unknown	Democratic Republic of Congo (RDC)
LIGNES AÉRIENNES CONGOLAISES (LAC)	Ministerial signature (ordonnance No. 78/205)	LCG	Democratic Republic of Congo (RDC)
MALU AVIATION	409/CAB/MIN/TVC/04008	Unknown	Democratic Republic of Congo (RDC)
MANGO AVIATION	409/CAB/MIN/TVC/034/08	Unknown	Democratic Republic of Congo (RDC)
SAFE AIR COMPANY	409/CAB/MIN/TVC/025/08	Unknown	Democratic Republic of Congo (RDC)
SERVICES AIR	409/CAB/MIN/TVC/030/08	Unknown	Democratic Republic of Congo (RDC)
SWALA AVIATION	409/CAB/MIN/TVC/050/09	Unknown	Democratic Republic of Congo (RDC)
TMK AIR COMMUTER	409/CAB/MIN/TVC/044/09	Unknown	Democratic Republic of Congo (RDC)
TRACEP CONGO AVIATION	409/CAB/MIN/TVC/046/09	Unknown	Democratic Republic of Congo (RDC)
TRANS AIR CARGO SERVICES	409/CAB/MIN/TVC/024/08	Unknown	Democratic Republic of Congo (RDC)
WIMBI DIRA AIRWAYS	409/CAB/MIN/TVC/039/08	WDA	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
ZAABU INTERNATIONAL	409/CAB/MIN/TVC/049/09	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Djibouti, including:			Djibouti
DAALLO AIRLINES	Unknown	DAO	Djibouti
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including:			Equatorial Guinea
CRONOS AIRLINES	unknown	Unknown	Equatorial Guinea
CEIBA INTERCONTINENTAL	unknown	CEL	Equatorial Guinea
EGAMS	unknown	EGM	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
STAR EQUATORIAL AIRLINES	Unknown	Unknown	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, with the exception of Garuda Indonesia, Airfast Indonesia, Mandala Airlines, Ekspres Transportasi Antarbenua, Indonesia Air Asia and Metro Batavia, including:			Republic of Indonesia
AIR PACIFIC UTAMA	135-020	Unknown	Republic of Indonesia
ALFA TRANS DIRGANTATA	135-012	Unknown	Republic of Indonesia
ASCO NUSA AIR	135-022	Unknown	Republic of Indonesia
ASI PUDJIASTUTI	135-028	Unknown	Republic of Indonesia
AVIASTAR MANDIRI	135-029	Unknown	Republic of Indonesia
CARDIG AIR	121-013	Unknown	Republic of Indonesia
DABI AIR NUSANTARA	135-030	Unknown	Republic of Indonesia
DERAYA AIR TAXI	135-013	DRY	Republic of Indonesia
DERAZONA AIR SERVICE	135-010	DRZ	Republic of Indonesia
DIRGANTARA AIR SERVICE	135-014	DIR	Republic of Indonesia
EASTINDO	135-038	Unknown	Republic of Indonesia
GATARI AIR SERVICE	135-018	GHS	Republic of Indonesia
INDONESIA AIR TRANSPORT	135-034	IDA	Republic of 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
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Republic of Indonesia
JOHNLIN AIR TRANSPORT	135-043	Unknown	Republic of Indonesia
KAL STAR	121-037	KLS	Republic of Indonesia
KARTIKA AIRLINES	121-003	KAE	Republic of Indonesia
KURA-KURA AVIATION	135-016	KUR	Republic of Indonesia
LION MENTARI AIRLINES	121-010	LNI	Republic of Indonesia
MANUNGGA AIR SERVICE	121-020	Unknown	Republic of Indonesia
MEGANTARA	121-025	MKE	Republic of Indonesia
MERPATI NUSANTARA AIRLINES	121-002	MNA	Republic of Indonesia
MIMIKA AIR	135-007	Unknown	Republic of Indonesia
NATIONAL UTILITY HELICOPTER	135-011	Unknown	Republic of Indonesia
NUSANTARA AIR CHARTER	121-022	Unknown	Republic of Indonesia
NUSANTARA BUANA AIR	135-041	Unknown	Republic of Indonesia
NYAMAN AIR	135-042	Unknown	Republic of Indonesia
PELITA AIR SERVICE	121-008	PAS	Republic of Indonesia
PENERBANGAN ANGKASA SEMESTA	135-026	Unknown	Republic of Indonesia
PURA WISATA BARUNA	135-025	Unknown	Republic of Indonesia
REPUBLIC EXPRESS AIRLINES	121-040	RPH	Republic of Indonesia
RIAU AIRLINES	121-016	RIU	Republic of Indonesia
SAMPOERNA AIR NUSANTARA	135-036	SAE	Republic of Indonesia
SAYAP GARUDA INDAH	135-004	Unknown	Republic of Indonesia
SKY AVIATION	135-044	Unknown	Republic of Indonesia
SMAC	135-015	SMC	Republic of Indonesia
SRIWIJAYA AIR	121-035	SJY	Republic of Indonesia
SURVEI UDARA PENAS	135-006	Unknown	Republic of Indonesia
TRANSWISATA PRIMA AVIATION	135-021	Unknown	Republic of Indonesia
TRAVEL EXPRESS AVIATION SERVICE	121-038	XAR	Republic of Indonesia
TRAVIRA UTAMA	135-009	Unknown	Republic of Indonesia
TRI MG INTRA ASIA AIRLINES	121-018	TMG	Republic of Indonesia
TRIGANA AIR SERVICE	121-006	TGN	Republic of Indonesia
UNINDO	135-040	Unknown	Republic of Indonesia
WING ABADI AIRLINES	121-012	WON	Republic of 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
All air carriers certified by the authorities with responsibility for regulatory oversight of Kazakhstan, with the exception of Air Astana put in Annex B, including,			Republic of Kazakhstan
AERO AIR COMPANY	Unknown	Unknown	Republic of Kazakhstan
AEROPRAKT KZ	Unknown	APK	Republic of Kazakhstan
AIR ALMATY	AK-0331-07	LMY	Republic of Kazakhstan
AIR COMPANY KOKSHETAU	AK-0357-08	KRT	Republic of Kazakhstan
AIR DIVISION OF EKA	Unknown	Unknown	Republic of Kazakhstan
AIR FLAMINGO	Unknown	Unknown	Republic of Kazakhstan
AIR TRUST AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
AK SUNKAR AIRCOMPANY	Unknown	AKS	Republic of Kazakhstan
ALMATY AVIATION	Unknown	LMT	Republic of Kazakhstan
ARKHABAY	Unknown	KEK	Republic of Kazakhstan
ASIA CONTINENTAL AIRLINES	AK-0345-08	CID	Republic of Kazakhstan
ASIA CONTINENTAL AVIALINES	AK-0371-08	RRK	Republic of Kazakhstan
ASIA WINGS	AK-0390-09	AWA	Republic of Kazakhstan
ASSOCIATION OF AMATEUR PILOTS OF KAZAKHSTAN	Unknown	Unknown	Republic of Kazakhstan
ATMA AIRLINES	AK-0372-08	AMA	Republic of Kazakhstan
ATYRAU AYE JOLY	AK-0321-07	JOL	Republic of Kazakhstan
AVIA-JAYNAR	Unknown	Unknown	Republic of Kazakhstan
BEYBARS AIRCOMPANY	Unknown	Unknown	Republic of Kazakhstan
BERKUT AIR/BEK AIR	AK-0311-07	BKT/BEK	Republic of Kazakhstan
BERKUT KZ	Unknown	Unknown	Republic of Kazakhstan
BURUNDAYAVIA AIRLINES	AK-0374-08	BRY	Republic of Kazakhstan
COMLUX	AK-0352-08	KAZ	Republic of Kazakhstan
DETA AIR	AK-0344-08	DET	Republic of Kazakhstan
EAST WING	AK-0332-07	EWZ	Republic of Kazakhstan
EASTERN EXPRESS	AK-0358-08	LIS	Republic of Kazakhstan
EURO-ASIA AIR	AK-0384-09	EAK	Republic of Kazakhstan
EURO-ASIA AIR INTERNATIONAL	Unknown	KZE	Republic of Kazakhstan
FENIX	Unknown	Unknown	Republic of Kazakhstan
FLY JET KZ	AK-0391-09	FJK	Republic of Kazakhstan
IJT AVIATION	AK-0335-08	DVB	Republic of Kazakhstan
INVESTAVIA	AK-0342-08	TLG	Republic of Kazakhstan

