

Official Journal

of the European Union

L 96



English edition

Legislation

Volume 54

9 April 2011

Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

2011/228/EU:

- ★ **Council Decision of 13 December 2010 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Republic of Cape Verde on certain aspects of air services** 1
- Agreement between the European Union and the Republic of Cape Verde on certain aspects of air services** 2

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 342/2011 of 8 April 2011 amending Annex II to Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements ⁽¹⁾** 10
- ★ **Commission Implementing Regulation (EU) No 343/2011 of 8 April 2011 opening and providing for the administration of Union tariff quotas for wines originating in Bosnia and Herzegovina** 12

Price: EUR 3

(Continued overleaf)

(¹) Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Implementing Regulation (EU) No 344/2011 of 8 April 2011 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control	15
★ Commission Regulation (EU) No 345/2011 of 7 April 2011 establishing a prohibition of fishing for red seabream in EU and international waters of VI, VII and VIII by vessels flying the flag of France	17
Commission Implementing Regulation (EU) No 346/2011 of 8 April 2011 establishing the standard import values for determining the entry price of certain fruit and vegetables	19
Commission Implementing Regulation (EU) No 347/2011 of 8 April 2011 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year	21

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 13 December 2010

on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Republic of Cape Verde on certain aspects of air services

(2011/228/EU)

THE COUNCIL OF THE EUROPEAN UNION,

(the Agreement) is hereby approved on behalf of the Union, subject to the conclusion of the said Agreement.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(5) thereof,

The text of the Agreement is attached to this Decision.

Having regard to the proposal from the European Commission,

Article 2

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

Whereas:

Article 3

- (1) In its Decision of 5 June 2003, the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with an agreement at Union level.

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the parties have notified each other of the completion of the necessary procedures for this purpose ⁽¹⁾.

- (2) On behalf of the Union, the Commission negotiated an Agreement with the Republic of Cape Verde on certain aspects of air services (the Agreement) in accordance with the mechanisms and directives in the Annex to the Council Decision of 5 June 2003.

Article 4

The President of the Council is hereby authorised to make the notification provided for in Article 8(2) of the Agreement.

- (3) The Agreement should be signed and provisionally applied subject to its conclusion,

Article 5

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

HAS ADOPTED THIS DECISION:

Done at Brussels, 13 December 2010.

Article 1

The signing of the Agreement between the European Union and the Republic of Cape Verde on certain aspects of air services

*For the Council**The President*

K. PEETERS

⁽¹⁾ The date from which the Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Republic of Cape Verde on certain aspects of air services**

THE EUROPEAN UNION, hereinafter referred to as 'the Union'

of the one part, and

THE REPUBLIC OF CAPE VERDE, hereinafter referred to as 'Cape Verde',

of the other part,

hereinafter referred to as 'the Parties',

NOTING that bilateral air service agreements have been concluded between several Member States of the Union and Cape Verde containing provisions contrary to the law of the Union,

NOTING that the Union has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the Union and third countries,

NOTING that, under the law of the Union, Union air carriers established in a Member State of the Union have the right to non-discriminatory access to air routes between the Member States of the Union and third countries,

HAVING REGARD to the agreements between the Union and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with the law of the Union,

RECOGNISING that certain provisions of the bilateral air service agreements between Member States of the Union and Cape Verde, which are contrary to the law of the Union, must be brought into conformity with it in order to establish a sound legal basis for air services between the Union and Cape Verde and to preserve the continuity of such air services,

RECOGNISING that in the conclusion of any air services agreements by the Government of the Republic of Cape Verde with States that are not Member States of the Union, Cape Verde implements its own policy and rules on air carriers ownership and control,

NOTING that under the law of the Union, Union air carriers may not, in principle, conclude agreements which may affect trade between Member States of the Union and which have as their object or effect the prevention, restriction or distortion of competition,

RECOGNISING that provisions in bilateral air service agreements concluded between Member States of the Union and Cape Verde which (i) require or favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition between air carriers on the relevant routes; or (ii) reinforce the effects of any such agreement, decision or concerted practice; or (iii) delegate to air carriers or other private economic operators the responsibility for taking measures that prevent, distort or restrict competition between air carriers on the relevant routes may render ineffective the competition rules applicable to undertakings,

NOTING that it is not a purpose of the Union, as part of this Agreement, to increase the total volume of air traffic between the Union and Cape Verde, to affect the balance between Union air carriers and air carriers of Cape Verde, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights.