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
IRTYSH AIR	AK-0381-09	MZA	Republic of Kazakhstan
JET AIRLINES	AK-0349-09	SOZ	Republic of Kazakhstan
JET ONE	AK-0367-08	JKZ	Republic of Kazakhstan
KAZAIR JET	AK-0387-09	KEJ	Republic of Kazakhstan
KAZAIRTRANS AIRLINE	AK-0347-08	KUY	Republic of Kazakhstan
KAZAIRWEST	Unknown	Unknown	Republic of Kazakhstan
KAZAVIA	Unknown	KKA	Republic of Kazakhstan
KAZAVIASPAS	Unknown	KZS	Republic of Kazakhstan
KOKSHETAU	AK-0357-08	KRT	Republic of Kazakhstan
MEGA AIRLINES	AK-0356-08	MGK	Republic of Kazakhstan
MIRAS	AK-0315-07	MIF	Republic of Kazakhstan
NAVIGATOR	Unknown	Unknown	Republic of Kazakhstan
ORLAN 2000 AIRCOMPANY	Unknown	KOV	Republic of Kazakhstan
PANKH CENTER KAZAKHSTAN	Unknown	Unknown	Republic of Kazakhstan
PRIME AVIATION	Unknown	Unknown	Republic of Kazakhstan
SALEM AIRCOMPANY	Unknown	KKS	Republic of Kazakhstan
SAMAL AIR	Unknown	SAV	Republic of Kazakhstan
SAYAKHAT AIRLINES	AK-0359-08	SAH	Republic of Kazakhstan
SEMEYAVIA	Unknown	SMK	Republic of Kazakhstan
SCAT	AK-0350-08	VSV	Republic of Kazakhstan
SKYBUS	AK-0364-08	BYK	Republic of Kazakhstan
SKYJET	AK-0307-09	SEK	Republic of Kazakhstan
SKYSERVICE	Unknown	Unknown	Republic of Kazakhstan
TYAN SHAN	Unknown	Unknown	Republic of Kazakhstan
UST-KAMENOGORSK	AK-0385-09	UCK	Republic of Kazakhstan
ZHETYSU AIRCOMPANY	Unknown	JTU	Republic of Kazakhstan
ZHERSU AVIA	Unknown	RZU	Republic of Kazakhstan
ZHEZKAZGANAIR	Unknown	Unknown	Republic of Kazakhstan
All air carriers certified by the authorities with responsibility for regulatory oversight of the Kyrgyz Republic, including,			Kyrgyz Republic
AIR MANAS	17	MBB	Kyrgyz Republic
ASIAN AIR	Unknown	AAZ	Kyrgyz Republic
AVIA TRAFFIC COMPANY	23	AVJ	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
AEROSTAN (EX BISTAIR-FEZ BISHKEK)	08	BSC	Kyrgyz Republic
CLICK AIRWAYS	11	CGK	Kyrgyz Republic
DAMES	20	DAM	Kyrgyz Republic
EASTOK AVIA	15	EEA	Kyrgyz Republic
GOLDEN RULE AIRLINES	22	GRS	Kyrgyz Republic
ITEK AIR	04	IKA	Kyrgyz Republic
KYRGYZ TRANS AVIA	31	KTC	Kyrgyz Republic
KYRGYZSTAN	03	LYN	Kyrgyz Republic
KYRGYZSTAN AIRLINE	Unknown	KGA	Kyrgyz Republic
MAX AVIA	33	MAI	Kyrgyz Republic
S GROUP AVIATION	6	SGL	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
VALOR AIR	07	VAC	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 the Republic of Gabon, with the exception of Gabon Airlines, Afrijet and SN2AG put in Annex B, including,			Republic of Gabon
AIR SERVICES SA	004/MTAC/ANAC-G/DSA	RVS	Republic of Gabon
AIR TOURIST (ALLEGIANCE)	007/MTAC/ANAC-G/DSA	LGE	Republic of Gabon
NATIONALE ET REGIONALE TRANSPORT (NATIONALE)	008/MTAC/ANAC-G/DSA	NRG	Republic of Gabon
SCD AVIATION	005/MTAC/ANAC-G/DSA	SCY	Republic of Gabon
SKY GABON	009/MTAC/ANAC-G/DSA	SKG	Republic of Gabon
SOLENTA AVIATION GABON	006/MTAC/ANAC-G/DSA	Unknown	Republic of Gabon
All air carriers certified by the authorities with responsibility for regulatory oversight of the Philippines, including,			Republic of the Philippines
AEROWURKS AERIAL SPRAYING SERVICES	4AN2008003	Unknown	Republic of the Philippines
AIR PHILIPPINES CORPORATION	2009006	Unknown	Republic of the Philippines
AIR WOLF AVIATION INC.	200911	Unknown	Republic of the Philippines
AIRTRACK AGRICULTURAL CORPORATION	4AN2005003	Unknown	Republic of the Philippines
ASIA AIRCRAFT OVERSEAS PHILIPPINES INC.	4AN9800036	Unknown	Republic of the Philippines

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
AVIATION TECHNOLOGY INNOVATORS, INC.	4AN2007005	Unknown	Republic of the Philippines
AVIATOUR'S FLY'N INC.	200910	Unknown	Republic of the Philippines
AYALA AVIATION CORP.	4AN9900003	Unknown	Republic of the Philippines
BEACON	Unknown	Unknown	Republic of the Philippines
BENDICE TRANSPORT MANAGEMENT INC.	4AN2008006	Unknown	Republic of the Philippines
CANADIAN HELICOPTERS PHILIPPINES INC.	4AN9800025	Unknown	Republic of the Philippines
CEBU PACIFIC AIR	2009002	Unknown	Republic of the Philippines
CHEMTRAD AVIATION CORPORATION	2009018	Unknown	Republic of the Philippines
CM AERO	4AN2000001	Unknown	Republic of the Philippines
CORPORATE AIR	Unknown	Unknown	Republic of the Philippines
CYCLONE AIRWAYS	4AN9900008	Unknown	Republic of the Philippines
FAR EAST AVIATION SERVICES	2009013	Unknown	Republic of the Philippines
F.F. CRUZ AND COMPANY, INC.	2009017	Unknown	Republic of the Philippines
HUMA CORPORATION	2009014	Unknown	Republic of the Philippines
INAEC AVIATION CORP.	4AN2002004	Unknown	Republic of the Philippines
ISLAND AVIATION	2009009	Unknown	Republic of the Philippines
ISLAND TRANSVOYAGER	2010022	Unknown	Republic of the Philippines
LION AIR, INCORPORATED	2009019	Unknown	Republic of the Philippines
MACRO ASIA AIR TAXI SERVICES	4AN9800035	Unknown	Republic of the Philippines
MINDANAO RAINBOW AGRICULTURAL DEVELOPMENT SERVICES	2009016	Unknown	Republic of the Philippines
MISIBIS AVIATION & DEVELOPMENT CORP	2010020	Unknown	Republic of the Philippines
OMNI AVIATION CORP.	4AN2002002	Unknown	Republic of the Philippines
PACIFIC EAST ASIA CARGO AIRLINES, INC.	4AS9800006	Unknown	Republic of the Philippines
PACIFIC AIRWAYS CORPORATION	Unknown	Unknown	Republic of the Philippines
PACIFIC ALLIANCE CORPORATION	Unknown	Unknown	Republic of the Philippines
PHILIPPINE AIRLINES	2009001	Unknown	Republic of the Philippines
PHILIPPINE AGRICULTURAL AVIATION CORP.	4AN9800015	Unknown	Republic of the Philippines
ROYAL AIR CHARTER SERVICES INC.	4AN2003003	Unknown	Republic of the Philippines
ROYAL STAR AVIATION, INC.	4AN9800029	Unknown	Republic of the Philippines
SOUTH EAST ASIA INC.	2009004	Unknown	Republic of the Philippines
SOUTHSTAR AVIATION COMPANY, INC.	4AN9800037	Unknown	Republic of the Philippines
SPIRIT OF MANILA AIRLINES CORPORATION	2009008	Unknown	Republic of the Philippines
SUBIC INTERNATIONAL AIR CHARTER	4AN9900010	Unknown	Republic of the Philippines

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
SUBIC SEAPLANE, INC.	4AN2000002	Unknown	Republic of the Philippines
TOPFLITE AIRWAYS, INC.	Unknown	Unknown	Republic of the Philippines
TRANSGLOBAL AIRWAYS CORPORATION	2009007	Unknown	Republic of the Philippines
WORLD AVIATION, CORP.	Unknown	Unknown	Republic of the Philippines
WCC AVIATION COMPANY	2009015	Unknown	Republic of the Philippines
YOKOTA AVIATION, INC.	Unknown	Unknown	Republic of the Philippines
ZENITH AIR, INC.	2009012	Unknown	Republic of the Philippines
ZEST AIRWAYS INCORPORATED	2009003	Unknown	Republic of the Philippines
All air carriers certified by the authorities with responsibility for regulatory oversight of Sao Tome and Principe, including	—	—	Sao Tome and Principe
AFRICA CONNECTION	10/AOC/2008	Unknown	Sao Tome and Principe
BRITISH GULF INTERNATIONAL COMPANY LTD	01/AOC/2007	BGI	Sao Tome and Principe
EXECUTIVE JET SERVICES	03/AOC/2006	EJZ	Sao Tome and Principe
GLOBAL AVIATION OPERATION	04/AOC/2006	Unknown	Sao Tome and Principe
GOLIAF AIR	05/AOC/2001	GLE	Sao Tome and Principe
ISLAND OIL EXPLORATION	01/AOC/2008	Unknown	Sao Tome and Principe
STP AIRWAYS	03/AOC/2006	STP	Sao Tome and Principe
TRANSAFRIK INTERNATIONAL LTD	02/AOC/2002	TFK	Sao Tome and Principe
TRANSCARG	01/AOC/2009	Unknown	Sao Tome and Principe
TRANSLIZ AVIATION (TMS)	02/AOC/2007	TMS	Sao Tome and Principe
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
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 Sudan			Republic of Sudan
SUDAN AIRWAYS	Unknown		Republic of the Sudan
SUN AIR COMPANY	Unknown		Republic of the Sudan