HAVE AGREED AS FOLLOWS:

Article 1

General provisions

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Union; 'EU Treaties' shall mean the Treaty on the European Union and the Treaty on the Functioning of the European Union; 'Party' shall mean a contracting party to this agreement; 'air carrier' shall also mean airline; 'territory of the Union' shall mean territories of the Member States to which the EU Treaties apply.

2. References in each of the agreements listed in Annex 1 to nationals of the Member State that is a Party to that agreement shall be understood as referring to nationals of the Member States.

3. References in each of the agreements listed in Annex 1 to air carriers or airlines of the Member State that is a Party to that agreement shall be understood as referring to air carriers or airlines designated by that Member State.

Article 2

Designation, authorisation and revocation

1. The provisions in paragraphs 2 to 4 of this Article shall supersede the corresponding provisions in the articles listed in Annex 2(a) and (b) respectively, in relation to the designation of an air carrier, and the licences and permits granted to it.

2. On receipt of a designation by a Member State, Cape Verde shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

(a) the air carrier is established, in the territory of the designating Member State, under the EU Treaties and has a valid Operating Licence in accordance with the law of the Union; and

(b) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and

(c) the air carrier is owned, directly or through majority ownership, and it is effectively controlled by Member States and/or nationals of Member States, and/or by other states listed in Annex 3 and/or nationals of such other states.

3. Cape Verde may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:

(a) the air carrier is not established, in the territory of the designating Member State, under the EU Treaties or does not have a valid Operating Licence in accordance with the law of the Union; or

(b) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operator's Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or

(c) the air carrier is not owned, directly or through majority ownership, or it is not effectively controlled by Member States and/or nationals of Member States, and/or by other states listed in Annex 3 and/or nationals of such other states.

4. In exercising its right under paragraph 3 of this Article, Cape Verde shall not discriminate between air carriers of Member States on the grounds of nationality.

Article 3

Safety

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex 2(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Cape Verde under the safety provisions of the agreement between the Member State that has designated the air carrier and Cape Verde shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

Article 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex 2(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex 2(d) shall prevent a Member State from imposing, on a non-discriminatory basis, taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of Cape Verde that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.

Article 5

Compatibility with competition rules

1. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex 1 shall (i) require or favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted

practices that prevent or distort competition; (ii) reinforce the effects of any such agreement, decision or concerted practice; or (iii) delegate to private economic operators the responsibility for taking measures that prevent, distort or restrict competition.

2. The provisions contained in the agreements listed in Annex 1 that are incompatible with paragraph 1 of this Article shall not be applied.

Article 6

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 7

Revision or amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent.

Article 8

Entry into force and provisional application

1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.

2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month

following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

3. This Agreement shall apply to all agreements and arrangements listed in Annex 1 including those that, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally.

Article 9

Termination

1. In the event that an agreement listed in Annex 1 is terminated, all provisions of this Agreement that relate to the agreement listed in Annex 1 concerned shall terminate at the same time.

2. In the event that all agreements listed in Annex 1 are terminated, this Agreement shall terminate at the same time.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done in duplicate, in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish languages, all texts being equally authentic.

Съставено в Брюксел на двадесет и трети март две хиляди и единадесета година.

Hecho en Bruselas, el veintitrés de marzo de dos mil once.

V Bruselu dne dvacátého třetího března dva tisíce jedenáct.

Udfærdiget i Bruxelles den treogtyvende marts to tusind og elleve.

Geschehen zu Brüssel am dreiundzwanzigsten März zweitausendelf.

Kahe tuhande üheteistkümnenda aasta märtsikuu kahekümne kolmandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι τρεις Μαρτίου δύο χιλιάδες έντεκα.

Done at Brussels on the twenty-third day of March in the year two thousand and eleven.

Fait à Bruxelles, le vingt-trois mars deux mille onze.

Fatto a Bruxelles, addì ventitré marzo duemilaundici.

Briselē, divi tūkstoši vienpadsmitā gada divdesmit trešajā martā.

Priimta du tūkstančiai vienuoliktą metų kovo dvidešimt trečią dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenegyedik év március huszonharmadik napján.

Magħmul fi Brussell, fit-tlieta u għoxrin jum ta' Marzu tas-sena elfejn u ħdax.

Gedaan te Brussel, de drieëntwintigste maart tweeduizend elf.

Sporządzono w Brukseli dnia dwudziestego trzeciego marca roku dwa tysiące jedenastego.

Feito em Bruxelas, em vinte e três de Março de dois mil e onze.

Întocmit la Bruxelles la douăzeci și trei martie două mii unsprezece.

V Bruseli dňa dvadsiateho tretieho marca dvetisícjedenášť.

V Bruslju, dne triindvajsetega marca leta dva tisoč enajst.

Tehty Brysselissä kahdentenäkymmenentenäkolmantena päivänä maaliskuuta vuonna kaksituhattayksitoista.

Som skedde i Bryssel den tjugotredje mars tjugohundraelva.

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen

За Република Кабо Верде
Por la República de Cabo Verde
Za Kapverdskou republiku
For Republikken Kap Verde
Für die Republik Kap Verde
Cabo Verde Vabariigi nimel
Για τη Δημοκρατία του Πράσινου Ακρωτηρίου
For the Republic of Cape Verde
Pour la République du Cap-Vert
Per la Repubblica del Capo Verde
Kaboverdes Republikas vārdā –
Žaliojo Kyšulio Respublikos vardu
A Zöld-foki Köztársaság részéről
Ghar-Repubblika Tal-Kap Verde
Voor de Republiek Kaapverdië
W imieniu Republiki Zielonego Przylądka
Pela República de Cabo Verde
Pentru Republica Capului Verde
Za Kapverdskú republiku
Za Republika Zelenortski otoki
Kap Verden tasavallan puolesta
För Republiken Kap Verde

ANNEX 1

LIST OF AGREEMENTS REFERRED TO IN ARTICLE 1 OF THIS AGREEMENT

- (a) Air service agreements between Cape Verde and Member States which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally:
- Agreement between the Government of the Kingdom of Belgium and the Government of the Republic of Cape Verde on Air Transport signed at Brussels on 22 June 1998, hereinafter referred to 'Cape Verde — Belgium Agreement' in Annex 2,
 - Air Transport Agreement between the Government of the Federal Republic of Germany and the Government of the Republic of Cape Verde signed at Berlin on 19 June 2001, hereinafter referred to 'Cape Verde — Germany Agreement' in Annex 2,
 - Agreement between the Government of the Italian Republic and the Government of the Republic of Cape Verde concerning Air Services signed at Praia on 7 July 1998, hereinafter referred to 'Cape Verde — Italy Agreement' in Annex 2,
 - Agreement between the Kingdom of the Netherlands and the Republic of Cape Verde for air services signed at The Hague on 21 December 1988, hereinafter referred to 'Cape Verde — Netherlands Agreement' in Annex 2,
 - Air Transport Agreement between the Portuguese Republic and the Republic of Cape Verde, signed at Cidade da Praia on 30 March 2004, hereinafter referred to 'Cape Verde — Portugal Agreement' in Annex 2,
 - Agreement between the Government of the Socialist Republic of Romania and the Government of the Republic of Cape Verde concerning Air Services signed at Bucharest on 31 August 1983, hereinafter referred to 'Cape Verde — Romania Agreement' in Annex 2,
 - Agreement between the Kingdom of Spain and the Republic of Cape Verde relating to Air Services signed at Madrid on 19 September 2002, hereinafter referred to 'Cape Verde — Spain Agreement' in Annex 2,
 - Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Cape Verde concerning Air Services signed at Praia on 9 January 2007, hereinafter referred to 'Cape Verde — UK Agreement' in Annex 2.
- (b) Air service agreements and other arrangements initialled or signed between Cape Verde and Member States which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally.
-