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
MARSLAND COMPANY	Unknown		Republic of the Sudan
ATTICO AIRLINES	Unknown		Republic of the Sudan
FOURTY EIGHT AVIATION	Unknown		Republic of the Sudan
SUDANESE STATES AVIATION COMPANY	Unknown		Republic of the Sudan
ALMAJARA AVIATION	Unknown		Republic of the Sudan
BADER AIRLINES	Unknown		Republic of the Sudan
ALFA AIRLINES	Unknown		Republic of the Sudan
AZZA TRANSPORT COMPANY	Unknown		Republic of the Sudan
GREEN FLAG AVIATION	Unknown		Republic of the Sudan
ALMAJAL AVIATION SERVICE	Unknown		Republic of the Sudan
All air carriers certified by the authorities with responsibility for regulatory oversight of Swaziland, including,	—	—	Swaziland
SWAZILAND AIRLINK	Unknown	SZL	Swaziland
All air carriers certified by the authorities with responsibility for regulatory oversight of Zambia, including,			Zambia
ZAMBEZI AIRLINES	Z/AOC/001/2009	ZMA	Zambia

ANNEX B

LIST OF AIR CARRIERS OF WHICH OPERATIONS ARE SUBJECT TO OPERATIONAL RESTRICTIONS
WITHIN THE EU ⁽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 restricted	Registration mark(s) and, when available, construction serial number(s)	State of registry
AIR KORYO	GAC-AOC/KOR-01		DPRK	All fleet with the exception of: 2 aircraft of type Tu- 204	All fleet with the exception of: P-632, P-633	DPRK
AFRIJET ⁽¹⁾	002/MTAC/ANAC-G/DSA		Republic of Gabon	All fleet with the exception of: 2 aircraft of type Falcon 50; 2 aircraft of type Falcon 900	All fleet with the exception of: TR-LGV; TR-LGY; TR-AFJ; TR-AFR	Republic of Gabon
AIR ASTANA ⁽²⁾	AK-0388-09	KZR	Kazakhstan	All fleet with the exception of: 2 aircraft of type B767; 4 aircraft of type B757; 10 aircraft of type A319/320/321; 5 aircraft of type Fokker 50	All fleet with the exception of: P4-KCA, P4-KCB; P4-EAS, P4-FAS; P4-GAS, P4-MAS; P4-NAS, P4-OAS; P4-PAS, P4-SAS; P4-TAS, P4-UAS; P4-VAS, P4-WAS; P4-YAS, P4-XAS; P4-HAS, P4-IAS; P4-JAS, P4-KAS; P4-LAS	Aruba (Kingdom of the Netherlands)
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
GABON AIRLINES ⁽³⁾	001/MTAC/ANAC	GBK	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Boeing B-767-200	All fleet with the exception of: TR-LHP	Republic of Gabon
IRAN AIR ⁽⁴⁾	FS100	IRA	Islamic Republic of Iran	All fleet with the exception of: 14 aircraft of type A300, 8 aircraft of type A310, 1 aircraft B737,	All fleet with the exception of: EP-IBA EP-IBB EP-IBC EP-IBD EP-IBG EP-IBH EP-IBI EP-IBJ EP-IBM EP-IBN EP-IBO EP-IBS EP-IBT EP-IBV EP-IBX	Islamic Republic of Iran

⁽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.

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 restricted	Registration mark(s) and, when available, construction serial number(s)	State of registry
					EP-IBZ EP-ICE EP-ICF EP-IBK EP-IBL EP-IBP EP-IBQ EP-AGA	
NOUVELLE AIR AFFAIRES GABON (SN2AG)	003/MTAC/ANAC-G/DSA	NVS	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Challenger CL601; 1 aircraft of type HS-125-800	All fleet with the exception of: TR-AAG, ZS-AFG	Republic of Gabon; Republic of South Africa
TAAG ANGOLA AIRLINES	001	DTA	Republic of Angola	All fleet with the exception of: 3 aircraft of type Boeing B-777 and 4 aircraft of type Boeing B-737-700	All fleet with the exception of: D2-TED, D2-TEE, D2-TEF, D2-TBF, D2-TBG, D2-TBH, D2-TBJ	Republic of Angola
UKRAINIAN MEDITERRANEAN	164	UKM	Ukraine	All fleet with the exception of one aircraft of type MD-83	All fleet with the exception of: UR-CFF	Ukraine

(¹) Afrijet is only allowed to use the specific aircraft mentioned for its current operations within the European EU.

(²) Air Astana is only allowed to use the specific aircraft mentioned for its current operations within the European EU.

(³) Gabon Airlines is only allowed to use the specific aircraft mentioned for its current operations within the European EU.

(⁴) Iran Air is allowed to operate to the European Union using the specific aircraft under the conditions set out in recital (69) of this Regulation.

COMMISSION REGULATION (EU) No 591/2010**of 5 July 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 July 2010.

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

Done at Brussels, 5 July 2010.

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

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	56,2
	MK	45,6
	TR	50,2
	ZZ	50,7
0707 00 05	MK	45,6
	TR	123,6
	ZZ	84,6
0709 90 70	TR	102,6
	ZZ	102,6
0805 50 10	AR	111,7
	TR	97,3
	UY	91,0
	ZA	104,6
	ZZ	101,2
0808 10 80	AR	105,4
	BR	78,7
	CA	83,2
	CL	96,2
	CN	69,1
	NZ	107,8
	US	84,5
	ZA	103,9
	ZZ	91,1
0808 20 50	AR	102,2
	CL	113,9
	CN	98,4
	NZ	159,1
	ZA	121,4
0809 10 00	ZZ	119,0
0809 20 95	TR	232,0
	ZZ	232,0
0809 20 95	TR	287,5
	ZZ	287,5
0809 30	AR	137,1
	TR	152,0
	ZZ	144,6
0809 40 05	IL	133,1
	US	110,3
	ZZ	121,7

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

COMMISSION REGULATION (EU) No 592/2010**of 5 July 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 577/2010 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 July 2010.

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

Done at Brussels, 5 July 2010.

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

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 253, 25.9.2009, p. 3.

⁽⁴⁾ OJ L 166, 1.7.2010, p. 14.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 6 July 2010

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	41,21	0,00
1701 11 90 ⁽¹⁾	41,21	2,54
1701 12 10 ⁽¹⁾	41,21	0,00
1701 12 90 ⁽¹⁾	41,21	2,24
1701 91 00 ⁽²⁾	44,93	3,99
1701 99 10 ⁽²⁾	44,93	0,86
1701 99 90 ⁽²⁾	44,93	0,86
1702 90 95 ⁽³⁾	0,45	0,24

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

DECISIONS

COMMISSION DECISION

of 18 June 2010

on the allocation of quantities of controlled substances other than hydrochlorofluorocarbons allowed for essential or critical laboratory and analytical uses in the Union in 2010 under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer

*(notified under document C(2010) 3850)***(Only the Dutch, English, Estonian, French, German, Italian and Spanish texts are authentic)**

(2010/375/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer ⁽¹⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) The Union has already phased out the production and consumption of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, hydrobromofluorocarbons and bromochloromethane for most uses. The Commission is required to determine essential laboratory and analytical uses for these controlled substances, the quantities that may be used and the companies that may use them.
- (2) Decision XIX/18 of the Parties to the Montreal Protocol authorises the production and consumption necessary to satisfy essential laboratory and analytical uses of controlled substances listed in Annexes A, B and C (Group II and III substances) of the Montreal Protocol as listed in Annex IV to the report of the Seventh Meeting of the Parties, subject to the conditions set out in Annex II to the report of the Sixth Meeting of the Parties, as well as Decisions VI/9, VII/11, XI/15 XV/5, XVI/16 and XXI/16 of the Parties to the Montreal Protocol.
- (3) Decision XVII/10 of the Parties to the Montreal Protocol authorises the production and consumption of methyl bromide, listed in Annex E of the Montreal Protocol, necessary to satisfy laboratory and analytical critical uses of methyl bromide.

- (4) Under the Montreal Protocol global laboratory and analytical-use exemption is subject to periodic review and has last been extended by Decision XXI/6 until 31 December 2014.

- (5) Decision VI/25 specifies that a use can only be considered as essential if there are no available technically and economically feasible alternatives or substitutes that are acceptable from the standpoint of environment and health. An Annex listing those uses for which the Parties of the Montreal Protocol consider alternatives to be available should be established. This Annex should also contain the positive list of permitted essential uses of methyl bromide, as agreed by the Parties in Decision XVIII/15.

- (6) The Commission has published a notice to undertakings intending to import or export controlled substances that deplete the ozone layer to or from the European Union in 2010 and undertakings intending to request for 2010 a quota for these substances intended for laboratory and analytical uses ⁽²⁾ and has received declarations on intended essential laboratory and analytical uses of controlled substances for 2009.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Management Committee established by Article 25(1) of Regulation (EC) No 1005/2009,

HAS ADOPTED THIS DECISION:

Article 1

The production and import of controlled substances other than hydrochlorofluorocarbons may be permitted for any essential laboratory and analytical use specified in Annex I.

⁽¹⁾ OJ L 286, 31.10.2009, p. 1.

⁽²⁾ OJ C 132, 11.6.2009, p. 19.

Article 2

The quantity of controlled substances other than hydrochlorofluorocarbons subject to Regulation (EC) No 1005/2009 which may be produced or imported for essential laboratory and analytical uses in the Union in 2010 shall be 63 843,371 ODP kilograms.

Article 3

The allocation of essential laboratory and analytical use quotas for controlled substances other than hydrochlorofluorocarbons for the year 2010 shall be to the undertakings indicated in

Acros Organics BVBA
Janssen Pharmaceuticaaan 3a
2440 Geel
BELGIUM

Estonian Environmental Research Centre
Marja 4D
10617 Tallinn
ESTONIA

Honeywell Specialty Chemicals GmbH
Wunstorfer Strasse 40
Postfach 100262
30918 Seelze
GERMANY

LGC Standards GmbH
Mercatorstr. 51
46485 Wesel
GERMANY

Ministry of Defence
Defence Fuel Lubricants and Chemicals
PO Box 10.000
1780 CA Den Helder
NETHERLANDS

Sicor SPA
Via Terazzano 77
20017 Rho (MI)
ITALY

Sigma Aldrich Company Ltd
The Old Brickyard, New Road
Gillingham SP8 4XT
UNITED KINGDOM

Sigma Aldrich Logistik GmbH
Riedstrasse 2
89555 Steinheim
GERMANY

Annex II. The maximum quantities that may be produced or imported in 2010 for laboratory and analytical uses allocated to these undertakings shall be set out in Annex III.

Article 4

This Decision shall apply from 1 January 2010 and shall expire on 31 December 2010.

Article 5

This Decision is addressed to the following undertakings:

VWR International SAS
201 rue Carnot
94126 Fontenay-sous-Bois
FRANCE

Airbus SAS
Route de Bayonne 316
31300 Toulouse
FRANCE

Harp International Ltd
Gellihirion Industrial Estate, Rhondda, Cynon Taff,
Pontypridd CF37 5SX
UNITED KINGDOM

Ineos Fluor Ltd
PO Box 13, The Heath
Runcorn Cheshire WA7 4QF
UNITED KINGDOM

Merck KGaA
Frankfurter Strasse 250
64271 Darmstadt
GERMANY

Panreac Quimica SA
Pol. Ind. Pla de la Bruguera, C/Garraf 2
08211 Castellar del Vallès-Barcelona
SPAIN

Sigma Aldrich Chimie SARL
80, rue de Luzais
L'Isle d'Abeau Chesnes
38297 St Quentin Fallavier
FRANCE

Sigma Aldrich Laborchemikalien GmbH
Wunstorfer Strasse 40
Postfach 100262
30918 Seelze
GERMANY

Tazzetti Fluids SRL
Corso Europa n. 600/a
Volpiano (TO)
ITALY

Done at Brussels, 18 June 2010.

For the Commission

Connie HEDEGAARD

Member of the Commission

ANNEX I

Essential laboratory and analytical uses of controlled substances other than hydrochlorofluorocarbons

1. Controlled substances of Group I (chlorofluorocarbons 11, 12, 113, 114 and 115), Group II (other fully halogenated chlorofluorocarbons), Group III (halons), Group IV (carbon tetrachloride), Group V (1,1,1-trichloroethane), Group VII (hydrobromofluorocarbons) and Group IX (bromochloromethane) may be permitted for all laboratory and analytical uses with the exception of the following:
 - (a) testing of oil, grease and total petroleum hydrocarbons in water;
 - (b) testing of tar in road-paving materials;
 - (c) forensic finger-printing;
 - (d) testing of organic matter in coal;
 - (e) any use for which a technically and economically feasible alternative is available.
 2. Methyl bromide (Group VI) may be permitted for the following essential laboratory and analytical uses:
 - (a) as a reference or standard to calibrate equipment which uses methyl bromide, to monitor methyl bromide emission levels or to determine methyl bromide residue levels in goods, plants and commodities;
 - (b) in laboratory toxicological studies;
 - (c) to compare the efficacy of methyl bromide and its alternatives inside a laboratory;
 - (d) as a laboratory agent which is destroyed in a chemical reaction in the manner of feedstock.
 3. Following uses are not considered as essential laboratory and analytical uses:
 - (a) refrigeration and air-conditioning equipment used in laboratories, including refrigerated laboratory equipment such as ultra-centrifuges;
 - (b) cleaning, reworking, repair, or rebuilding of electronic components or assemblies;
 - (c) preservation of publications and archives;
 - (d) sterilisation of materials in a laboratory.
-

ANNEX II

Undertakings entitled to produce or import for essential laboratory and analytical uses

Quota entitling to produce or import controlled substances other than hydrochlorofluorocarbons, which may be used for essential laboratory and analytical uses, are allocated to:

Company
Acros Organics (BE)
Airbus France (FR)
Estonian Environmental Research Centre (EE)
Harp International (UK)
Honeywell Specialty Chemicals (FR)
Ineos Fluor (UK)
LGC Standards (DE)
Merck KGaA (DE)
Ministry of Defence (NL)
Panreac Quimica (ES)
Sicor (IT)
Sigma Aldrich Chimie (FR)
Sigma Aldrich Company (UK)
Sigma Aldrich Laborchemikalien (DE)
Sigma Aldrich Logistik (DE)
Tazzetti Fluids (IT)
VWR I S A S (FR)

ANNEX III

(This Annex is not published because it contains confidential commercial information.)

COMMISSION DECISION

of 2 July 2010

on the safety requirements to be met by European standards for certain products in the sleep environment of children pursuant to Directive 2001/95/EC of the European Parliament and of the Council

(2010/376/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety⁽¹⁾, and in particular Article 4(1)(a) thereof,

Whereas:

- (1) Directive 2001/95/EC provides for European standards to be established by European standardisation bodies. These standards should ensure that products satisfy the general safety requirement of the Directive.
- (2) Under Directive 2001/95/EC a product is presumed safe, as far as the risks and risk categories covered by national standards are concerned, when it complies with voluntary national standards transposing European standards.
- (3) In 2006 the European Commission commissioned a study⁽²⁾ to assess the safety of several child-care articles commonly used to care for babies and young children from 0 until 5 years of age. The study was carried out in cooperation with national authorities, national standardisation bodies, consumer associations, product safety organisations, economic operators and testing laboratories.
- (4) For these products, the study compiled statistics on accidents and injuries in the Union and worldwide and carried out a complete risk assessment, based on an identification of the main hazards and an assessment of exposure scenarios.
- (5) Five types of products assessed by the study, which are regularly found in the sleep environment of newborns and young children, were identified for follow-up to the

study. These are cot mattresses, cot bumpers, suspended baby beds, children's duvets and children's sleep bags.

- (6) Every day, newborns sleep for on average at least 16 hours, and at 3-5 years children still sleep for 11-13 hours a day. Including awake periods, babies and young children spend at least half of the day in a sleep environment during their first five years of life. Products in the sleep environment must be safe, because that is where babies and young children are commonly left unattended for longer periods during the day and the night.
- (7) According to the European Injury Database IDB, between 2005 and 2007, 17 000 accidents involving children from 0 to 4 years happened in the cot in the European Union⁽³⁾. According to the US Consumer Product Safety Commission (CPSC), every year more babies die in incidents involving cots and cot-related products than with any other child-care product⁽⁴⁾.
- (8) Some models of cot bumpers and children's sleep bags have been notified through the European rapid alert system RAPEX as posing risks of suffocation and choking and consequently withdrawn from the market or recalled. In 1992, the French Consumer Safety Commission recommended action to inform consumers and improve the safety of children's duvets, due to risks of flammability, overheating and suffocation.⁽⁵⁾ In 2002, 2007 and 2008 the US CPSC ordered the recall of some models of mattresses for cots due to entrapment hazards and unfounded claims⁽⁶⁾.
- (9) Cot bumpers, mattresses, and children's duvets, if unsafe or supplied without essential safety warnings, may increase the incidence of Sudden Infant Death Syndrome (SIDS) due to the risk of overheating and asphyxia⁽⁷⁾.

⁽³⁾ IDB All Injury Data, 2005-2007.

⁽⁴⁾ 'Nursery product-related injuries and deaths among children under the age of five', in CPSC, February 2009.

⁽⁵⁾ <http://www.securiteconso.org/Article195.html>

⁽⁶⁾ <http://www.cpsc.gov/cgi-bin/prod.aspx>

⁽⁷⁾ 'Environment of infants during sleep and risk of sudden infant death', *British Medical Journal*, 1996, 'Changing concepts of SIDS: implications for infant sleeping environment and sleep position', *American Academy of Paediatrics*, March 2000, 'Sleep Environment and the risk of sudden Infant death in an urban population', *American Academy of Paediatrics*, May 2003, <http://www.hc-sc.gc.ca/cps-spc/legislation/pol/bumper-bordure-eng.php>

⁽¹⁾ OJ L 11, 15.1.2002, p. 4.