ANNEX 2

LIST OF ARTICLES IN THE AGREEMENTS LISTED IN ANNEX 1 AND REFERRED TO IN ARTICLES 2 TO 4 OF THIS AGREEMENT

(a) Designation:

- Article 3 of the Cape Verde — Belgium Agreement,
- Article 3(4) of the Cape Verde — Germany Agreement,
- Article 4 of the Cape Verde — Italy Agreement,
- Article 3 of the Cape Verde — Netherlands Agreement,
- Article 3 of the Cape Verde — Romania Agreement,
- Article 3 of the Cape Verde — Spain Agreement.

(b) Refusal, revocation, suspension or limitation of authorisations or permissions:

- Article 5 of the Cape Verde — Belgium Agreement,
- Article 3(4) and Article 4 of the Cape Verde — Germany Agreement,
- Articles 4 and 5 of the Cape Verde — Italy Agreement,
- Articles 3 and 4 of the Cape Verde — Netherlands Agreement,
- Article 4 of the Cape Verde — Romania Agreement,
- Article 4 of the Cape Verde — Spain Agreement.

(c) Safety:

- Article 12 of the Cape Verde — Germany Agreement,
- Article 10 of the Cape Verde — Italy Agreement,
- Article 15 of the Cape Verde — Portugal Agreement,
- Article 9 of the Cape Verde — Romania Agreement,
- Article 13 of the Cape Verde — Spain Agreement.

(d) Taxation of aviation fuel:

- Article 10 of the Cape Verde — Belgium Agreement,
 - Article 6 of the Cape Verde — Germany Agreement,
 - Article 6 of the Cape Verde — Italy Agreement,
 - Article 6 of the Cape Verde — Netherlands Agreement,
 - Article 11 of the Cape Verde — Romania Agreement,
 - Article 5 of the Cape Verde — Spain Agreement.
-

ANNEX 3

LIST OF OTHER STATES REFERRED TO IN ARTICLE 2 OF THIS AGREEMENT

- (a) The Republic of Iceland (under the Agreement on the European Economic Area).
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area).
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area).
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
-

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 342/2011

of 8 April 2011

amending Annex II to Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption⁽¹⁾, and in particular the introductory phrase of Article 8, the first subparagraph of Article 8(1), and Article 8(4) thereof,

Whereas:

(1) Commission Regulation (EU) No 206/2010⁽²⁾ lays down the veterinary certification requirements for the introduction into the Union of certain consignments of live animals or fresh meat. It also lays down the lists of third countries, territories or parts thereof from which those consignments may be introduced into the Union.

(2) Regulation (EU) No 206/2010 provides that consignments of fresh meat intended for human consumption are to be imported into the Union only if they come from the third countries, territories or parts thereof listed in Part 1 of Annex II to that Regulation for which there is a model veterinary certificate corresponding to the consignment concerned listed in that Part.

(3) On 25 February 2011, South Africa notified the World Organisation for Animal Health (OIE) of outbreaks of foot-and-mouth disease. In the absence of clinical signs, the outbreaks were confirmed on 11 February 2011 based on serology.

(4) According to the notification, the outbreaks were detected in two neighbouring districts in the north-eastern part of the KwaZulu-Natal province. These districts are part of the territories of South Africa from which export into the Union of fresh de-boned and matured meat from ungulates are authorised. Those territories are set out in Part 1 of Annex II to Regulation (EU) No 206/2010.

(5) Due to the risk of introduction of foot-and-mouth disease through import into the Union of fresh meat from species susceptible to that disease and in absence of guarantees allowing for regionalisation of South Africa, the authorisation to export such fresh meat into the Union should no longer apply. The entry for South Africa in Part 1 of Annex II to Regulation (EU) No 206/2010 should be amended accordingly.

(6) Annex II to Regulation (EU) No 206/2010 should therefore be amended accordingly.