⁽²⁾ http://ec.europa.eu/consumers/safety/projects/ongoing-projects_en.htm#project_results

- (10) At the same time, research has found that children's sleep bags may have a protective effect against SIDS⁽¹⁾, since they reduce the incidence of turning to a prone position and prevent bedding from coming up over the face and the head during sleep. If their use is to be encouraged for these reasons, it is necessary to ensure their safety against other risks, such as choking on small parts and entrapment.
- (11) No European standards exist for the abovementioned five types of products. It is therefore necessary to determine specific requirements pursuant to Article 4(1)(a) of Directive 2001/95/EC, with the view to requesting the standardisation bodies to develop standards to reduce the risks associated with the use of those products.
- (12) These standards should be developed according to the procedure laid down in Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services⁽²⁾. The reference of the standard adopted should be published in the *Official Journal of the European Union*, in accordance with Article 4(2) of Directive 2001/95/EC.
- (13) Once the relevant standards are available, and provided that the Commission decides to publish their reference in the Official Journal, according to the procedure laid down in Article 4(2) of Directive 2001/95/EC, cot mattresses, cot bumpers, suspended baby beds, children's duvets and children's sleep bags manufactured in compliance with such standards should be presumed to comply with the general safety requirement of Directive 2001/95/EC, as far as the safety requirements covered by the standards are concerned.
- (14) This Decision is in accordance with the opinion of the Committee set up pursuant to Article 15 of Directive 2001/95/EC,
- '*cot mattress*' means a product providing support for newborns and children sleeping in a cot. It usually measures 60 × 120 cm or 70 × 140 cm and varies in thickness between 6 and 15 cm. It can also be foldable,
- '*cot bumper*' means an upholstered accessory for a cot attached to the inner part of it, generally used to improve the comfort of the child. It can cover at least one side of the cot,
- '*suspended baby bed*' means a cot or a crib, often with a non-rigid or other flat surface suspended with cords, straps or slings from one or more anchorage points. It is used to lay down a young baby who cannot kneel or sit up unaided,
- '*duvet for children*' means a fabric bag containing a soft filling for use in the cot to increase comfort when sleeping and prevent hypothermia,
- '*children's sleep bag*' means a warmly lined or padded body-length bag, in which the baby is placed and designed to prevent hypothermia and suffocation while sleeping or lying in a cot.

Article 2

Requirements

The specific safety requirements for the products referred to in Article 1 to be met by European standards pursuant to Article 4 of Directive 2001/95/EC are set out in the Annex to this Decision.

Article 3

Entry into force

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

HAS ADOPTED THIS DECISION:

Done at Brussels, 2 July 2010.

Article 1

Definitions

For the purposes of this Decision:

For the Commission

The President

José Manuel BARROSO

(¹) 'Risk and preventive factors for cot death in The Netherlands, a low-incidence country', *European Journal of Paediatrics*, July 1998.

(²) OJ L 204, 21.7.1998, p. 37.

ANNEX

SPECIFIC SAFETY REQUIREMENTS FOR COT MATTRESSES

RISKS: The main risks associated with the product are entrapment and flammability.

Safety requirements**1. General safety requirements**

Articles shall not jeopardise the safety or health of children and carers when they are used as intended or in a foreseeable way, bearing in mind the behaviour of children. The ability of the users and their carers shall be taken into account, in particular for articles which, by virtue of their functions, dimensions and characteristics, are intended for use by children under five years. Labels on articles or on their packaging and accompanying instructions for use shall draw the attention of carers to the hazards and risks posed by using the articles and to the way of avoiding them.

2. Specific safety requirements*Chemical requirements*

Cot mattresses shall comply with EU legislation.

Fire and thermal properties

Cot mattresses shall not constitute a dangerous flammable object in the child's environment. Therefore they must be composed of materials which fulfil at least one of the following conditions:

- they do not burn if directly exposed to a flame or spark,
- if they do ignite, they shall burn slowly with a low rate of spread of the flame.

In addition, combustible materials shall not release toxic fumes during combustion.

The use of chemical flame retardant substances should be kept to the minimum. If chemical flame retardant substances are used, their toxicity during use and end-of-life disposal should not endanger the health of the users, carers and the environment.

*Physical and mechanical properties***Entrapment hazards from gaps and openings**

To prevent entrapment of the torso, head and neck in the bed base, cot mattresses shall completely cover the bed base and withstand stress induced by the child by standing on the mattress or walking in the cot.

The child should not be able to lift the parts of the foldable mattress, which could give him/her access to the bed base and thus increase the risk of entrapment.

Articles shall be designed and manufactured as far as possible in order to prevent entrapment of limbs, feet and hands in spaces between the mattress and the sides of the cot.

To prevent asphyxia of the child whose head or torso is entrapped between the mattress and the sides of the cot, the space between the mattress and the sides of the cot must be limited, taking into account the most onerous position of the mattress on the cot base.

Entanglement hazards

The length of cords, ribbons and parts used as ties and the size of the loops must be limited to prevent the risk of entanglement.

External suffocation hazards

Cot mattresses shall not comprise plastic decals which can be detached by the child or other impermeable layers of the mattress which can cover both the mouth and the nose.

The packaging in which the articles are contained must not constitute a risk of suffocation caused by airway obstruction.

To prevent the risk of suffocation, the product shall not comprise a soft mattress filling which could mould to the child's face or produce indentations which could obstruct the airways.

Choking and internal suffocation hazards

Cot mattresses shall not contain separate or small parts which can be detached by the child, fit completely into a child's mouth and swallowed.

Cot mattresses shall not contain small parts which can be detached by the child and which can remain stuck in the pharynx or at the back of the oral cavity. The filling material shall not be accessible, especially by biting off and shall withstand stress from foreseeable use by the child, taking into account the possibility of fibres passing through the seams and the strength of the seams.

Hazardous edges

Cot mattresses shall not have sharp edges or points. Springs wires shall not have hazardous points and shall not protrude through the surface of the mattress.

Structural integrity

The material of the mattress shall have physical properties such that the mattress does not constitute an entrapment hazard. There shall be no permanent deformation of the filling resulting in a loose cover.

Specific warnings for the article

Warnings and instructions for use shall indicate to the carers the thickness of the mattress to prevent falling from the cot, and the appropriate size (length and width) for it to fit in the cot and avoid entrapment.

To prevent suffocation, instructions shall draw the attention of carers to the dangers posed by piling up two or more mattresses to improve the comfort of the child.

Warnings against possible scenarios that could cause a fire (e.g. smoking in proximity of the cot) should be included.

Hygiene

Cot mattresses should be designed in such a way as to meet hygiene and cleanliness requirements to avoid the risk of infection or contamination.

SPECIFIC SAFETY REQUIREMENTS FOR COT BUMPERS

RISKS: The main risks associated with the product are strangulation, internal and external suffocation and choking.

Safety requirements

1. General safety requirements

Articles shall not jeopardise the safety or health of children when they are used as intended or in a foreseeable way, bearing in mind the behaviour of children.

The ability of the users and their carers shall be taken into account, in particular for articles which, by virtue of their functions, dimensions and characteristics, are intended for use by children from six up to 18 months.

Labels on articles or on their packaging and the instructions for use which accompany them shall draw the attention of carers to the inherent hazards and risks of harm involved in using the articles and to the way of avoiding them.

2. Specific safety requirements

Chemical requirements

Cot bumpers shall comply with EU legislation.

Fire and thermal properties

Cot bumpers shall not pose flammability risks in the child's environment. They shall be composed of materials which fulfil at least one of the following conditions:

- they do not burn if directly exposed to a flame or spark,
- if they do ignite, they shall burn slowly with a low rate of spread of the flame.

In addition, combustible materials shall not release toxic fumes during combustion.

The use of chemical flame retardant substances should be kept to the minimum. If chemical flame retardant substances are used, their toxicity during use and end-of-life disposal should not endanger the health of the users, carers and the environment.

*Physical and mechanical properties***Microbiological hazards**

Cot bumpers shall not pose microbiological hazards from insufficient hygiene from material of animal origin.

Entrapment hazards from gaps and openings

Cot bumpers shall not constitute a risk of entrapment of the head and neck of the child in loops or cords or other attachment devices. Stitching and decorative parts on the bumper shall not become loose when submitted to mechanical stress from foreseeable use by children so as not to pose an additional risk of entrapment of limbs, head and fingers or make the filling accessible (see choking hazards).

Entanglement hazards

There shall be no cords or loops on the cot bumpers that could entangle a child's neck. Loops where a child's fingers or toes could be trapped should be avoided.

Choking and internal suffocation hazards

Cot bumpers shall not contain separate or small parts which can be detached by the child, fit completely into a child's mouth and swallowed.

Cot bumpers shall not contain small parts which can be detached by the child and can remain stuck in the pharynx or at the back of the oral cavity. The filling material shall not be accessible, especially by biting off, and shall withstand stress from foreseeable use by the child, taking into account the possibility of fibres passing through the seams and the strength of the seams. The filling material shall not contain any hard or sharp contaminants, such as metal particles, nails, needles or splinters.

External suffocation hazards

The product shall not comprise plastic decals which could be detached by the child or other impermeable coverings of the cot bumper which could cover both the mouth and the nose.

The packaging in which the articles are contained shall not constitute a risk of suffocation due to obstruction of the external airways.

To prevent suffocation, the product shall not comprise soft materials which could mould to the child's face or produce indentations which could obstruct the airways.

Hazardous edges

Cot bumpers shall not have sharp edges and points. They shall not comprise points or protruding surfaces that could constitute a puncture hazard.

Protective function

Cot bumpers shall be designed and manufactured in such a way as to avoid the presence of parts likely to be used as footholds enabling children to climb on the product.

Hazards due to the combination of two separate items

Cot bumpers shall not pose an additional entrapment or asphyxiation hazard if the child manages to put his/her head between the cot bumper and the side of the cot.

Specific warnings for the article

Adequate information shall be given for the correct fitting of the cot bumper to the side of the cot. The warning shall indicate that the cot bumper shall be fitted correctly so that the attachment device shall not comprise cords and loops that could entrap the head and neck of the child. Warnings shall draw the attention of carers to the risks posed by cot bumpers which are not compatible (due to the size or model) with the cot and by cot bumpers which are not correctly attached to the cot.

Hygiene

Cot bumpers shall be designed and manufactured in such a way as to be easily and thoroughly cleaned, to avoid the risk of infection or contamination. The product shall fulfil this condition also after washing according to the manufacturer's instructions and should not stain when in contact with the child.

SPECIFIC SAFETY REQUIREMENTS FOR SUSPENDED BABY BEDS

RISKS: The main risks associated with the product are entrapment, suffocation and injury due to structural failure and instability.

Safety requirements

1. General safety requirements

Articles shall not jeopardise the safety or health of children when used as intended or in a foreseeable way, bearing in mind the behaviour of children.

The ability of the users and their carers shall be taken into account, in particular for articles which, by virtue of their functions, dimensions and characteristics, are intended for use by children below 12 months.

Labels on articles or on their packaging and the instructions for use which accompany them shall draw the attention of carers to the inherent hazards and risks of harm involved in using the articles and to the way of avoiding them.

2. Specific safety requirements

Chemical requirements

Suspended baby beds shall comply with EU legislation.

Fire and thermal properties

Suspended baby beds shall not pose flammability risks in the child's environment. They shall be composed of materials which fulfil at least one of the following conditions:

- they do not burn if directly exposed to a flame or spark,
- if they do ignite, they shall burn slowly with a low rate of spread of the flame,
- if they do ignite, they shall burn slowly and shall not produce flaming debris or melting drops.

In addition, combustible materials shall not release toxic fumes during combustion.

The use of chemical flame retardant substances should be kept to the minimum. If chemical flame retardant substances are used, their toxicity during use and end-of-life disposal should not endanger the health of the users, carers and the environment.

Physical and mechanical properties

Entrapment hazards from gaps and openings

Suspended baby beds shall be designed and manufactured in order to prevent any entrapment of the child's head, fingers, limbs, hands and feet in all type of openings.

Hazards from moving parts

Suspended beds shall be designed to prevent impacts of the child in the bed against the frame or other furniture in the room due to sideways movement.

Suspended beds shall be designed to limit rotation of the bed, for instance when twisted.

Suspended beds shall not constitute a hazard (e.g. entrapment) to other children (e.g. siblings) who may come in contact with the bed.

Falling hazards

The stand and the bed shall be sufficiently stable to prevent accidental tipping over of the suspended bed which could cause the child to fall. Baby beds should remain stable when the child moves in the bed or when the bed swings along the amplitude permitted by the suspension device.

The attachment device shall not become detached from the supporting beam or similar device.

The suspension device including its components shall withstand the movement of the child during use.

Entanglement hazards

There shall be no cords or ribbons in the suspended baby bed that could entangle the child's neck. The child in the suspended bed shall not be susceptible to becoming entangled in cords and straps from the suspension device and the adjustment device.

Choking and internal suffocation hazards

Suspended beds shall not contain separate or small parts which can be detached by the child, fit completely into a child's mouth and swallowed.

Suspended beds shall not contain small parts which can be detached by the child and can remain stuck in the pharynx or at the back of the oral cavity. The filling material shall not be accessible and shall withstand stress from foreseeable use by the child (including biting off).

External suffocation hazards

The product shall not comprise plastic decals which could be detached by the child and other impermeable coverings which can cover both the mouth and the nose.

The packaging in which the articles are contained shall not constitute a risk of suffocation caused by obstruction of the external airways. To prevent the risk of suffocation, the product shall not comprise soft materials which can mould to the child's face or produce indentations which could obstruct the airways.

Hazardous edges

Suspended beds shall not have sharp edges and points. Accessible edges and corners shall be rounded and chamfered.

The product shall not comprise protruding parts on which a child could fall and be injured.

The product shall not comprise points or protruding surfaces that can constitute a puncture hazard.

Structural integrity

Deformation of the suspension device and slipping in the adjustment device shall be limited to prevent falls or impacts from the bed.

Stitching and decorative parts on the suspended baby bed shall not become loose when submitted to mechanical stress from foreseeable use by children and pose a risk of entrapment of limbs, head and fingers.

Movement of the child's body weight shall not create gaps or modify existing gaps leading to entrapment of the fingers, hands and feet.

To prevent collapse of the suspended baby bed and breaking of components (from stands, attachment device or suspension device) likely to cause physical injury, suspended beds shall withstand the mechanical stress to which they are subject during use for the lifetime of the product.

Specific warnings for the article

Warnings and instructions for use shall draw the attention of carers to the fact that mounting and adjusting the bed safely requires skill. Warnings should also convey the following messages:

- the child may get injured if the amplitude of the swing is excessive (e.g. the child may hit the bed frame, or the bed may hit other furniture),
- suspended beds may pose risks to other children,
- other children may pose additional risks (e.g. by trying to bend over the bed),
- suspended beds should be installed on flat surfaces,
- the use of suspended beds as night-time beds should be discouraged,
- suspended beds should not be used when the child is able to kneel or sit up unaided. The age group suitable for this product (not beyond 12 months) should be clearly indicated.

Hygiene

Suspended beds shall be designed and manufactured in such a way as to be easily and thoroughly cleaned to avoid the risk of infection or contamination.

SPECIFIC SAFETY REQUIREMENTS FOR DUVETS FOR CHILDREN

RISKS: The main risks associated with the product are suffocation and hyperthermia, frequently associated with Sudden Infant Death Syndrome.

Safety requirements

1. General safety requirements

Articles shall not jeopardise the safety or health of children when they are used as intended or in a foreseeable way, bearing in mind the behaviour of children.

Labels on articles or on their packaging and the instructions for use which accompany them shall draw the attention of carers to the inherent hazards and risks of harm involved in using the articles and to the way of avoiding them.

2. Specific safety requirements

Chemical requirements

Duvets for children shall comply with EU legislation.

Fire and thermal properties

Children's duvets shall not pose flammability risks in the child's environment.

They shall be composed of materials which fulfil at least one of the following conditions:

- they do not burn if directly exposed to a flame or spark,
- if they do ignite, they shall burn slowly with a low rate of spread of the flame.

In addition, combustible materials shall not release toxic fumes during combustion.

The use of chemical flame retardant substances should be kept to the minimum. If chemical flame retardant substances are used, their toxicity during use and end-of-life disposal should not endanger the health of the users, carers and the environment.

Hyperthermia hazard

Warnings and instructions shall draw carers' attention to the temperature in the room where the product is used, to prevent hyperthermia.

Physical and mechanical properties

Microbiological hazards

Children's duvets shall not pose microbiological hazards from insufficient hygiene from material of animal origin.

Entrapment hazards from gaps and openings

Stitching and decorative parts on duvets shall not become loose when subject to mechanical stress from foreseeable use and thus pose a risk of entrapment (especially of fingers).

Entanglement hazards

Duvets for children shall not comprise cords or loops that could entangle the child's neck.

Choking and internal suffocation hazards

Duvets for children shall not contain separate or small parts which can be detached by the child, fit completely into a child's mouth and swallowed. Duvets for children shall not contain small parts which can be detached by the child and can remain stuck in the pharynx or at the back of the oral cavity. The filling material shall not be accessible, and shall not contain any hard or sharp contaminants, such as metal particles, nails, needles or splinters. The filling shall also withstand stress from foreseeable use by the child (including biting off), taking into account the possibility of fibres passing through the seams and the strength of the seams.

External suffocation hazards

Duvets for children shall not comprise plastic decals which could be detached by the child and other impermeable coverings which can cover both the mouth and the nose.

The packaging in which the product is contained shall not constitute a risk of suffocation caused by obstruction of the external airways.

The baby shall be able to breathe and get sufficient airflow when the duvet covers his/her face while sleeping.

Specific warnings for the article

Warnings and instructions for use shall draw carers' attention to the serious risks of suffocation if duvets are used with children under four months.

The minimum age recommended for use is nine months.

Information concerning the size of the cot in which the duvet is to be used shall also be provided.

Warnings about the room temperature shall also be provided (see hyper thermal hazards).

Hygiene

Duvets for children shall be designed and manufactured in such a way as to be easily and thoroughly cleaned to avoid the risk of infection or contamination. The product shall fulfil this condition also after washing according to the manufacturer's instructions and should not stain when in contact with the child.