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

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 73, 20.3.2010, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

In Part 1 of Annex II to Regulation (EU) No 206/2010, the entry for South Africa is replaced by the following:

'ZA – South Africa	ZA-0	Whole country	EQU, EQW				
	ZA-1	The whole country except: — the part of the foot-and-mouth disease control area situated in the veterinary regions of Mpumalanga and Northern provinces, in the district of Ingwavuma of the veterinary region of Natal and in the border area with Botswana east of longitude 28°, and — the district of Camperdown, in the province of KwaZulu-Natal.	BOV, OVI, RUF, RUW	F	1	11 February 2011'	

Article 2

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

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

Done at Brussels, 8 April 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 343/2011**of 8 April 2011****opening and providing for the administration of Union tariff quotas for wines originating in Bosnia and Herzegovina**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 144(1), in conjunction with Article 4, thereof,

Whereas:

- (1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part (hereinafter referred to as 'the Stabilisation and Association Agreement'), signed on 16 June 2008, is in the process of ratification.
- (2) The Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part (hereinafter referred to as 'the Interim Agreement'), and the measures adopted by Council Regulation (EC) No 594/2008 of 16 June 2008, on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, and for applying the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part ⁽²⁾, provide for the early implementation of the trade and trade-related provisions of the Stabilisation and Association Agreement.
- (3) The Interim Agreement and the Stabilisation and Association Agreement provide that wines originating in Bosnia and Herzegovina may be imported into the Union, within the limits of Union tariff quotas, and subject to the condition that no export subsidies should be paid for exports of these quantities by Bosnia and Herzegovina, at a zero-rate customs duty.
- (4) The Commission should adopt the implementing measures for the opening and the administration of those Union tariff quotas.

- (5) In Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, management rules for tariff quotas designed to be used following the chronological order of dates of acceptance of customs declarations are set out.
- (6) Particular care should be taken to ensure that all Union importers have equal and continuous access to the tariff quotas and that the zero-rate duty laid down for the quotas is applied uninterruptedly to all imports of the products concerned into all Member States until the quotas are exhausted. In order to ensure the efficiency of a common administration of those quotas, there should be no obstacle to authorising the Member States to draw from the quota volumes the necessary quantities corresponding to actual imports. Communication between the Member States and the Commission should, as far as possible, take place by electronic transmission.
- (7) From the entry into force of the Interim Agreement on 1 July 2008 until the final day of application of Council Regulation (EC) No 1215/2009 of 30 November 2009 introducing exceptional measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process ⁽⁴⁾, wine exports from Bosnia and Herzegovina took place within quota number 09.1515 set out in that Regulation. This Regulation should therefore apply from 1 January 2011.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

1. An import tariff quota at zero-rate customs duty is hereby opened for wines imported into the Union and originating in Bosnia and Herzegovina as set out in the Annex.
2. The zero-rate duty is applied subject to the following conditions:

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 169, 30.6.2008, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 328, 15.12.2009, p. 1.

(a) the imported wines shall be accompanied by a proof of origin as provided for in Protocol 2 to the Interim Agreement and to the Stabilisation and Association Agreement;

(b) the imported wines shall not benefit from export subsidies.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

The Member States and the Commission shall cooperate closely to ensure compliance with this Regulation.

Article 4

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

It shall apply from 1 January 2011.

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

Done at Brussels, 8 April 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

Tariff quotas for wines originating in Bosnia and Herzegovina imported into the Union

Order No	CN code (*)	TARIC extension	Description	Annual quota volume (in hl) (**)	Tariff quota duty
09.1528	2204 10 93		Quality sparkling wine, other than Champagne or Asti spumante; other wine of fresh grapes, in containers holding 2 litres or less	From 1 January 2011 until 31 December 2011 and following years: 12 800	Exemption
	2204 10 94				
	2204 10 96				
	2204 10 98				
	2204 21 06				
	2204 21 07				
	2204 21 08				
	2204 21 09				
	ex 2204 21 93	19, 29, 31, 41 and 51			
	ex 2204 21 94	19, 29, 31, 41 and 51			
	2204 21 95				
	ex 2204 21 96	11, 21, 31, 41 and 51			
	2204 21 97				
	ex 2204 21 98	11, 21, 31, 41 and 51			
09.1529	2204 29 10		Other wine of fresh grapes, in containers holding more than 2 litres	From 1 January 2011 until 31 December 2011 and following years: 3 200	Exemption
	2204 29 93				
	ex 2204 29 94	11, 21, 31, 41 and 51			
	2204 29 95				
	ex 2204 29 96	11, 21, 31, 41 and 51			
	2204 29 97				
	ex 2204 29 98	11, 21, 31, 41 and 51			

(*) Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

(**) Consultations at the request of one of the Parties may be held to adapt the quotas by transferring quantities from the quota applying to position ex 2204 29 (order number 09.1529) to the quota applying to positions ex 2204 10 and ex 2204 21 (order number 09.1528).

COMMISSION IMPLEMENTING REGULATION (EU) No 344/2011**of 8 April 2011****amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 ⁽¹⁾, and in particular Article 25(3), Article 38(b) and Article 40 thereof,

Whereas:

- (1) Article 24 of Regulation (EC) No 834/2007 lays down that the organic production logo of the European Union ('organic logo of the EU') is one of the compulsory indications to be used as regards pre-packaged food bearing terms referring to the organic production method as referred to in Article 23(1), while the use of the logo is optional for these products imported from third countries. Article 25(1) of Regulation (EC) No 834/2007 allows the use of the organic logo of the EU in the labelling, presentation and advertising of other products which satisfy the requirements set out under that Regulation.
- (2) Consumers should be assured that organic products have been produced in compliance with the requirements set out in Regulation (EC) No 834/2007 and Commission Regulation (EC) No 889/2008 ⁽²⁾. To that end, the traceability of each product carrying the organic logo of the EU at all stages of production, preparation and distribution is an important factor. Therefore, it appears useful that it should be stated more clearly that only operators who have submitted their undertaking to the organic farming control system may use the organic logo of the EU for labelling purposes.
- (3) The registration of the organic logo of the EU as a trademark in the Union and international registers is

independent from the rules of Regulations (EC) No 834/2007 and (EC) No 889/2008 which apply to the use of the logo itself. In order to make clear the independence of those rules, the link between those rules and any registration should be removed.

- (4) Following the change of the organic labelling system and pending the inclusion of specific Union rules on organic wine-making, there remained great uncertainty in the sector regarding the possibility to produce wine referring to organic production. In order to allow wine produced in the wine years 2010/11 and 2011/12 from organic grapes to be sold without the compulsory indications required by Article 24 of Regulation (EC) No 834/2007, provided that the products in question comply with Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ⁽³⁾ or Regulation (EC) No 834/2007, it appears necessary to extend the transitional period set out in Article 95(8) and (9) of Regulation (EC) No 889/2008 regarding certain labelling provisions for such products until 31 July 2012. The extension of the transitional period should be applicable from 1 July 2010.
- (5) Following the assessment of the European Food Safety Authority (EFSA) on the use of rosemary extract as a food additive ⁽⁴⁾, the substance 'extracts of rosemary' was authorised for use as antioxidant and designated as E number in Part D of Annex III to European Parliament and Council Directive 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners ⁽⁵⁾. As a consequence it is necessary to allow the use of rosemary extract in organic food processing as food additive, if it is used as such, by inclusion of that product in Annex VIII to Regulation (EC) No 889/2008.
- (6) Regulation (EC) No 889/2008 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the regulatory Committee on organic production,

⁽¹⁾ OJ L 189, 20.7.2007, p. 1.

⁽²⁾ OJ L 250, 18.9.2008, p. 1.

⁽³⁾ OJ L 198, 22.7.1991, p. 1.

⁽⁴⁾ The EFSA Journal (2008) 721, p. 1.

⁽⁵⁾ OJ L 61, 18.3.1995, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 889/2008 is amended as follows:

1. in Article 57, the second paragraph is replaced by the following:

‘For the purpose of labelling, the organic logo of the EU shall only be used if the product concerned is produced in accordance with the requirements of Regulation (EC) No 834/2007, of Commission Regulation (EC) No 1235/2008 (*) and of this Regulation, by operators who comply with the requirements of the control system referred to in Articles 27, 28, 29, 32 and 33 of Regulation (EC) No 834/2007.