SPECIFIC SAFETY REQUIREMENTS FOR CHILDREN'S SLEEP BAGS

RISKS: The main risk associated with the product is choking on small parts and entrapment inside the bag

Safety requirements

1. General safety requirements

Articles shall not jeopardise the safety or health of children when they are used as intended or in a foreseeable way, bearing in mind the behaviour of children.

Labels on articles or on their packaging and accompanying instructions for use shall draw the attention of carers to the inherent hazards and risks of harm involved in using the articles and to the way of avoiding them.

2. Specific safety requirements

Chemical requirements

Children's sleep bags shall comply with EU legislation.

Fire and thermal properties

Children's sleep bags shall not pose flammability risks to the child environment.

They shall be composed of materials which fulfil at least one of the following conditions:

- they do not burn if directly exposed to a flame or spark,
- if they do ignite, they shall burn slowly with a low rate of spread of the flame.

In addition combustible materials shall not release toxic fumes during combustion.

The use of chemical flame retardant substances should be kept to the minimum. If chemical flame retardant substances are used, their toxicity during use and end-of-life disposal should not endanger the health of the users, carers and the environment.

Hyperthermia hazard

Warnings and instructions shall draw carers' attention to the temperature in the room where the product is used, to prevent hyperthermia.

Physical and mechanical properties

Entrapment hazards from gaps and openings

Stitching and decorative parts on the sleeping bag shall not become loose when subject to mechanical stress from foreseeable use and thus pose a risk of entrapment (especially of fingers). Also the size of the neck and arms openings should prevent the child slipping down into the bag.

Structural integrity

Fastenings shall be secure to prevent the child slipping down into the bag. Seams and fastenings shall remain stable after washing according to the manufacturers' instructions.

Entanglement hazards

There shall be no cords or loops on the sleeping bags that could entangle the child's neck.

Choking and internal suffocation hazards

Children's sleep bags shall not contain separate or small parts which can be detached by the child, fit completely into a child's mouth and swallowed. Sleeping bags shall not contain small parts which can be detached by the child and can remain stuck in the pharynx or at the back of the oral cavity. The filling material shall not be accessible and shall withstand stress from foreseeable use by the child (including biting off), taking into account the possibility of fibres passing through the seams and the strength of the seams.

External suffocation hazards

Children's sleep bags shall not comprise plastic decals which could be detached by the child or other impermeable coverings or fabrics which can cover both the mouth and the nose.

The packaging in which the product is contained shall not constitute a risk of suffocation caused by obstruction of the external airways.

The baby shall be able to breathe if the sleeping bag covers his/her face while sleeping.

Hazardous edges

Children's sleep bags shall not have sharp edges and points.

Specific warnings for the article

Warnings and instructions shall instruct carers to choose the sleeping bag recommended for the age and height of the child.

Warnings about the room temperature shall also be provided (see hyper thermal hazards).

Hygiene

Children's sleep bags shall be designed and manufactured in such a way as to be easily and thoroughly cleaned to avoid the risk of infection or contamination. The product shall fulfil this condition also after washing according to the manufacturer's instructions and should not stain when in contact with the child.

RULES OF PROCEDURE

AMENDMENTS TO THE PRACTICE DIRECTIONS TO PARTIES

THE GENERAL COURT

Having regard to Article 150 of its Rules of Procedure;

Having regard to the Practice Directions to Parties adopted on 5 July 2007, as amended on 16 June 2009;

HAS ADOPTED THE FOLLOWING AMENDMENTS TO THE PRACTICE DIRECTIONS TO PARTIES:

Article 1

1. Throughout these Practice Directions, the names 'Court of First Instance of the European Communities' and 'Court of First Instance' shall be replaced by 'General Court'.

2. In the third recital in the preamble to the Practice Directions, the words '(OJ L 232, 4.9.2007 p. 1) ("the Instructions to the Registrar") require the Registrar to ensure that documents placed on a case-file comply with the provisions of the Statute of the Court of Justice,' shall be replaced by '(OJ 2007 L 232, p. 1), as amended on 17 May 2010 (see page 53 of this Official Journal) ("the Instructions to the Registrar"), require the Registrar to ensure that documents placed on a case-file comply with the provisions of the Protocol on the Statute of the Court of Justice of the European Union ("the Statute"),' and the words 'of the Court of Justice' after the word 'Statute' shall be deleted.

3. At point 1, second indent, the address 'CFI.Registry@curia.europa.eu' shall be replaced by: 'GeneralCourt.Registry@curia.europa.eu'.

4. Point 8 shall be amended as follows:

— the words 'In order to permit the use of such technology, the following requirements should' shall be replaced by 'Accordingly, the following requirements must';

— under (a), the words 'the paper must be white, unlined and A4 size, with the text appearing' shall be replaced by 'the text, in A4 format, must be easily legible and appear';

— under (b), the words 'pages of pleadings and annexes, if any, must be placed together' shall be replaced by 'documents produced must be placed together';

— under (c), the words '(such as Times New Roman, Courier or Arial), in at least 12 pt in the body of the text and at least 10 pt in the footnotes, with one-and-a-half line spacing and upper, lower, left and right margins of at least 2,5 cm;' shall be replaced by 'with sufficient line spacing and margins to ensure that a scanned version will be legible';.

5. The words '(other than in intellectual property cases)' shall be added to the title of part D.1.1. 'Application and defence'.
6. Point 19 shall be amended as follows:
 - in the first sentence, the words ', which will be prepared by the Registry' shall be deleted;
 - the second sentence shall be replaced by:

'Since the notice is required to be published in the *Official Journal of the European Union* in all the official languages, it is requested that the summary should not exceed two pages and that it should be prepared in accordance with the model available on line on the Internet site of the Court of Justice of the European Union.';
 - in the third sentence, the address 'CFI.Registry@curia.europa.eu' shall be replaced by: 'GeneralCourt.Registry@curia.europa.eu'.
7. Point 41 shall be amended as follows:
 - in the first sentence, the words 'in the Official Journal' shall be deleted;
 - the second sentence shall be replaced by:

'Since the notice is required to be published in the *Official Journal of the European Union* in all the official languages, it is requested that the summary should not exceed two pages and that it should be prepared in accordance with the model available on line on the Internet site of the Court of Justice of the European Union.';
 - in the third sentence, the address 'CFI.Registry@curia.europa.eu' shall be replaced by: 'GeneralCourt.Registry@curia.europa.eu'.
8. At point 42, the words 'a Community institution' shall be replaced by 'an institution of the Union'.
9. At point 49, the words 'a Community institution' shall be replaced by 'an institution of the Union'.
10. At point 55(e), the words 'of the Court of Justice' shall be deleted.
11. At point 56(a), the words 'and addresses of the parties to the proceedings before the Board of Appeal' shall be replaced by 'of the parties to the proceedings before the Board of Appeal and the addresses which they had given for the purposes of the notifications to be effected in the course of those proceedings'.
12. Point 57 shall be amended as follows:
 - under (a), the words 'of the Court of Justice' shall be deleted;
 - under (h), the words 'a short description of each document (point 51(b) of the Practice Directions) and' shall be added after the word 'with'.
13. At point 58(c), the words 'other than in intellectual property cases, a' shall be inserted at the beginning of the phrase.
14. Points 73, second paragraph, to 79, including titles, shall be replaced by the following:

'74. An application for confidential treatment shall be made by a separate document. It may not be lodged as a confidential version.

75. Such an application must specify the party in relation to whom confidentiality is requested. It must be limited to what is strictly necessary and may not in any event cover the entirety of a pleading and may only exceptionally extend to the entirety of an annexed document. It should usually be feasible to furnish a non-confidential version of a document in which passages, words or figures have been deleted without harming the interests sought to be protected.
76. An application must accurately identify the particulars or passages to be excluded and very briefly state the reasons for which each of those particulars or passages is regarded as secret or confidential. Failure to provide such information may result in the application being rejected by the Court.
77. The application must be accompanied by a non-confidential version of each pleading or document concerned with the confidential material deleted.

Applications for leave to intervene

78. Where an application is made for leave to intervene in a case, the parties are requested to state, within the period prescribed by the Registrar to that effect, whether they wish to seek confidential treatment in respect of certain information included in the documents already placed on the case-file.

With regard to all documents that the parties may lodge subsequently, the parties must specify, in accordance with points 74 to 77 above, the information for which confidential treatment is sought, and provide, in addition to the full version of the documents lodged, a version from which the information in question has been removed. In the absence of such indication, the documents lodged will be furnished to the intervener.

Joined cases

79. Where it is envisaged that several cases will be joined, the parties are requested to state, within the period prescribed by the Registrar to that effect, whether they wish to seek confidential treatment in respect of certain information included in the documents already placed on the case-files.

With regard to all documents that the parties may lodge subsequently, the parties must specify, in accordance with points 74 to 77 above, the information for which confidential treatment is sought, and provide, in addition to the full version of the documents lodged, a version from which the information in question has been removed. In the absence of such indication, the documents lodged will be made available to the other parties.'

15. Point 88 shall be amended as follows:

- in the first paragraph, the words 'of the European Union' shall be added after 'Court of Justice';
- in the second paragraph, the address 'CFL.Registry@curia.europa.eu' shall be replaced by: 'GeneralCourt.Registry@curia.europa.eu', and the words 'of the European Union' shall be added, in the address, after the words 'Registry of the General Court'.

16. The second paragraph of point 106 shall be numbered point 107.

17. The following point shall be inserted after point 107, now point 108:

'109. The Report for the Hearing shall be made available to the public outside the courtroom on the day of the hearing.'

18. Points 108 to 112 shall be renumbered points 110 to 114, respectively.

19. (Does not apply to the English version.)

20. (Does not apply to the English version.)

Article 2

These amendments to the Practice Directions to Parties shall be published in the *Official Journal of the European Union*.

They shall enter into force on the day following their publication.

Done at Luxembourg, 17 May 2010.

E. COULON
Registrar

M. JAEGER
President

AMENDMENTS TO THE INSTRUCTIONS TO THE REGISTRAR OF THE GENERAL COURT

THE GENERAL COURT

Having regard to Article 23 of its Rules of Procedure;

Having regard to the Instructions to the Registrar adopted on 5 July 2007;

HAS ADOPTED THE FOLLOWING AMENDMENTS TO THE INSTRUCTIONS TO THE REGISTRAR:

Article 1

1. The names 'Court of First Instance of the European Communities' and 'Court of First Instance' shall be replaced by 'General Court' in the Title of and throughout these Instructions.

2. (Does not apply to the English version.)

3. Article 2 shall be amended as follows:

— in Article 2(1), the words 'to the public' shall be deleted;

— the second subparagraph of Article 2(1) shall be joined to the first subparagraph thereof;

— in Article 2(1), third subparagraph, which shall be numbered Article 2(2), the words 'in the previous subparagraphs' shall be replaced by 'in the previous paragraph' and the words 'to the public' shall be deleted;

— Article 2(2), which shall be renumbered Article 2(3), shall be replaced by the following:

'The Registry shall be open at the following times:

— in the morning, from Monday to Friday, from 9.30 a.m. to 12 noon,

— in the afternoon, from Monday to Thursday, from 2.30 p.m. to 5.30 p.m. and on Fridays from 2.30 p.m. to 4.30 p.m.

During the vacations provided for in Article 34(1) of the Rules of Procedure, the Registry shall be closed on Friday afternoons.

The Registry shall be open half an hour before the commencement of a hearing to the representatives of the parties who have been called to attend that hearing;'

— the following paragraph shall be added after Article 2(2), now Article 2(3):

'4 The Registry shall be open only to the lawyers and agents of the Member States and of the institutions of the Union or to persons duly authorised by them, and to persons making an application pursuant to Article 95 of the Rules of Procedure;'

— in Article 2(3), which shall be renumbered Article 2(5), the words 'When the Registry is closed,' shall be replaced by 'Outside the Registry's opening hours,'.

4. Article 3 shall be amended as follows:

— in Article 3(2), the word 'they' shall be replaced by 'They' and the words 'the date of registration' shall be replaced by 'the date of lodgment, the date of registration';

— in Article 3(6), the words 'Article 2(3)' shall be replaced by 'Article 2(5)' and the words 'of the Statute of the Court of Justice' shall be replaced by 'of the Protocol on the Statute of the Court of Justice of the European Union ("the Statute")'.

5. Article 4 shall be amended as follows:

- the following sentence shall be added to the first subparagraph of Article 4(1): ‘In the case of an appeal against a decision of the European Union Civil Service Tribunal, that number shall be followed by a specific reference.’;

- the second subparagraph of Article 4(1) shall be numbered Article 4(2) and shall be replaced by the following:

‘Applications for interim measures, applications to intervene, applications for rectification or interpretation of judgments, applications for revision, applications to set aside judgments by default or initiating third-party proceedings, applications for the taxation of costs and applications for legal aid relating to pending cases shall be given the same serial number as the principal action, followed by a reference to indicate that the proceedings concerned are separate special forms of procedure.

An application for legal aid made with a view to bringing an action shall be given a serial number preceded by “T-”, followed by an indication of the year and a specific reference.

An action which is preceded by an application for legal aid in connection therewith shall be given the same case number as the latter.

Where the Court of Justice refers a case back to the General Court following the setting aside of a judgment or the review of a decision, that case shall be given the number previously allocated to it when it was before the General Court, followed by a specific reference.’;

- Article 4(2) shall be renumbered Article 4(3).

6. Article 5 shall be amended as follows:

- (does not apply to the English version);

- the second subparagraph of Article 5(1) shall be numbered Article 5(2);

- Article 5(2) shall be renumbered Article 5(3);

- in Article 5(3), which shall be renumbered Article 5(4):

- the words in the first subparagraph, ‘The lawyers or agents of the parties’ shall be replaced by ‘The representatives of the main parties’;

- the second subparagraph shall be replaced by the following:

‘The representatives of the parties granted leave to intervene pursuant to Article 116(2) of the Rules of Procedure shall have the same right of access to the case-file, subject to the provisions of Article 6(2) below relating to the confidential treatment of certain information or documents on the file.’;

- a third subparagraph shall be added, worded as follows:

‘In joined cases, the representatives of the main parties and of the parties granted leave to intervene pursuant to Article 116(2) of the Rules of Procedure shall also have a right of access to the case-files, subject to the provisions of Article 6(2) below relating to the confidential treatment of certain information or documents on the file.’;

- the numbering of Article 5(4) to (7) shall be adjusted and those paragraphs renumbered Article 5(5) to (8), respectively’;

- Article 5(6), now Article 5(7), shall be replaced by the following:

‘At the close of the proceedings, the Registrar shall arrange for the case-file to be closed and archived. The closed file shall contain a list of the documents on the file, an indication of their number, and a cover page showing the serial number of the case, the parties and the date on which the case was closed.’;

7. Article 6 shall be amended as follows:

- in the first sentence of the first subparagraph of Article 6(2), the words ‘or, where cases are joined, in accordance with Article 50(2) of the Rules of Procedure, in relation to another party in a joined case.’ shall be added after ‘intervener’;
- in the second subparagraph of Article 6(2), the part of the sentence beginning ‘a copy of every procedural document’ shall be replaced by ‘a copy of every procedural document in its entirety will then be furnished to the intervener or, where cases are joined, the whole case-file will be made available to the other party in a joined case.’;
- Article 6(3) shall be replaced by the following:

‘In accordance with Article 18(4) of these Instructions, a party may apply for certain confidential information to be omitted from those documents relating to the case to which the public has access.’.

8. Article 7 shall be amended as follows:

- in the first subparagraph of Article 7(1), the words ‘of the Court of Justice’ shall be deleted;
- in the first subparagraph of Article 7(3), the word ‘either’ shall be added after ‘Without prejudice’ and the words ‘or to any decision determining the criteria for a procedural document sent to the Registry by electronic means to be deemed to be the original of that document as referred to in Article 43(7) of those Rules,’ shall be inserted between ‘communication,’ and ‘the Registrar’.

9. In the second subparagraph of Article 10(4), the words ‘judgments and orders of the Court of First Instance and’ and the words ‘nature or’ shall be deleted.

10. Article 13 shall be amended as follows:

- in the first subparagraph of Article 13(1), the words ‘an indication’ shall be replaced by ‘the numbers’;
- the second subparagraph of Article 13(1) shall be numbered Article 13(2);
- in Article 13(2), which shall be renumbered Article 13(3), the words ‘the names of the Judges, the Advocate-General and the Registrar present, the names and capacities of the agents, lawyers or advisers of the parties present, the surnames, forenames, status and permanent addresses of the’ shall be replaced by ‘the names of the Judges and the Registrar present, the names and capacities of the parties’ representatives present, the surnames, forenames, status and permanent addresses of any’;
- Article 13(3) shall be renumbered Article 13(4).

11. Article 15 shall be amended as follows:

- the second and third subparagraphs of Article 15(1) shall be numbered Article 15(2) and (3), respectively;
- in Article 15(2), which shall be renumbered Article 15(4), the words ‘or in reviews of decisions’ shall be added after the words ‘in appeals’.

12. In Article 17(1) the footnote shall be deleted.

13. Article 18 shall be amended as follows:

- the heading ‘Publications’ shall be replaced by the heading ‘Publications and posting of documents on the Internet’;
- the following paragraph shall be added after the heading:

‘1. The Registrar shall be responsible for the publications of the Court and for posting on the Internet documents relating to the Court.’;
- Article 18(1), (2) and (3) shall be renumbered Article 18(2), (3) and (4), respectively;

— Article 18(3), now Article 18(4), shall be replaced by the following:

‘The Registrar shall ensure that the case-law of the Court is made public in accordance with any arrangements adopted by the Court.

On a reasoned application by a party, made by a separate document, or of its own motion, the Court may omit the name of a party to the dispute or of other persons mentioned in connection with the proceedings, or certain information, from those documents relating to a case to which the public has access if there are legitimate reasons for keeping the identity of a person or the information confidential.’;

— Article 18(4) shall be deleted.

Article 2

These amendments to the Instructions to the Registrar shall be published in the *Official Journal of the European Union*.

They shall enter into force on the day following their publication.

Done at Luxembourg, 17 May 2010.

E. COULON
Registrar

M. JAEGER
President

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