(*) OJ L 334, 12.12.2008, p. 25.’;

2. in Article 95, the following paragraph 10a is inserted:

‘10a As regards wine, the transitional period referred to in paragraph 8 shall expire on 31 July 2012.

Stocks of wines produced, packaged and labelled before 31 July 2012 in accordance with either Regulation (EEC) No 2092/91 or Regulation (EC) No 834/2007 may continue to be brought on the market until stocks are exhausted.’;

3. in Section A of Annex VIII, after the food additive E 341(i) (monocalcium-phosphate), the following row is inserted:

‘B	E 392*	Extracts of rosemary	X	X	Only when derived from organic production and if only ethanol is used for the extraction’
----	--------	----------------------	---	---	---

4. point (9) of Part A of Annex XI is deleted.

Article 2

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

However, point (2) of Article 1 shall apply as from 1 July 2010.

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

Done at Brussels, 8 April 2011.

For the Commission
The President
José Manuel BARROSO

COMMISSION REGULATION (EU) No 345/2011**of 7 April 2011****establishing a prohibition of fishing for red seabream in EU and international waters of VI, VII and VIII by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 1225/2010 of 13 December 2010 fixing for 2011 and 2012 the fishing opportunities for EU vessels for fish stocks of certain deep-sea fish species ⁽²⁾, lays down quotas for 2011 and 2012.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2011.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2011 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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, 7 April 2011.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 336, 21.12.2010, p. 1.

ANNEX

No	6/DSS
Member State	France
Stock	SBR/678-
Species	Red seabream (<i>Pagellus bogaraveo</i>)
Zone	EU and international waters of VI, VII and VIII
Date	29 January 2011

COMMISSION IMPLEMENTING REGULATION (EU) No 346/2011**of 8 April 2011****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 April 2011.

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

Done at Brussels, 8 April 2011.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	JO	68,6
	MA	44,5
	TN	104,8
	TR	86,7
	ZZ	76,2
0707 00 05	EG	152,2
	TR	144,8
	ZZ	148,5
0709 90 70	MA	50,5
	TR	102,8
	ZA	15,5
	ZZ	56,3
0805 10 20	EG	55,7
	IL	71,6
	MA	51,2
	TN	55,4
	TR	73,3
	ZZ	61,4
0805 50 10	TR	48,2
	ZZ	48,2
0808 10 80	AR	75,8
	BR	82,5
	CA	107,4
	CL	87,8
	CN	94,0
	MK	50,2
	NZ	122,9
	US	174,9
	UY	74,1
	ZA	80,4
	ZZ	95,0
0808 20 50	AR	98,3
	CL	100,9
	CN	76,3
	US	72,1
	ZA	94,1
	ZZ	88,3

⁽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 IMPLEMENTING REGULATION (EU) No 347/2011**of 8 April 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 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 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 340/2011 ⁽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 (EU) No 867/2010 for the 2010/11, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 April 2011.

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

Done at Brussels, 8 April 2011.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 259, 1.10.2010, p. 3.

⁽⁴⁾ OJ L 94, 8.4.2011, p. 25.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 9 April 2011

(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⁾	49,18	0,00
1701 11 90 ⁽¹⁾	49,18	0,15
1701 12 10 ⁽¹⁾	49,18	0,00
1701 12 90 ⁽¹⁾	49,18	0,00
1701 91 00 ⁽²⁾	49,96	2,48
1701 99 10 ⁽²⁾	49,96	0,00
1701 99 90 ⁽²⁾	49,96	0,00
1702 90 95 ⁽³⁾	0,50	0,22

⁽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.

2011 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 100 per year
EU Official Journal, L + C series, paper + annual DVD	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 770 per year
EU Official Journal, L + C series, monthly DVD (cumulative)	22 official EU languages	EUR 400 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, DVD, one edition per week	multilingual: 23 official EU languages	EUR 300 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual DVD.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our sales agents. The list of sales agents is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN