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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU, EURATOM) No 699/2011

of 18 July 2011

adjusting the correction coefficients applicable to the remuneration and pensions of officials and other servants of the European Union

THE COUNCIL OF THE EUROPEAN UNION,

coefficients applied to the remuneration of officials and other servants of the Union should therefore be adjusted,

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

HAS ADOPTED THIS REGULATION:

Having regard to the Staff Regulations of Officials of the European Union and the Conditions of Employment of other servants of the Union, laid down in Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, and in particular Articles 64, 65(2) of the Staff Regulations and Annexes VII, XI and XIII thereto, and the first paragraph of Article 20, Articles 64 and 92 of the Conditions of Employment of Other Servants,

Article 1

With effect from 1 January 2011, the correction coefficients applicable, under Article 64 of the Staff Regulations, to the remuneration of officials and other servants employed in the country listed below shall be as follows:

Having regard to the proposal from the European Commission,

Estonia: 78,5.

Whereas:

Article 2

There was a substantial increase in the cost of living in Estonia in the period from June to December 2010, the correction

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, 18 July 2011.

For the Council
The President
M. DOWGIELEWICZ

⁽¹⁾ OJ L 56, 4.3.1968, p. 1.

COMMISSION IMPLEMENTING REGULATION (EU) No 700/2011**of 20 July 2011****adding to the 2011 fishing quotas certain quantities withheld in the year 2010 pursuant to Article 4(2) of Council Regulation (EC) No 847/96**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

(1) According to Article 4(2) of Regulation (EC) No 847/96, Member States may ask the Commission, before 31 October, in the year of application of a fishing quota, to withhold a maximum of 10 % of that quota to be transferred to the following year. The Commission shall add to the relevant quota the quantity withheld.

(2) Council Regulation (EC) No 1359/2008 of 28 November 2008 fixing for 2009 and 2010 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks⁽²⁾, Council Regulation (EC) No 1226/2009 of 20 November 2009 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2010⁽³⁾, Council Regulation (EC) No 1287/2009 of 27 November 2009 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2010⁽⁴⁾ and 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⁽⁵⁾, fix quotas for certain stocks for 2010 and specify which stocks may be subject to the measures provided for in Regulation (EC) No 847/96.

(3) 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⁽⁶⁾, Council Regulation (EU) No 1124/2010 of 29 November 2010 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea⁽⁷⁾, Council Regulation (EU) No 1256/2010 of 17 December 2010 fixing the fishing opportunities for certain fish stocks applicable in the Black Sea for 2011⁽⁸⁾ and Council Regulation (EU) No 57/2011 of 18 January 2011 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non EU waters⁽⁹⁾, fix quotas for certain stocks for 2011.

(4) Certain Member States have requested, before 31 October of 2010, pursuant to Article 4(2) of Regulation (EC) No 847/96, that part of their quotas for 2010 be withheld and transferred to the following year. Within the limits indicated in that Regulation, the quantities withheld should be added to the quota for 2011.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture.

HAS ADOPTED THIS REGULATION:

Article 1

The fishing quotas fixed for 2011 in Regulations (EU) No 1225/2010, (EU) No 1124/2010, (EU) No 1256/2010, and (EU) No 57/2011 are increased as set out in the Annex.

Article 2

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

⁽¹⁾ OJ L 115, 9.5.1996, p. 3.

⁽²⁾ OJ L 352, 31.12.2008, p. 1.

⁽³⁾ OJ L 330, 16.12.2009, p. 1.

⁽⁴⁾ OJ L 347, 24.12.2009, p. 1.

⁽⁵⁾ OJ L 21, 26.1.2010, p. 1.

⁽⁶⁾ OJ L 336, 21.12.2010, p. 1.

⁽⁷⁾ OJ L 318, 4.12.2010, p. 1.

⁽⁸⁾ OJ L 343, 29.12.2010, p. 2.

⁽⁹⁾ OJ L 24, 27.1.2011, p. 1.

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

Done at Brussels, 20 July 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
BEL	ANF/07.	Anglerfish	VII	2 836		643,4	1,1	22,7 %	283,60	2 984	3 268	
BEL	COD/07D.	Cod	VIIId	94		51,7		55,0 %	9,40	67	76	
BEL	COD/07A.	Cod	VIIa	32		18,4		57,5 %	3,20	7	10	
BEL	COD/7XAD34	Cod	VIIb, VIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1	161		49,4		30,7 %	16,10	167	183	
BEL	HAD/2AC4.	Haddock	EU waters of IIa and IV	100		77,8		77,8 %	10,00	196	206	
BEL	HAD/6B1214	Haddock	VIb, XII, XIV	11		0,0		0,0 %	1,10	8	9	
BEL	HAD/7X7A34	Haddock	VIIb-k, VIII, IX and X	175		120,7		69,0 %	17,50	148	166	
BEL	HER/1/2.	Herring	EU waters of I and II	34		0,0		0,0 %	3,40	22	25	HER/1/2-
BEL	HKE/2AC4-C	Hake	EU waters of IIa and IV	57		47,1		82,6 %	5,70	28	34	
BEL	HKE/571214	Hake	VI, VII; EU waters of Vb, international waters of XII and XIV	122		11,6		9,5 %	12,20	284	296	
BEL	HKE/8ABDE.	Hake	VIIIa, b, d, e	10		1,3		13,0 %	1,00	9	10	
BEL	JAX/4BC7D	Horse mackerel	EU waters of IVb, IVc, VIIId	68		14,8		21,8 %	6,80	47	54	
BEL	LIN/04.	Ling	EU waters of IV	17		14,4		84,7 %	1,70	16	18	LIN/04-C.
BEL	LIN/05.	Ling	EU waters of V	10		0,0		0,0 %	1,00	9	10	LIN/05EL.
BEL	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII, XIV	34		21,7		63,8 %	3,40	29	32	
BEL	NEP/07.	Norway lobster	VII	15		14,1		94,0 %	0,90		1	
BEL	NEP/2AC4-C	Norway lobster	EU waters of IIa and IV	1 176		211,3		18,0 %	117,60	1 227	1 345	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
BEL	NEP/8ABDE.	Norway lobster	VIIIa, VIIIb, VIIIc and VIId	5		1,3		26,0 %	0,50		1	
BEL	PLE/07A.	Plaice	VIIa	382		115,1		30,1 %	38,20	42	80	
BEL	PLE/7DE.	Plaice	VIId and VIle	1 121		1 080,4		96,4 %	40,60	763	804	
BEL	PLE/7FG.	Plaice	VIIIf and VIIg	195		178,6		91,6 %	16,40	56	72	
BEL	PLE/7HJK.	Plaice	VIIIh, VIIj, and VIIk	7		0,6		8,6 %	0,70	12	13	
BEL	SOL/07A.	Common sole	VIIa	312		188,8		60,5 %	31,20	179	210	
BEL	SOL/07D.	Common sole	VIId	1 311		1 174,8		89,6 %	131,10	1 306	1 437	
BEL	SOL/07E.	Common sole	VIle	23		13,0		56,5 %	2,30	25	27	
BEL	SOL/24.	Common sole	EU waters of II and IV	1 439		1 248,8		86,8 %	143,90	1 171	1 315	SOL/24-C.
BEL	SOL/7FG.	Common sole	VIIIf and VIIg	694		570,4		82,2 %	69,40	775	844	
BEL	SOL/8AB.	Common sole	VIIIa and b	443		131,7		29,7 %	44,30	53	97	
BEL	SRX/07D.	Skates and rays	EU waters of VIId	69	60,4	88,3		40,4 %	6,90	80	87	
BEL	SRX/67AKXD	Skates and rays	EU waters of VIa, VIb, VIIa-c and VIle-k	1 209		909,7	61	80,3 %	120,90	1 027	1 148	
BEL	SRX/89-C.	Skates and rays	EU waters of VIII and IX	11		0,0		0,0 %	1,10	9	10	
BEL	WHG/07A.	Whiting	VIIa	10		3,9		39,0 %	1,00		1	
BEL	WHG/7X7A.	Whiting	VIIb, VIIc, VIId, VIle, VIIf, VIIg, VIIh and VIIk	189		162,3		85,9 %	18,90	158	177	WHG/7X7A-C
DNK	BLI/03-	Blue ling	EU waters and waters not under the sovereignty or jurisdiction of third countries of III	5		0,2		4,0 %	0,50	4	5	
DNK	COD/03AS.	Cod	IIIa Kattegat	270		110,9		41,1 %	27,00	118	145	
DNK	DGS/2AC4-C	Spurdog/dogfish	EU waters of IIa and IV	5		3,4		68,0 %	0,50	0	1	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
DNK	HAD/2AC4.	Haddock	EU waters of IIa and IV	920		723,0		78,6 %	92,00	1 349	1 441	
DNK	HER/1/2.	Herring	EU waters of I and II	29 336	26 772	13,5	26 772,3	91,3 %	2 550,20	22 039	24 589	
DNK	HKE/2AC4-C	Hake	EU waters of IIa and IV	1 195		603,7		50,5 %	119,50	1 119	1 239	
DNK	HKE/3A/BCD	Hake	IIIa; EU waters of IIIb, IIIc and IIId	1 685		345,3		20,5 %	168,50	1 531	1 700	
DNK	JAX/2A-14	Horse Mackerel	EU waters of IIa, IVa, VI, VIIa-c, VIIe-k, VIIla, VIIlb, VIIId and VIIle; EU and international waters of Vb; international waters of XII and XIV	6 550		3 002,4		45,8 %	655,00	15 562	16 217	
DNK	JAX/4BC7D	Horse mackerel	EU waters of IVb, IVc, VIId	5 107		0,1		0,0 %	510,70	20 447	20 958	
DNK	LIN/03.	Ling	IIIa; EU waters of IIIb, IIIc and IIId	64		57,8		90,3 %	6,20	51	57	LIN/3A/BCD
DNK	LIN/04.	Ling	EU waters of IV	269		56,3		20,9 %	26,90	243	270	LIN/04-C.
DNK	LIN/05.	Ling	EU waters of V	7		0,0		0,0 %	0,70	6	7	LIN/05EI.
DNK	LIN/1/2.	Ling	EU and international waters of I and II	8		0,0		0,0 %	0,80	8	9	
DNK	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII, XIV	6		0,0		0,0 %	0,60	5	6	
DNK	NEP/2AC4-C	Norway lobster	EU waters of IIa and IV	1 436		302,0		21,0 %	143,60	1 227	1 371	
DNK	PRA/2AC4-C	Northern prawn	EU waters of IIa and IV	3 540		0,0		0,0 %	354,00	2 673	3 027	
DNK	SOL/24.	Common sole	EU waters of II and IV	761		403,6		53,0 %	76,10	535	611	SOL/24-C.
DNK	SOL/3A/BCD	Common Sole	IIIa; EU waters of IIIb, IIIc and IIId	664		466,5		70,3 %	66,40	704	770	
DNK	SRX/03-C	Skates and rays	EU waters of IIIa	45		0,0		0,0 %	4,50	45	50	SRX/03A-C
DNK	SRX/2AC4-C	Skates and rays	EU waters of IIa and IV	10		9,5		95,0 %	0,50	9	10	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
DNK	USK/03-C.	Tusk	EU waters of III	14		0,8		5,7 %	1,40	12	13	USK/3A/BCD
DNK	USK/04-C.	Tusk	EU waters of IV	60		1,6		2,7 %	6,00	53	59	
DNK	WHB/1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, b, d, e, XII, XIV	135		133,1		98,6 %	1,90	1 533	1 535	
DEU	ANF/07.	Anglerfish	VII	365		256,0		70,1 %	36,50	333	370	
DEU	BSF/56712-	Black scabbardfish	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, XII	29		0,0		0,0 %	2,90	27	30	
DEU	COD/03AS.	Cod	IIIa Kattegat	6		0,3		5,0 %	0,60	2	3	
DEU	GFB/1234-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	9		0,0		0,0 %	0,90	9	10	
DEU	GFB/567-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	11		1,8		16,4 %	1,10	10	11	
DEU	GHL/2A-C46	Greenland Halibut	EU waters of IIa and IV; EU and international waters of Vb and VI	6		0,0		0,0 %	0,60	3	4	
DEU	HAD/5BC6A.	Haddock	EU and international waters of ICES zones VIb, XII and XIV	5		1,3		26,0 %	0,50	3	4	
DEU	HAD/6B1214	Haddock	EU and international waters of ICES zones VIb, XII and XIV	15		0,0		0,0 %	1,50	10	12	
DEU	HER/1/2.	Herring	EU waters of I and II	11 106	4 686,3	6 418,2	4 686,3	57,8 %	1 110,60	3 859	4 970	HER/1/2-
DEU	HKE/2AC4-C	Hake	EU waters of IIa and IV	166		131,3		79,1 %	16,60	128	145	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
DEU	JAX/2A-14	Horse Mackerel	EU waters of IIa, IVa, VI, VIIa-c, VIIe-k, VIIIa, VIIIb, VIIIc and VIIIe; EU and international waters of Vb; international waters of XII and XIV	19 524		17 579,6		90,0 %	1 944,40	12 142	14 086	
DEU	JAX/4BC7D	Horse mackerel	EU waters of IVb, IVc, VIId	4 228,7		3 803,9		90,0 %	422,87	1 805	2 228	
DEU	LIN/04.	Ling	EU waters of IV	106		24,9		23,5 %	10,60	150	161	LIN/04-C.
DEU	LIN/05.	Ling	EU and international waters of V	7		0,0		0,0 %	0,70	6	7	LIN/05EI.
DEU	LIN/1/2.	Ling	EU and international waters of I and II	10		0,0		0,0 %	1,00	8	9	
DEU	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII and XIV	123		13,3		10,8 %	12,30	106	118	
DEU	NEP/2AC4-C	Norway lobster	EU waters of IIa and IV	465		374,4		80,5 %	46,50	18	65	
DEU	POK/561 214	Saithe	VI; EU and international waters of Vb; EU and international waters of XII and XIV	285		256,9		90,1 %	28,10	543	571	POK/56-14
DEU	RNG/03-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of III	5		0,0		0,0 %	0,50	5	6	
DEU	RNG/5B67-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VIII	7		0,0		0,0 %	0,70	5	6	
DEU	RNG/8X14-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	37		0,0		0,0 %	3,70	30	34	
DEU	SOL/24.	Common Sole	EU waters of II and IV	641		533,6		83,2 %	64,10	937	1 001	SOL/24-C.

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
DEU	SOL/3A/BCD	Common Sole	IIIa; EU waters of IIIb, IIIc and IIId	33		26,2		79,4 %	3,30	41	44	
DEU	SRX/2AC4-C	Skates and rays	EU waters of IIa and IV	33		28,0		84,8 %	3,30	12	15	
DEU	SRX/67AKXD	Skates and rays	EU waters of VIa, VIb, VIIa-c and VIIe-k	16		0,3		1,9 %	1,60	14	16	
DEU	USK/03-C.	Tusk	EU waters of III	7		0,0		0,0 %	0,70	6	7	USK/3A/BCD
DEU	USK/04-C.	Tusk	EU waters of IV	18		0,7		3,9 %	1,80	16	18	
DEU	USK/1214EI	Tusk	EU and international waters of I, II and XIV	6		0,0		0,0 %	0,60	6	7	
DEU	WHB/1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, b, d, e, XII, XIV	9 854		9 067,7	1,8	92,0 %	784,50	596	1 381	
DEU	WHG/561214	Whiting	VI; EU and international waters of Vb; international waters of XII and XIV	9		0,0		0,0 %	0,90	2	3	WHG/56-14
IRL	ANF/07.	Anglerfish	VII	3 646		3 527,1		96,7 %	118,86	2 447	2 566	
IRL	COD/07A.	Cod	VIIa	325		290,5		89,4 %	32,50	332	365	
IRL	COD/5B6A-C	Cod	VIa; EU and international waters of Vb east of 12° 00' W	53		48,7		92,0 %	4,26	40	44	COD/5BE6A
IRL	DGS/15X14	Spurdog/dogfish	EU and international waters of I, V, VI, VII, VIII, XII and XIV	29		24,6		84,8 %	2,90	0	3	
IRL	GFB/567-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	181		9,5		5,2 %	18,10	260	278	
IRL	HAD/5BC6A.	Haddock	EU waters of Vb and VIa	447		396,1		88,6 %	44,70	328	373	
IRL	HAD/6B1214	Haddock	VIb, XII, XIV	243		169,0		69,5 %	24,30	295	319	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
IRL	HAD/7X7A34	Haddock	VIIb-k, VIII, IX and X; EU waters of CECAF 34.1.1	2 815		2 608,4		92,7 %	206,60	2 959	3 166	
IRL	HER/1/2.	Herring	EU and international waters of I and II	8 563	8 060,7	8 060,7	8 060,7	94,1 %	502,30	5 705	6 207	HER/1/2-
IRL	HER/5B6ANB	Herring	EU and international waters of Vb, VIb and VIaN	3 096		2 651,9		85,7 %	309,60	3 286	3 596	
IRL	HER/6AS7BC	Herring	VIaS, VIIbc	8 510		7 196,7		84,6 %	851,00	4 065	4 916	
IRL	HER/7G-K.	Herring	VIIg, h, j, k	9 051		8 343,4		92,2 %	707,59	11 407	12 115	
IRL	HKE/571214	Hake	VI, VII; EU waters of Vb, international waters of XII and XIV	2 111		2 047,6		97,0 %	63,40	1 704	1 767	
IRL	JAX/2AX14-	Horse Mackerel	EU waters of IIa, IVa, VI, VIIa-c, VIIe-k, VIIla, VIIlb, VIIId and VIIle; EU and international waters of Vb; international waters of XII and XIV	47 685		44 489,3		93,3 %	3 195,66	40 439	43 635	JAX/2A-14
IRL	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII and XIV	659		612,1		92,9 %	46,86	575	622	
IRL	NEP/07.	Norway lobster	VII	8 595		7 708,5		89,7 %	859,50	8 025	8 885	
IRL	NEP/5BC6.	Norway lobster	VI; EU waters of Vb	76		44,6		58,7 %	7,60	185	193	
IRL	PLE/07A.	Plaice	VIIa	827		89,3		10,8 %	82,70	1 063	1 146	
IRL	PLE/7BC	Plaice	VIIb and VIIc	72		26,9		37,4 %	7,20	62	69	
IRL	PLE/7FG.	Plaice	VIIIf, g	69		63,1		91,4 %	5,90	200	206	
IRL	PLE/7HJK	Plaice	VIIIf, VIIj and VIIk	124		65,5		52,8 %	12,40	81	93	
IRL	RNG/5B67-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VIII	245		0,0		0,0 %	24,50	190	215	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
IRL	RNG/8X14-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	8		0,0		0,0 %	0,80	6	7	
IRL	SOL/07A.	Common Sole	VIIa	51		47,3		92,7 %	3,70	73	77	
IRL	SOL/7FG.	Common Sole	VIIIf, g	30		26,8		89,3 %	3,00	39	42	
IRL	USK/567EI	Tusk	EU and international waters of V, VI and VII	11		9,5		86,4 %	1,10	17	18	
IRL	WHG/07A.	Whiting	VIIa	104		96,9		93,2 %	7,10	68	75	
IRL	WHG/561 214	Whiting	VI; EU waters of Vb; international waters of XII and XIV	118		100,6		85,3 %	11,80	97	109	WHG/56-14
IRL	WHG/7X7A	Whiting	VIIb, VIIc, VIId, VIle, VIIf, VIlg, VIIh and VIIk	4 589		4 330,4		94,4 %	258,64	4 865	5 124	WHG/7X7A-C
ESP	ALF/3X14-	Alfonsinos	EU waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	66		65,2		98,8 %	0,80	74	75	
ESP	ANE/9/3411	Anchovy	IX and X; EU waters of CEEAF 34.1.1	4 247		3 815,8		89,8 %	424,70	3 635	4 060	
ESP	ANF/07.	Anglerfish	VII	3 145		2 321,2		73,8 %	314,50	1 186	1 501	
ESP	ANF/8ABDE.	Anglerfish	VIIIa, b, d, e	1 481		733,4		49,5 %	148,10	1 318	1 466	
ESP	ANF/8C3411	Anglerfish	VIIIc, IX, X, EU waters of CEEAF 34.1.1	1 180		1 176,8		99,7 %	3,20	1 310	1 313	
ESP	DGS/15X14	Spurdog/dogfish	EU and international waters of I, V, VII, VIII, XII, XIV	5		4,5		90,0 %	0,50		1	
ESP	GFB/567-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	597		587,8		98,5 %	9,20	588	597	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
ESP	HAD/7X7A34	Haddock	VIIb-k, VIII, IX and X; EU waters of CECAF 34.1.1	150		143,8		95,9 %	6,20		6	
ESP	HKE/571214	Hake	VI, VII; EU waters of Vb, international waters of XII and XIV	12 618	1 289,2	11 152,2	53,2	78,6 %	1 261,80	9 109	10 371	
ESP	HKE/8ABDE.	Hake	VIIIa, b, d, e	7 779	53,2	5 658,5	1 289,2	88,6 %	777,90	6 341	7 119	
ESP	HKE/8C3411	Hake	VIIIc, IX and X; EU waters of CECAF 34.1.1	5 962		5 900,1		99,0 %	61,90	6 844	6 906	
ESP	JAX/08C.	Horse Mackerel	VIIIc	22 708		22 699,8		100,0 %	8,20	22 521	22 529	
ESP	JAX/09.	Horse Mackerel	IX	8 068		8 062,7		99,9 %	5,30	7 654	7 659	
ESP	JAX/2A-14	Horse Mackerel		2 040		1 730,7		84,8 %	204,00	16 562	16 766	
ESP	LEZ/8C3411	Megrim	VIIIc, IX, X, EU waters of CECAF 34.1.1	1 113		1 111,2		99,8 %	1,80	1 010	1 012	
ESP	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII, XIV	2 483		1 117,1		45,0 %	248,30	2 150	2 398	
ESP	NEP/07.	Norway lobster	VII	1 494		357,5		23,9 %	149,40	1 306	1 455	
ESP	NEP/08C.	Norway lobster	VIIIc	87		42,1		48,4 %	8,70	87	96	
ESP	NEP/5BC6.	Norway lobster	VI; EU waters of Vb	37		0,5		1,4 %	3,70	28	32	
ESP	NEP/8ABDE.	Norway lobster	VIIIa, VIIIb, VIIIc and VIId	34		1,7		5,0 %	3,40	234	237	
ESP	RNG/8X14-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	4 715		4 262,3		90,4 %	452,70	3 286	3 739	
ESP	SBR/09-	Red seabream	EU waters and waters not under the sovereignty or jurisdiction of third countries of IX	696		101,2		14,5 %	69,60	614	684	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
ESP	SBR/678-	Red seabream	EU waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII, VIII	152		151,0		99,3 %	1,00	172	173	
ESP	SRX/67AKXD	Skates and rays	EU waters of VIa, VIb, VIIa-c and VIIe-k	1 460		1 044,5		71,5 %	146,00	1 241	1 387	
ESP	SRX/89-C.	Skates and rays	EU waters of VIII and IX	1 618		1 165,2		72,0 %	161,80	1 435	1 597	
ESP	WHB/1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIa, b, d, e, XII, XIV	187		119,0		63,6 %	18,70	1 300	1 319	
ESP	WHB/8C3 411	Blue whiting	VIIIc, IX, X, EU waters of CECAF 34.1.1	11 127		11 112,2		99,9 %	14,80	824	839	
ESP	WHG/7X7A.	Whiting	VIIb, VIIc, VIId, VIIe, VIIf, VIIg, VIIh and VIIk	50		9,8		19,6 %	5,00	0	5	WHG/7X7A-C
FRA	ALF/3X14-	Alfonsinos	EU waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII, XIV	32		19,2		60,0 %	3,20	20	23	
FRA	ANF/07.	Anglerfish	VII	19 044		10 414,2		54,7 %	1 904,40	19 149	21 053	
FRA	ANF/8ABDE.	Anglerfish	VIIIa, VIIIb, VIId and VIIe	8 467		5 706,5		67,4 %	846,70	7 335	8 182	
FRA	ANF/8C3411	Anglerfish	VIIIc, IX and X; EU waters of CECAF 34.1.1	34		12,8		37,6 %	3,40	1	4	
FRA	BLI/67-	Blue ling	EU waters and international waters of VI, VII	1 718		1 605,5		93,5 %	112,50	1 297	1 410	BLI/5B67-
FRA	BSF/1234-	Black scabbardfish	EU waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	5		2,9		58,0 %	0,50	4	5	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
FRA	BSF/56712-	Black scabbardfish	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, XII	2 269		2 110,1		93,0 %	158,90	1 884	2 043	
FRA	BSF/8910-	Black scabbardfish	EU waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX and X	27		10,9		40,4 %	2,70	26	29	
FRA	COD/07A.	Cod	VII a	26		0,7		2,7 %	2,60	19	22	
FRA	COD/07D.	Cod	VII d	1 735		1 564,8		90,2 %	170,20	1 313	1 483	
FRA	COD/5B6A-C	Cod	VIa; EU and international waters of Vb east of 12° 00' W	67		52,9		79,0 %	6,70	29	36	COD/5BE6A
FRA	COD/7XAD34	Cod	VIIb-c, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1	3 029		1 937,1		64,0 %	302,90	2 735	3 038	
FRA	GFB/1012-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of X, XII	10		0,2		2,0 %	1,00	9	10	
FRA	GFB/1234-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	10		1,5		15,0 %	1,00	9	10	
FRA	GFB/567-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	960		489,5		51,0 %	96,00	356	452	
FRA	GFB/89-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX	39		36,9		94,6 %	2,10	15	17	
FRA	GHL/2A-C46	Greenland Halibut	EU waters of IIa and IV; EU and international waters of VI	176		151,6		86,1 %	17,60	31	49	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
FRA	HAD/2AC4.	Haddock	IV; EU waters of IIa	671		276,4		41,2 %	67,10	1 496	1 563	
FRA	HAD/5BC6A.	Haddock	EU waters of Vb and VIa	151		81,7		54,1 %	15,10	111	126	
FRA	HAD/6B1214	Haddock	EU and international waters of ICES zones VIb, XII and XIV	621		0,7		0,1 %	62,10	413	475	
FRA	HAD/7X7A34	Haddock	VIIb-k, VIII, IX and X; EU waters of CECAF 34.1.1	8 318		6 422,2		77,2 %	831,80	8 877	9 709	
FRA	HER/1/2.	Herring	EU and international waters of I and II	158		0,0		0,0 %	15,80	951	967	HER/1/2-
FRA	HER/5B6ANB	Herring	EU and international waters of Vb and VIb and VIaN	514		498,5		97,0 %	15,50	460	476	
FRA	HER/7G-K.	Herring	VIIg, VIIh, VIIj and VIIk	640		636,4		99,4 %	3,60	815	819	
FRA	HKE/2AC4-C	Hake	EU waters of IIa and IV	617		358,4		58,1 %	61,70	248	310	
FRA	HKE/571214	Hake	VI and VII; EU waters of Vb; international waters of XII and XIV	12 425		9 629,0		77,5 %	1 242,50	14 067	15 310	
FRA	HKE/8ABDE.	Hake	VIIIa, VIIIb, VIIIc and VIId	14 778		10 578,2		71,6 %	1 477,80	14 241	15 719	
FRA	HKE/8C3411	Hake	VIIIc, IX and X; EU waters of CECAF 34.1.1	571		465,4		81,5 %	57,10	657	714	
FRA	JAX/08C.	Horse Mackerel	VIIIc	437		82,6		18,9 %	43,70	390	434	
FRA	JAX/2AX14-	Horse mackerel	EU waters of IIa, IVa, VI, VIIa-c, VIIe-k, VIIIa, VIIIb, VIId and VIId; EU and international waters of Vb; international waters of XII and XIV	17 012		0,0		0,0 %	1 701,20	6 250	7 951	JAX/2A-14
FRA	JAX/4BC7D	Horse mackerel	EU waters of IVb, IVc, VIId	2 678		1 504,3		56,2 %	267,80	1 696	1 964	
FRA	LEZ/8C3411	Megrim	VIIIc, IX and X; EU waters of CECAF 34.1.1	65		9,9		15,2 %	6,50	50	57	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
FRA	LIN/04.	Ling	EU waters of IV	190		55,5		29,2 %	19,00	135	154	LIN/04-C.
FRA	LIN/05.	Ling	EU and international waters of V	7		1,0		14,3 %	0,70	6	7	LIN/05EI.
FRA	LIN/1/2.	Ling	EU and international waters of I and II	9		1,9		21,1 %	0,90	8	9	
FRA	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII and XIV	2 719		1 879,4		69,1 %	271,90	2 293	2 565	
FRA	NEP/07.	Norway lobster	VII	6 122		1 131,5		18,5 %	612,20	5 291	5 903	
FRA	NEP/08C.	Norway lobster	VIIIc	27		2,1		7,8 %	2,70	4	7	
FRA	NEP/2AC4-C	Norway lobster	EU waters of IIa and IV	42		0,5		1,2 %	4,20	36	40	
FRA	NEP/5BC6.	Norway lobster	VI; EU waters of Vb	147		0,0		0,0 %	14,70	111	126	
FRA	NEP/8ABDE.	Norway lobster	VIIIa, VIIIb, VIIIc and VIId	4 318		3 562,4		82,5 %	431,80	3 665	4 097	
FRA	ORY/07-	Orange Roughy	EU waters and waters not under the sovereignty or jurisdiction of third countries of VII	6		0,0		0,0 %	0,60	0	1	
FRA	PLE/07A.	Plaice	VIIa	20		0,2		1,0 %	2,00	18	20	
FRA	PLE/7BC.	Plaice	VIIb and VIIc	18		6,5		36,1 %	1,80	16	18	
FRA	PLE/7DE.	Plaice	VIIId and VIId	2 177		2 163,0		99,4 %	14,00	2 545	2 559	
FRA	PLE/7FG.	Plaice	VIIIf and VIIg	142		135,8		95,6 %	6,20	101	107	
FRA	POK/561 214	Saithe	VI; EU and international waters of Vb; EU and international waters of XII and XIV	6 539		2 011,4		30,8 %	653,90	5 393	6 047	POK/56-14

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
FRA	RNG/1245A-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of I, II, IV and Va	12		3,1		25,8 %	1,20	9	10	RNG/124-
FRA	RNG/5B67-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VII	3 102		1 514,1		48,8 %	310,20	2 409	2 719	
FRA	RNG/8X14-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, XII and XIV	191		2,1		1,1 %	19,10	151	170	
FRA	SOL/07D.	Common sole	VIIId	2 595		2 398,8		92,4 %	196,20	2 613	2 809	
FRA	SOL/07E.	Common sole	VIIe	259		252,8		97,6 %	6,20	267	273	
FRA	SOL/24.	Common sole	EU waters of II and IV	917		621,2		67,7 %	91,70	234	326	SOL/24-C.
FRA	SOL/7FG.	Common sole	VIIIf and VIIg	69		44,7		64,8 %	6,90	78	85	
FRA	SOL/8AB.	Common sole	VIIIa and b	4 857		4 268,6		87,9 %	485,70	3 895	4 381	
FRA	SRX/07D.	Skates and rays	EU waters of VIIId	670		601,3		89,7 %	67,00	670	737	
FRA	SRX/2AC4-C	Skates and rays	EU waters of IIa and IV	99		91,8		92,7 %	7,20	37	44	
FRA	SRX/67AKXD	Skates and rays	EU waters of VIa, VIb, VIIa-c and VIIe-k	5 599		4 332,9		77,4 %	559,90	4 612	5 172	
FRA	SRX/89-C.	Skates and rays	EU waters of VIII and IX	2 190		1 560,7		71,3 %	219,00	1 760	1 979	
FRA	USK/04-C.	Tusk	EU waters of IV	37		8,3		22,4 %	3,70	37	41	
FRA	USK/1214EI	Tusk	EU and international waters of I, II and XIV	7		5,4		77,1 %	0,70	6	7	
FRA	WHB/1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIId, VIIIE, XII and XIV	11 217		10 000,0		89,2 %	1 121,70	1 067	2 189	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
FRA	WHG/07A.	Whiting	VIIa	6		1,5		25,0 %	0,60	4	5	
FRA	WHG/561 214	Whiting	VI; EU waters of Vb; international waters of XII and XIV	59		4,2		7,1 %	5,90	39	45	WHG/56-14
FRA	WHG/7X7A.	Whiting	VIIb, VIIc, VIId, VIle, VIIf, VIlg, VIIh and VIIk	9 679		8 862,8		91,6 %	816,20	9 726	10 542	WHG/7X7A-C
NLD	ANF/07.	Anglerfish	VII	195		5,4		2,8 %	19,50	386	406	
NLD	COD/07D.	Cod	VIId	54		11,3		20,9 %	5,40	39	44	
NLD	HAD/2AC4.	Haddock	IV; EU waters of IIa	50		43,2		86,4 %	5,00	147	152	
NLD	HAD/7X7A34	Haddock	VIIb-k, VIII, IX and X; EU waters of CECAF 34.1.1	5		0,4		8,0 %	0,50	0	1	
NLD	HER/1/2.	Herring	EU and international waters of I and II	24 829	10 619	24 698,1	10 619	99,5 %	130,90	7 886	8 017	HER/1/2-
NLD	HER/5B6ANB.	Herring	EU and international waters of Vb and Vib and VIaN	3 376		3 221,6		95,4 %	154,40	2 432	2 586	
NLD	HER/7G-K.	Herring	VIlg, h, j, k	510		491,3		96,3 %	18,70	815	834	
NLD	HKE/2AC4-C	Hake	EU waters of IIa and IV	69		60,4		87,5 %	6,90	64	71	
NLD	HKE/571214	Hake	VI and VII; EU and international waters of Vb; international waters of XII and XIV	183	6	181,8		96,1 %	7,20	183	190	
NLD	HKE/8ABDE	Hake	VIIIa, VIIIb, VIId and VIle	20		1,5	6	37,5 %	2,00	18	20	
NLD	JAX/2AX14-	Horse Mackerel	EU waters of IIa, IVa, VI, VIIa-c, VIIe-k, VIIIa, VIIIb, VIId and VIle; EU and international waters of Vb; international waters of XII and XIV	66 185		62 343,3		94,2 %	3 841,70	48 719	52 561	JAX/2A-14
NLD	JAX/4BC7D.	Horse Mackerel	EU waters of IVb, IVc and VIId	27 257		16 202,4		59,4 %	2 725,70	12 310	15 036	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
NLD	LIN/04.	Ling	EU waters of IV	6		0,8		13,3 %	0,60	5	6	LIN/04-C.
NLD	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII and XIV	5		0,2		4,0 %	0,50		1	
NLD	NEP/2AC4-C	Norway lobster	EU waters of IIa and IV	921		709,4		77,0 %	92,10	631	723	
NLD	PLE/07A.	Plaice	VIIa	14		0,0		0,0 %	1,40	13	14	
NLD	PLE/7DE.	Plaice	VIIId and VIIe	38		12,4		32,6 %	3,80		4	
NLD	PLE/7HJK.	Plaice	VIIIh, VIIJ and VIIk	16		0,0		0,0 %	1,60	46	48	
NLD	PRA/2AC4-C	Northern prawn	EU waters of IIa and IV	33		0,0		0,0 %	3,30	25	28	
NLD	SOL/24.	Common Sole	EU waters of II and IV	10 142		8 736,4		86,1 %	1 014,20	10 571	11 585	SOL/24-C.
NLD	SOL/3A/BCD	Common Sole	IIIa; EU waters of IIIbcd	34		3,6		10,6 %	3,40	68	71	
NLD	SRX/07D.	Skates and rays	EU waters of VIIId	12		0,7		5,8 %	1,20	4	5	
NLD	SRX/2AC4-C	Skates and rays	EU waters of IIa and IV	396		393,3		99,3 %	2,70	201	204	
NLD	SRX/67AKXD	Skates and rays	EU waters of VIa, VIb, VIIa-c and VIIe-k	5		0,0		0,0 %	0,50	4	5	
NLD	WHB/1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIa, VIIb, VIIId, VIIe, XII and XIV	36 159		33 911,6	11,5	93,8 %	2 235,90	1 869	4 105	
NLD	WHG/7X7A.	Whiting	VIIb, VIIc, VIIId, VIIe, VIIf, VIIf, VIIh and VIIk	437		102,8		23,5 %	43,70	79	123	WHG/7X7A-C
PRT	ANE/9/3411	Anchovy	IX and X; EU waters of CECAF 34.1.1	4 174		129,8		3,1 %	417,40	3 965	4 382	
PRT	BSF/C3412-	Black scabbardfish	EU waters and waters not under the sovereignty or jurisdiction of third countries of CECAF 34.1.2	4 714		1 860,0		39,5 %	471,40	4 071	4 542	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
PRT	GFB/1012-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of X and XII	40		13,8		34,5 %	4,00	36	40	
PRT	HKE/8C3411	Hake	VIIIc, IX and X; EU waters of CECAF 34.1.1	2 777		2 419,0		87,1 %	277,70	3 194	3 472	
PRT	JAX/08C.	Horse mackerel	VIIIc	2 468		809,4		32,8 %	246,80	2 226	2 473	
PRT	JAX/09.	Horse mackerel	IX	25 425		14 040,8		55,2 %	2 542,50	21 931	24 474	
PRT	NEP/9/3411	Norway lobster	IX and X; EU waters of CECAF 34.1.1	251		150,1		59,8 %	25,10	227	252	
PRT	SBR/09-	Red seabream	EU waters and waters not under the sovereignty or jurisdiction of third countries of IX	186		116,3		62,5 %	18,60	166	185	
PRT	SBR/10-	Red seabream	EU waters and waters not under the sovereignty or jurisdiction of third countries of X	1 125		684,2		60,8 %	112,50	1 116	1 229	
PRT	SRX/89-C.	Skates and rays	EU waters of VIII and IX	1 628		1 476,3		90,7 %	151,70	1 426	1 578	
PRT	WHB/8C3 411	Blue whiting	VIIIc, IX and X; EU waters of CECAF 34.1.1	2 774		1 541,3		55,6 %	277,40	206	483	
FIN	HER/30/31.	Herring	Subdivisions 30-31	92 295		59 242,2		64,2 %	9 229,50	85 568	94 798	
SWE	COD/03AS.	Cod	Kattegat	161		40,6		25,2 %	16,10	70	86	
SWE	HAD/2AC4.	Haddock	IV; EU waters of IIa	16		12,0		75,0 %	1,60	136	138	
SWE	HER/30/31.	Herring	Subdivisions 30-31	20 278		3 182,4		15,7 %	2 027,80	18 801	20 829	
SWE	HKE/3A/BCD	Hake	IIIa; EU waters of IIIb, IIIc and IIId	142		43,7		30,8 %	14,20	130	144	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
SWE	JAX/2AX14-	Horse mackerel	EU waters of IIa, IVa, VI, VIIa-c, VIIe-k, VIIIa, VIIIb, VIIIc and VIIIe; EU and international waters of Vb; international waters of XII and XIV	75		2,3		3,1 %	7,50	675	683	JAX/2A-14
SWE	JAX/4BC7D	Horse mackerel	EU waters of IVb, IVc and VIId	75		0,0		0,0 %	7,50	75	83	
SWE	LIN/03.	Ling	EU waters of III	21		20,5		97,6 %	0,50	20	21	LIN/3A/BCD
SWE	LIN/04.	Ling	EU waters of IV	11		0,5		4,5 %	1,10	10	11	LIN/04-C.
SWE	PRA/2AC4-C	Northern prawn	EU waters of IIa and IV	142		0,0		0,0 %	14,20	108	122	
SWE	SOL/3A/BCD	Common sole	IIIa; EU waters of IIIb, IIIc and IIId	55		46,5		84,5 %	5,50	27	33	
SWE	USK/03-C.	Tusk	EU waters of III	7		2,8		40,0 %	0,70	6	7	USK/3A/BCD
SWE	USK/04-C.	Tusk	EU waters of IV	6		0,0		0,0 %	0,60	5	6	
GBR	ALF/3X14-	Alfonsinos	EU waters and waters not under the sovereignty or jurisdiction of third countries of III, IV, V, VI, VII, VIII, IX, X, XII, XIV	11		1,0		9,1 %	1,10	10	11	
GBR	ANF/07.	Anglerfish	VII	6 079		5 570,6	101,6	93,3 %	406,80	5 807	6 214	
GBR	BLI/67-	Blue ling	EU waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII	142		135,5		95,4 %	6,50	330	337	BLI/5B67-
GBR	BSF/1234-	Black scabbardfish	EU waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	5		0,0		0,0 %	0,50	4	5	
GBR	BSF/56712-	Black scabbardfish	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, XII	80		73,3		91,6 %	6,70	134	141	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
GBR	COD/07A.	Cod	VIIa	387		283,1		73,2 %	38,70	146	185	
GBR	COD/07D.	Cod	VIIId	197		111,4		56,5 %	19,70	145	165	
GBR	COD/5B6A-C	Cod	VIa; EU and international waters of Vb east of 12° 00' W	139		115,6		83,2 %	13,90	110	124	COD/5BE6A
GBR	COD/7XAD34	Cod	VIIb, VIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1	326		280,2		86,0 %	32,60	295	328	
GBR	GFB/1012-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of X, XII	10		0,0		0,0 %	1,00	9	10	
GBR	GFB/1234-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of I, II, III, IV	15		1,3		8,7 %	1,50	13	15	
GBR	GFB/567-	Forkbeards	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII	442		249,8		56,5 %	44,20	814	858	
GBR	GHL/2A-C46	Greenland Halibut	EU waters of IIa and IV; EU and international waters of Vb and VI	83		82,1		98,9 %	0,90	123	124	
GBR	HAD/2AC4.	Haddock	IV; EU waters of IIa	25 367		24 962,1		98,4 %	404,90	22 250	22 655	
GBR	HAD/5BC6A.	Haddock	EU waters of Vb and VIa	2 468		2 379,8		96,4 %	88,20	1 561	1 649	
GBR	HAD/6B1214	Haddock	EU and international waters of ICES zones VIb, XII and XIV	4 761		2 854,3		60,0 %	476,10	3 022	3 498	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
GBR	HAD/7X7A34	Haddock	VIIb-k, VIII, IX and X; EU waters of CECAF 34.1.1	944		817,8		86,6 %	94,40	1 332	1 426	
GBR	HER/07A/MM.	Herring	VIIa	5 030		4 981,1		99,0 %	48,90	3 906	3 955	
GBR	HER/5B6ANB	Herring	EU and international waters of Vb and VIb and VIaN	12 165,7		12 068,3		99,2 %	97,40	13 145	13 242	
GBR	HER/7G-K.	Herring	VIIg, VIIh, VIIj and VIIk	14		0,5		3,6 %	1,40	16	17	
GBR	HKE/2AC4-C	Hake	EU waters of IIa and IV	1 989,4		1 896,6		95,3 %	92,80	348	441	
GBR	HKE/571214	Hake	VI and VII; EU waters of Vb; international waters of XII and XIV	4 046,6		3 604,2	116,1	91,9 %	326,30	5 553	5 879	
GBR	JAX/2AX14-	Horse mackerel	EU waters of IIa, IVa, VI, VIIa-c, VIIe-k, VIIla, VIIlb, VIIld and VIIle; EU and international waters of Vb; international waters of XII and XIV	15 652		14 078,1		89,9 %	1 565,20	14 643	16 208	JAX/2A-14
GBR	JAX/4BC7D.	Horse Mackerel	EU waters of IVb, IVc and VIIId	4 396,3		1 879,5		42,8 %	439,63	4 866	5 306	
GBR	LIN/03.	Ling	IIIa; EU waters of IIIb, IIIc and IIId	8		0,0		0,0 %	0,80	7	8	LIN/3A/BCD
GBR	LIN/04.	Ling	EU waters of IV	2 080		1 939,5		93,2 %	140,50	1 869	2 010	LIN/04-C.
GBR	LIN/05.	Ling	EU and international waters of V	7		0,3		4,3 %	0,70	6	7	LIN/05EI.
GBR	LIN/1/2.	Ling	EU and international waters of I and II	9		1,0		11,1 %	0,90	8	9	
GBR	LIN/6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII and XIV	2 974		2 216,5		74,5 %	297,40	2 641	2 938	
GBR	NEP/07.	Norway lobster	VII	8 831		7 404,8		83,9 %	883,10	7 137	8 020	
GBR	NEP/2AC4-C	Norway lobster	EU waters of IIa and IV	22 835		18 607,9		81,5 %	2 283,50	20 315	22 599	

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
GBR	NEP/5BC6.	Norway lobster	VI; EU waters of Vb	17 907		12 045,4		67,3 %	1 790,70	13 357	15 148	
GBR	PLE/07A.	Plaice	VIIa	548		147,7		27,0 %	54,80	491	546	
GBR	PLE/7DE.	Plaice	VIIId and VIIe	1 361		1 331,9		97,9 %	29,10	1 357	1 386	
GBR	PLE/7FG.	Plaice	VIIIf and VIIg	60		52,2		87,0 %	6,00	53	59	
GBR	PLE/7HJK.	Plaice	VIIIf, VIIj and VIIk	48		34,3		71,5 %	4,80	23	28	
GBR	POK/561 214	Saithe	VI; EU and international waters of Vb; EU and international waters of XII and XIV	3 718		3 129,1		84,2 %	371,80	3 317	3 689	POK/56-14
GBR	PRA/2AC4-C	Northern prawn	EU waters of IIa and IV	1 017		0,3		0,0 %	101,70	792	894	
GBR	RNG/5B67-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of Vb, VI, VIII	181		23,3		12,9 %	18,10	141	159	
GBR	RNG/8X14-	Roundnose grenadier	EU waters and waters not under the sovereignty or jurisdiction of third countries of VIII, IX, X, XII, XIV	17		0,0		0,0 %	1,70	13	15	
GBR	SBR/10-	Red seabream	EU waters and waters not under the sovereignty or jurisdiction of third countries of X	11		0,0		0,0 %	1,10	10	11	
GBR	SBR/678-	Red seabream	EU waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII, VIII	15		0,0		0,0 %	1,50	22	24	
GBR	SOL/07A.	Common sole	VIIa	94		11,9		12,7 %	9,40	80	89	
GBR	SOL/07D.	Common sole	VIIId	913		671,5		73,5 %	91,30	933	1 024	
GBR	SOL/07E.	Common sole	VIIe	365		360,5		98,8 %	4,50	418	423	
GBR	SOL/24.	Common sole	EU waters II and IV	1 207		936,2		77,6 %	120,70	602	723	SOL/24-C.

Country ID	Stock Id	Species	Zone names 2010	Final quota 2010	Margin	Catches 2010	SC catches 2010	% final quota	Transferred Qty	Initial quota 2011	Revised quota 2011	New code 2011
GBR	SOL/7FG.	Common sole	VIIIf and VIIg	310		176,3		56,9 %	31,00	349	380	
GBR	SRX/07D.	Skates and rays	EU waters of VIId	136	30,5	129,3		72,6 %	13,60	133	147	
GBR	SRX/2AC4-C	Skates and rays	EU waters of IIa and IV	677		651,3		96,2 %	25,70	903	929	
GBR	SRX/67AKXD	Skates and rays	EU waters of VIa, VIb, VIIa-c and VIIe-k	3 460		1 920,0	30,5	56,4 %	346,00	2 941	3 287	
GBR	SRX/89-C.	Skates and rays	EU waters of VIII and IX	12		0,4		3,3 %	1,20	10	11	
GBR	USK/04-C.	Tusk	EU waters of IV	95		82,4		86,7 %	9,50	80	90	
GBR	USK/1214EI.	Tusk	EU and international waters of I, II and XIV	7		0,5		7,1 %	0,70	6	7	
GBR	USK/567EI.	Tusk	EU and international waters of V, VI and VII	61		60,5		99,2 %	0,50	83	84	
GBR	WHB/1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIa, VIIIf, VIId, VIIe, XII and XIV	7 622		7 009,2		92,0 %	612,80	1 990	2 603	
GBR	WHG/07A.	Whiting	VIIa	60		16,7		27,8 %	6,00	46	52	
GBR	WHG/561 214	Whiting	VI; EU waters of Vb; international waters of XII and XIV	304		252,8		83,2 %	30,40	185	215	WHG/56-14
GBR	WHG/7X7A.	Whiting	VIIb, VIIc, VIId, VIIe, VIIf, VIIg, VIIh and VIIk	1 153		815,5		70,7 %	115,30	1 740	1 855	WHG/7X7A-C

COMMISSION IMPLEMENTING REGULATION (EU) No 701/2011

of 20 July 2011

correcting Regulation (EU) No 1004/2010 operating deductions from certain quotas for 2010 on account of overfishing in the previous year

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, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ⁽¹⁾, and in particular Article 105(1) thereof,

Whereas:

- (1) In the Annex to Commission Regulation (EU) No 1004/2010 ⁽²⁾: two lines should be corrected, because landings made by Estonia vessels in Spain and Denmark were misreported.
- (2) Regulation (EU) No 1004/2010 should therefore be corrected accordingly.
- (3) It is necessary for those corrections to take effect from the date of entry into force of Regulation (EU) No 1004/2010 in so far as they are advantageous to individuals concerned.
- (4) The corrections should take effect from the date of entry into force of this Regulation in so far as they impose burdens on the individuals concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The table in the Annex to Regulation (EU) No 1004/2010 is amended as follows:

- (1) the seventh line is replaced by the following:

EST	RED	N3M	Redfish	OPANO 3M	y	1 540,00	0,0	1 540,00	0,0	1 642,76	1 642,76	106,7 %	- 102,7	1 571,00		1 468'	
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- (2) the eight line:

EST	SPR	03A.	Sprat	IIIa	y	0,00	0,0	0,00	0,0	0,00	0,00	0,0 %	0,00	0,00	- 150,00		150'
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is deleted.

Article 2

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

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 291, 9.11.2010, p. 31.

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

Done at Brussels, 20 July 2011.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 702/2011

of 20 July 2011

approving the active substance prohexadione, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(b) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply to active substances listed in Annex I to Commission Regulation (EC) No 737/2007 of 27 June 2007 on laying down the procedure of the renewal of the inclusion of a first group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances ⁽³⁾, with respect to the procedure and the conditions for approval. Prohexadione (formerly prohexadione-calcium) is listed in Annex I to Regulation (EC) No 737/2007.
- (2) The approval of prohexadione, as set out in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances ⁽⁴⁾, expires on 31 December 2011. A notification was submitted in accordance with Article 4 of Regulation (EC) No 737/2007 for the renewal of the inclusion of prohexadione in Annex I to Directive 91/414/EEC within the time period provided for in that Article.
- (3) That notification was found to be admissible by Commission Decision 2008/656/EC of 28 July 2008 on the admissibility of the notifications concerning the renewal of the inclusion in Annex I to Council Directive 91/414/EEC of the active substances azimsulfuron, azoxystrobin, fluroxypyr, imazalil, kresoxim-methyl, prohexadione and spiroxamine, and establishing the list of the notifiers concerned ⁽⁵⁾.
- (4) Within the time period provided for in Article 6 of Regulation (EC) No 737/2007, the notifier submitted the data required in accordance with that Article together with an explanation as regards the relevance of each new study submitted.
- (5) The rapporteur Member State prepared an assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority (hereinafter 'the Authority') and the Commission on 5 June 2009. In addition to the assessment of the active substance, that report includes a list of the studies the rapporteur Member State relied on for its assessment.
- (6) The Authority communicated the assessment report to the notifier and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the assessment report available to the public.
- (7) At the request of the Commission, the assessment report was peer reviewed by the Member States and the Authority. The Authority presented its conclusion on the peer review of the risk assessment of prohexadione ⁽⁶⁾ to the Commission on 12 March 2010. The assessment report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 17 June 2011 in the format of the Commission review report for prohexadione.
- (8) It has appeared from the various examinations made that plant protection products containing prohexadione may be expected to continue to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular as regards the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve prohexadione.
- (9) A reasonable period should be allowed to elapse before approval in order to permit Member States and interested parties to prepare themselves to meet the new requirements resulting from the approval.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ OJ L 169, 29.6.2007, p. 10.

⁽⁴⁾ OJ L 153, 11.6.2011, p. 1.

⁽⁵⁾ OJ L 214, 9.8.2008, p. 70.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance prohexadione on request from the European Commission EFSA Journal 2010; 8(3):1555.

- (10) Without prejudice to the obligations provided for by Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009 the following should, however, apply. Member States should be allowed a period of 6 months after approval to review authorisations of plant protection products containing prohexadione. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the update of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (11) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (12) In accordance with Article 13(4) of Regulation (EC) No 1107/2009 the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (13) In the interest of clarity, Commission Directive 2010/56/EU of 20 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of prohexadione as active substance⁽²⁾ should be repealed.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Approval of active substance

The active substance prohexadione, as specified in Annex I, is approved subject to the conditions laid down in that Annex.

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

⁽²⁾ OJ L 220, 21.8.2010, p. 71.

Article 2

Re-evaluation of plant protection products

1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing prohexadione as an active substance by 30 June 2012.

By that date they shall in particular verify that the conditions in Annex I to this Regulation are met, with the exception of those identified in Part B of the column on specific provisions of that Annex, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Article 13(1) to (4) of Directive 91/414/EEC and Article 62 of Regulation (EC) No 1107/2009.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing prohexadione as either the only active substance or as one of several active substances all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 31 December 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the requirements of Annex III to Directive 91/414/EEC and taking into account Part B of the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product still satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.

Following that determination Member States shall:

- (a) in the case of a product containing prohexadione as the only active substance, where necessary, amend or withdraw the authorisation by 31 December 2015 at the latest; or
- (b) in the case of a product containing prohexadione as one of several active substances, where necessary, amend or withdraw the authorisation by 31 December 2015 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or substances, whichever is the latest.

Article 3

Amendments to Implementing Regulation (EU) No 540/2011

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 4

Repeal

Directive 2010/56/EU is repealed.

*Article 5***Entry into force and date of application**

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

It shall apply from 1 January 2012.

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

Done at Brussels, 20 July 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Prohexadione CAS No 127277-53-6 <i>(prohexadione-calcium)</i> CIPAC No 567 <i>(prohexadione)</i> No 567.020 <i>(prohexadione-calcium)</i>	3,5-dioxo-4-propionylcyclohexanecarboxylic acid	≥ 890 g/kg (expressed as prohexadione-calcium)	1 January 2012	31 December 2021	PART A Only uses as plant growth regulator may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on prohexadione and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) in Part A, the entry relating to prohexadione is deleted;

(2) in Part B, the following entry is added:

	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'6	Prohexadione CAS No 127277-53-6 (<i>prohexadione-calcium</i>) CIPAC No 567 (<i>prohexadione</i>) No 567.020 (<i>prohexadione-calcium</i>)	3,5-dioxo-4-propionylcyclohexanecarboxylic acid	≥ 890 g/kg (expressed as prohexadione- calcium)	1 January 2012	31 December 2021	PART A Only uses as plant growth regulator may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on prohexadione and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 703/2011

of 20 July 2011

approving the active substance azoxystrobin, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(b) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply to active substances listed in Annex I to Commission Regulation (EC) No 737/2007 of 27 June 2007 on laying down the procedure of the renewal of the inclusion of a first group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances ⁽³⁾, with respect to the procedure and the conditions for approval. Azoxystrobin is listed in Annex I to Regulation (EC) No 737/2007.
- (2) The approval of azoxystrobin, as set out in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances ⁽⁴⁾, expires on 31 December 2011. A notification was submitted in accordance with Article 4 of Regulation (EC) No 737/2007 for the renewal of the inclusion of azoxystrobin in Annex I to Directive 91/414/EEC within the time period provided for in that Article.
- (3) That notification was found to be admissible by Commission Decision 2008/656/EC of 28 July 2008 on the admissibility of the notifications concerning the renewal of the inclusion in Annex I to Council Directive 91/414/EEC of the active substances azimsulfuron, azoxystrobin, fluroxypyr, imazalil, kresoxim-methyl, prohexadione and spiroxamine, and establishing the list of the notifiers concerned ⁽⁵⁾.
- (4) Within the time period provided for in Article 6 of Regulation (EC) No 737/2007, the notifier submitted the data required in accordance with that Article together with an explanation as regards the relevance of each new study submitted.
- (5) The rapporteur Member State prepared an assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority (hereinafter 'the Authority') and the Commission on 10 June 2009. In addition to the assessment of the active substance, that report includes a list of the studies the rapporteur Member State relied on for its assessment.
- (6) The Authority communicated the assessment report to the notifier and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the assessment report available to the public.
- (7) At the request of the Commission, the assessment report was peer reviewed by the Member States and the Authority. The Authority presented its conclusion on the peer review of the risk assessment of azoxystrobin ⁽⁶⁾ to the Commission on 12 March 2010. The assessment report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 17 June 2011 in the format of the Commission review report for azoxystrobin.
- (8) It has appeared from the various examinations made that plant protection products containing azoxystrobin may be expected to continue to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular as regards the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve azoxystrobin.
- (9) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions and restrictions not provided for in the first inclusion in Annex I to Directive 91/414/EEC.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ OJ L 169, 29.6.2007, p. 10.

⁽⁴⁾ OJ L 153, 11.6.2011, p. 1.

⁽⁵⁾ OJ L 214, 9.8.2008, p. 70.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance azoxystrobin. EFSA Journal 2010; 8(4):15421542. [110 pp.]. doi:10.2903/j.efsa.2010.1542. Available online: www.efsa.europa.eu

- (10) Based on the review report, which points out that for the active substance azoxystrobin notified by the main data submitter the manufacturing impurity toluene is of toxicological concern, a maximum level of 2 g/kg should, however, be set for that impurity in the technical material.
- (11) From the new data submitted, it appears that azoxystrobin may cause risks for aquatic organisms. Without prejudice to the conclusion that azoxystrobin should be approved, it is, in particular, appropriate to require further confirmatory information.
- (12) A reasonable period should be allowed to elapse before approval in order to permit Member States and interested parties to prepare themselves to meet the new requirements resulting from the approval.
- (13) Without prejudice to the obligations provided for by Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009 the following should, however, apply. Member States should be allowed a period of 6 months after approval to review authorisations of plant protection products containing azoxystrobin. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the update of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (14) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (15) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (16) In the interest of clarity, Commission Directive 2010/55/EU of 20 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of azoxystrobin as active substance⁽²⁾ should be repealed.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- Approval of active substance**
- The active substance azoxystrobin, as specified in Annex I, is approved subject to the conditions laid down in that Annex.
- Article 2*
- Re-evaluation of plant protection products**
1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing azoxystrobin as an active substance by 30 June 2012.
- By that date they shall in particular verify that the conditions in Annex I to this Regulation are met, with the exception of those identified in Part B of the column on specific provisions of that Annex, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Article 13(1) to (4) of Directive 91/414/EEC and Article 62 of Regulation (EC) No 1107/2009.
2. By way of derogation from paragraph 1, for each authorised plant protection product containing azoxystrobin as either the only active substance or as one of several active substances all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 31 December 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the requirements of Annex III to Directive 91/414/EEC and taking into account Part B of the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product still satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.
- Following that determination Member States shall:
- (a) in the case of a product containing azoxystrobin as the only active substance, where necessary, amend or withdraw the authorisation by 31 December 2015 at the latest; or

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

⁽²⁾ OJ L 220, 21.8.2010, p. 67.

(b) in the case of a product containing azoxystrobin as one of several active substances, where necessary, amend or withdraw the authorisation by 31 December 2015 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or substances, whichever is the latest.

Article 3

**Amendments to Implementing Regulation (EU)
No 540/2011**

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 4

Repeal

Directive 2010/55/EU is repealed.

Article 5

Entry into force and date of application

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

It shall apply from 1 January 2012.

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

Done at Brussels, 20 July 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Azoxystrobin CAS No 131860-33-8 CIPAC No 571	methyl (E)-2-[2[6-(2-cyanophenoxy)pyrimidin-4-yloxy]phenyl]-3-methoxyacrylate	≥ 930 g/kg Toluene maximum content 2 g/kg Z-isomer maximum content 25 g/kg	1 January 2012	31 December 2021	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on azoxystrobin and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (1) the fact that the specification of the technical material as commercially manufactured must be confirmed and supported by appropriate analytical data. The test material used in the toxicity dossiers should be compared and verified against this specification of the technical material; (2) the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil and/or climatic conditions; (3) the protection of aquatic organisms. The Member States must ensure that the conditions of authorisation include risk mitigation measures, where appropriate. The Member States concerned shall request the submission of confirmatory information as regards the risk assessment on groundwater and aquatic organisms. The notifier shall submit to the Member States, the Commission and the Authority such information by 31 December 2013.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

- (1) in Part A, the entry relating to azoxystrobin is deleted;
- (2) in Part B, the following entry is added:

	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'4	Azoxystrobin CAS No 131860-33-8 CIPAC No 571	methyl (E)-2-[2[6-(2-cyanophenoxy)pyrimidin-4-yloxy]phenyl]-3-methoxyacrylate	≥ 930 g/kg Toluene maximum content 2 g/kg Z-isomer maximum content 25 g/kg	1 January 2012	31 December 2021	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on azoxystrobin and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (1) the fact that the specification of the technical material as commercially manufactured must be confirmed and supported by appropriate analytical data. The test material used in the toxicity dossiers should be compared and verified against this specification of the technical material; (2) the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil and/or climatic conditions; (3) the protection of aquatic organisms. The Member States must ensure that the conditions of authorisation include risk mitigation measures, where appropriate. The Member States concerned shall request the submission of confirmatory information as regards the risk assessment on groundwater and aquatic organisms. The notifier shall submit to the Member States, the Commission and the Authority such information by 31 December 2013.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 704/2011

of 20 July 2011

approving the active substance azimsulfuron, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(b) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply to active substances listed in Annex I to Commission Regulation (EC) No 737/2007 of 27 June 2007 on laying down the procedure for the renewal of the inclusion of a first group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances ⁽³⁾, with respect to the procedure and the conditions for approval. Azimsulfuron is listed in Annex I to Regulation (EC) No 737/2007.
- (2) The approval of azimsulfuron, as set out in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances ⁽⁴⁾, expires on 31 December 2011. A notification was submitted in accordance with Article 4 of Regulation (EC) No 737/2007 for the renewal of the inclusion of azimsulfuron in Annex I to Directive 91/414/EEC within the time period provided for in that Article.
- (3) That notification was found to be admissible by Commission Decision 2008/656/EC of 28 July 2008 on the admissibility of the notifications concerning the renewal of the inclusion in Annex I to Council Directive 91/414/EEC of the active substances azimsulfuron, azoxystrobin, fluroxypyr, imazalil, kresoxim-methyl, prohexadione and spiroxamine, and establishing the list of the notifiers concerned ⁽⁵⁾.
- (4) Within the time period provided for in Article 6 of Regulation (EC) No 737/2007, the notifier submitted the data required in accordance with that Article together with an explanation as regards the relevance of each new study submitted.
- (5) The rapporteur Member State prepared an assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority (hereinafter 'the Authority') and the Commission on 1 June 2009. In addition to the assessment of the active substance, that report includes a list of the studies the rapporteur Member State relied on for its assessment.
- (6) The Authority communicated the assessment report to the notifier and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the assessment report available to the public.
- (7) At the request of the Commission, the assessment report was peer reviewed by the Member States and the Authority. The Authority presented its conclusion on the peer review of the risk assessment of azimsulfuron ⁽⁶⁾ to the Commission on 12 March 2010. The assessment report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 17 June 2011 in the format of the Commission review report for azimsulfuron.
- (8) It has appeared from the various examinations made that plant protection products containing azimsulfuron may be expected to continue to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular as regards the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve azimsulfuron.
- (9) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions and restrictions not provided for in the first inclusion in Annex I to Directive 91/414/EEC.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ OJ L 169, 29.6.2007, p. 10.

⁽⁴⁾ OJ L 153, 11.6.2011, p. 1.

⁽⁵⁾ OJ L 214, 9.8.2008, p. 70.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance azimsulfuron. EFSA Journal 2010; 8(3):1554. [61 pp.]. doi:10.2903/j.efsa.2010.1554. Available online: www.efsa.europa.eu

- (10) Based on the review report, which points out that the manufacturing impurity phenol is of toxicological concern, a maximum level of 2 g/kg should, however, be set for that impurity in the technical material.
- (11) From the new data submitted, it appears that azimsulfuron and its degradation products in aqueous photolysis may cause risks for aquatic organisms. Without prejudice to the conclusion that azimsulfuron should be approved, it is, in particular, appropriate to require further confirmatory information.
- (12) A reasonable period should be allowed to elapse before approval in order to permit Member States and interested parties to prepare themselves to meet the new requirements resulting from the approval.
- (13) Without prejudice to the obligations provided for by Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009 the following should, however, apply. Member States should be allowed a period of 6 months after approval to review authorisations of plant protection products containing azimsulfuron. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the update of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (14) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (15) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (16) In the interest of clarity, Commission Directive 2010/54/EU of 20 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of azimsulfuron as active substance⁽²⁾ should be repealed.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- Approval of active substance**
- The active substance azimsulfuron, as specified in Annex I, is approved subject to the conditions laid down in that Annex.
- Article 2*
- Re-evaluation of plant protection products**
1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing azimsulfuron as an active substance by 30 June 2012.
- By that date they shall in particular verify that the conditions in Annex I to this Regulation are met, with the exception of those identified in Part B of the column on specific provisions of that Annex, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Article 13(1) to (4) of Directive 91/414/EEC and Article 62 of Regulation (EC) No 1107/2009.
2. By way of derogation from paragraph 1, for each authorised plant protection product containing azimsulfuron as either the only active substance or as one of several active substances all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 31 December 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the requirements of Annex III to Directive 91/414/EEC and taking into account Part B of the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product still satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.
- Following that determination Member States shall:
- (a) in the case of a product containing azimsulfuron as the only active substance, where necessary, amend or withdraw the authorisation by 31 December 2015 at the latest; or

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

⁽²⁾ OJ L 220, 21.8.2010, p. 63.

(b) in the case of a product containing azimsulfuron as one of several active substances, where necessary, amend or withdraw the authorisation by 31 December 2015 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or substances, whichever is the latest.

Article 3

**Amendments to Implementing Regulation (EU)
No 540/2011**

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 4

Repeal

Directive 2010/54/EU is repealed.

Article 5

Entry into force and date of application

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

It shall apply from 1 January 2012.

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

Done at Brussels, 20 July 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Azimsulfuron CAS No 120162-55-2 CIPAC No 584	1-(4,6-dimethoxypyrimidin-2-yl)-3-[1-methyl-4-(2-methyl-2H-tetrazol-5-yl)-pyrazol-5-ylsulfonyl]-urea	≥ 980 g/kg maximum level of the impurity phenol 2 g/kg	1 January 2012	31 December 2021	PART A Only uses as herbicide may be authorised. Aerial applications may not be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on azimsulfuron, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (1) the protection of non-target plants; (2) the potential for groundwater contamination, when the active substance is applied in vulnerable scenarios and/or climatic conditions; (3) the protection of aquatic organisms. Member States shall ensure that the conditions of authorisation include risk mitigation measures, where appropriate (e.g. buffer zones, in rice cultivation minimum holding periods for water prior to discharge). The notifier shall submit confirmatory information as regards: (a) the risk assessment on aquatic organisms; (b) the identification of the degradation products in the aqueous photolysis of the substance. The notifier shall submit to the Member States, the Commission and the Authority such information by 31 December 2013.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

- (1) in Part A, the entry relating to azimsulfuron is deleted;
- (2) in Part B, the following entry is added:

	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'3	Azimsulfuron CAS No 120162-55-2 CIPAC No 584	1-(4,6-dimethoxypyrimidin-2-yl)-3-[1-methyl-4-(2-methyl-2H-tetrazol-5-yl)-pyrazol-5-ylsulfonyl]-urea	≥ 980 g/kg maximum level of the impurity phenol 2 g/kg	1 January 2012	31 December 2021	PART A Only uses as herbicide may be authorised. Aerial applications may not be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on azimsulfuron, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (1) the protection of non-target plants; (2) the potential for groundwater contamination, when the active substance is applied in vulnerable scenarios and/or climatic conditions; (3) the protection of aquatic organisms. Member States shall ensure that the conditions of authorisation include risk mitigation measures, where appropriate (e.g. buffer zones, in rice cultivation minimum holding periods for water prior to discharge). The notifier shall submit confirmatory information as regards: (a) the risk assessment on aquatic organisms; (b) the identification of the degradation products in the aqueous photolysis of the substance. The notifier shall submit to the Member States, the Commission and the Authority such information by 31 December 2013.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 705/2011

of 20 July 2011

approving the active substance imazalil, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(b) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply to active substances listed in Annex I to Commission Regulation (EC) No 737/2007 of 27 June 2007 on laying down the procedure of the renewal of the inclusion of a first group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances ⁽³⁾, with respect to the procedure and the conditions for approval. Imazalil is listed in Annex I to Regulation (EC) No 737/2007.
- (2) The approval of imazalil, as set out in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances ⁽⁴⁾, expires on 31 December 2011. A notification was submitted in accordance with Article 4 of Regulation (EC) No 737/2007 for the renewal of the inclusion of imazalil in Annex I to Directive 91/414/EEC within the time period provided for in that Article.
- (3) That notification was found to be admissible by Commission Decision 2008/656/EC of 28 July 2008 on the admissibility of the notifications concerning the renewal of the inclusion in Annex I to Council Directive 91/414/EEC of the active substances azimsulfuron, azoxystrobin, fluroxypyr, imazalil, kresoxim-methyl, prohexadione and spiroxamine, and establishing the list of the notifiers concerned ⁽⁵⁾.
- (4) Within the time period provided for in Article 6 of Regulation (EC) No 737/2007, the notifier submitted the data required in accordance with that Article together with an explanation as regards the relevance of each new study submitted.
- (5) The rapporteur Member State prepared an assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority (hereinafter 'the Authority') and the Commission on 9 June 2009. In addition to the assessment of the active substance, that report includes a list of the studies the rapporteur Member State relied on for its assessment.
- (6) The Authority communicated the assessment report to the notifier and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the assessment report available to the public.
- (7) At the request of the Commission, the assessment report was peer reviewed by the Member States and the Authority. The Authority presented its conclusion on the peer review of the risk assessment of imazalil ⁽⁶⁾ to the Commission on 4 March 2010. The assessment report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 17 June 2011 in the format of the Commission review report for imazalil.
- (8) It has appeared from the various examinations made that plant protection products containing imazalil may be expected to continue to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular as regards the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve imazalil.
- (9) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions and restrictions not provided for in the first inclusion in Annex I to Directive 91/414/EEC.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ OJ L 169, 29.6.2007, p. 10.

⁽⁴⁾ OJ L 153, 11.6.2011, p. 1.

⁽⁵⁾ OJ L 214, 9.8.2008, p. 70.

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance imazalil on request from the European Commission EFSA Journal 2010; 8(3):1526.

- (10) Based on the review report which supports a lower level of purity compared to that set out in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011, and taking into account that no toxicologically or ecotoxicologically significant impurities are present, the purity level should be modified.
- (11) From the new data submitted, it appears that imazalil and its degradation products in soil and surface water systems may cause risks for soil micro-organisms and aquatic organisms; negligible groundwater exposure needs to be confirmed; further investigation is needed on the nature of residues in processed commodities. Without prejudice to the conclusion that imazalil should be approved, it is, in particular, appropriate to require further confirmatory information.
- (12) A reasonable period should be allowed to elapse before approval in order to permit Member States and interested parties to prepare themselves to meet the new requirements resulting from the approval.
- (13) Without prejudice to the obligations provided for by Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009 the following should, however, apply. Member States should be allowed a period of 6 months after approval to review authorisations of plant protection products containing imazalil. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the update of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (14) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (15) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (16) In the interest of clarity, Commission Directive 2010/57/EU of 26 August 2010 amending Annex I to Council Directive 91/414/EEC to renew the inclusion of imazalil as active substance ⁽²⁾ should be repealed.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- Approval of active substance**
- The active substance imazalil, as specified in Annex I, is approved subject to the conditions laid down in that Annex.
- Article 2*
- Re-evaluation of plant protection products**
1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing imazalil as an active substance by 30 June 2012.
- By that date they shall in particular verify that the conditions in Annex I to this Regulation are met, with the exception of those identified in Part B of the column on specific provisions of that Annex, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to Directive 91/414/EEC in accordance with the conditions of Article 13(1) to (4) of that Directive and Article 62 of Regulation (EC) No 1107/2009.
2. By way of derogation from paragraph 1, for each authorised plant protection product containing imazalil as either the only active substance or as one of several active substances all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 31 December 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the requirements of Annex III to Directive 91/414/EEC and taking into account Part B of the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.
- Following that determination Member States shall:
- (a) in the case of a product containing imazalil as the only active substance, where necessary, amend or withdraw the authorisation by 31 December 2015 at the latest; or

⁽¹⁾ OJ L 366, 15.12.1992, p. 10.

⁽²⁾ OJ L 225, 27.8.2010, p. 5.

(b) in the case of a product containing imazalil as one of several active substances, where necessary, amend or withdraw the authorisation by 31 December 2015 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or substances, whichever is the latest.

Article 3

Amendments to Implementing Regulation (EU) No 540/2011

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 4

Repeal

Directive 2010/57/EU is repealed.

Article 5

Entry into force and date of application

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

It shall apply from 1 January 2012.

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

Done at Brussels, 20 July 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity (¹)	Date of approval	Expiration of approval	Specific provisions
Imazalil CAS No 35554-44-0 73790-28-0 (replaced) CIPAC No 335	(RS)-1-(β-allyloxy-2,4-dichlorophenethyl) imidazole or allyl (RS)-1-(2,4-dichlorophenyl)-2-imidazol-1-ylethyl ether	≥ 950 g/kg	1 January 2012	31 December 2021	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on imazalil, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment Member States shall: (1) pay particular attention to the fact that the specification of the technical material as commercially manufactured must be confirmed and supported by appropriate analytical data. The test material used in the toxicity dossiers should be compared and verified against this specification of the technical material; (2) pay particular attention to the acute dietary exposure situation of consumers in view of future revisions of maximum residue levels; (3) pay particular attention to the operators and workers safety. Authorised conditions of use must prescribe the application of adequate personal protective equipment and risk mitigation measures to reduce the exposure; (4) ensure that appropriate waste management practices to handle the waste solution remaining after application, such as the cleaning water of the drenching system and the discharge of the processing waste are put in place. Prevention of any accidental spillage of treatment solution. Member States permitting the release of waste water into the sewage system shall ensure that a local risk assessment is carried out; (5) pay particular attention to risk to aquatic organisms and soil micro-organisms and long-term risk to granivorous birds and mammals. Conditions of authorisation shall include risk mitigation measures, where appropriate.

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
					The notifier shall submit confirmatory information as regards: (a) route of degradation of imazalil in soil and surface water systems; (b) environmental data to support the managing measures that Member States have to put in place to ensure that groundwater exposure is negligible; (c) a hydrolysis study to investigate the nature of residues in processed commodities. The notifier shall submit to the Member States, the Commission and the Authority such information by 31 December 2013.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) in Part A, the entry relating to imazalil is deleted;

(2) in Part B, the following entry is added:

	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'5	Imazalil CAS No 35554-44-0 73790-28-0 (replaced) CIPAC No 335	(RS)-1-(β-allyloxy- 2,4-dichlorop- henethyl)imidazole or allyl (RS)-1-(2,4-dich- lorophenyl)-2-imidazol-1- ylethyl ether	≥ 950 g/kg	1 January 2012	31 December 2021	PART A Only uses as fungicide may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on imazalil, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment Member States shall: (1) pay particular attention to the fact that the specification of the technical material as commercially manufactured must be confirmed and supported by appropriate analytical data. The test material used in the toxicity dossiers should be compared and verified against this specification of the technical material; (2) pay particular attention to the acute dietary exposure situation of consumers in view of future revisions of maximum residue levels; (3) pay particular attention to the operators and workers safety. Authorised conditions of use must prescribe the application of adequate personal protective equipment and risk mitigation measures to reduce the exposure; (4) ensure that appropriate waste management practices to handle the waste solution remaining after application, such as the cleaning water of the drenching system and the discharge of the processing waste are put in place. Prevention of any accidental spillage of treatment solution. Member States permitting the release of waste water into the sewage system shall ensure that a local risk assessment is carried out; (5) pay particular attention to risk to aquatic organisms and soil micro-organisms and long-term risk to granivorous birds and mammals.

	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
						Conditions of authorisation shall include risk mitigation measures, where appropriate. The notifier shall submit confirmatory information as regards: (a) route of degradation of imazalil in soil and surface water systems; (b) environmental data to support the managing measures that Member States have to put in place to ensure that groundwater exposure is negligible; (c) a hydrolysis study to investigate the nature of residues in processed commodities. The notifier shall submit to the Member States, the Commission and the Authority such information by 31 December 2013.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 706/2011

of 20 July 2011

approving the active substance profoxydim, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(a) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply, with respect to the procedure and the conditions for approval, to active substances for which a decision has been adopted in accordance with Article 6(3) of that Directive before 14 June 2011. For profoxydim the conditions of Article 80(1)(a) of Regulation (EC) No 1107/2009 are fulfilled by Commission Decision 1999/43/EC ⁽³⁾.
- (2) In accordance with Article 6(2) of Directive 91/414/EEC Spain received on 2 April 1998 an application from BASF SE for the inclusion of the active substance profoxydim in Annex I to Directive 91/414/EEC. Decision 1999/43/EC confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (3) For that active substance, the effects on human and animal health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicant. The designated rapporteur Member State submitted a draft assessment report on 28 March 2001.
- (4) For profoxydim the draft assessment report was reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The review was finalised on 17 June 2011 in the format of the Commission review report for profoxydim.
- (5) It has appeared from the various examinations made that plant protection products containing profoxydim may be expected to satisfy, in general, the requirements laid

down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve profoxydim.

- (6) Without prejudice to the obligations provided for by Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009 the following should, however, apply. Member States should be allowed a period of 6 months after approval to review authorisations of plant protection products containing profoxydim. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the update of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (7) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽⁴⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (8) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances ⁽⁵⁾ should be amended accordingly.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ OJ L 14, 19.1.1999, p. 30.

⁽⁴⁾ OJ L 366, 15.12.1992, p. 10.

⁽⁵⁾ OJ L 153, 11.6.2011, p. 1.

- (9) In the interest of clarity, Commission Directive 2011/14/EU of 24 February 2011 amending Council Directive 91/414/EEC to include profoxydim as active substance ⁽¹⁾ should be repealed.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Approval of active substance

The active substance profoxydim, as specified in Annex I, is approved subject to the conditions laid down in that Annex.

Article 2

Re-evaluation of plant protection products

1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing profoxydim as active substance by 31 January 2012.

By that date, they shall in particular verify that the conditions in Annex I to this Regulation are met, with the exception of those identified in Part B of the column on specific provisions of that Annex, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to Directive 91/414/EEC in accordance with the conditions of Article 13(1) to (4) of that Directive and Article 62 of Regulation (EC) No 1107/2009.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing profoxydim as either the only active substance or as one of several active substances all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 31 July 2011 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the

requirements of Annex III to Directive 91/414/EEC and taking into account Part B of the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.

Following that determination Member States shall:

- (a) in the case of a product containing profoxydim as the only active substance, where necessary, amend or withdraw the authorisation by 31 January 2013 at the latest; or
- (b) in the case of a product containing profoxydim as one of several active substances, where necessary, amend or withdraw the authorisation by 31 January 2013 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or substances, whichever is the latest.

Article 3

Amendments to Implementing Regulation (EU) No 540/2011

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 4

Repeal

Directive 2011/14/EU is repealed.

Article 5

Entry into force and date of application

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

It shall apply from 1 August 2011.

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

Done at Brussels, 20 July 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 51, 25.2.2011, p. 16.

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Profoxydim CAS No 139001-49-3 CIPAC No 621	2 - [(1 E/Z) - [(2 R S) - 2 - (4 - chloro- phenoxy) propoxyimino] butyl] - 3 - hydroxy - 5 - [(3 R S; 3 S R) - tetrahydro - 2 H - thiopyran - 3 - yl] cyclohex - 2 - enone	≥ 940 g/kg	1 August 2011	31 July 2021	PART A Only uses as herbicide in rice may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on profoxydim, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment, Member States shall pay particular attention to: — the protection of groundwater when the active substance is applied in regions with vulnerable soil and/or climatic conditions, — the long-term risk to non-target organisms. Conditions of authorisation shall include risk mitigation measures where appropriate.

⁽¹⁾ Further details on identity and specification of active substances are provided in the review report.

ANNEX II

In Part B of the Annex to Implementing Regulation (EU) No 540/2011, the following entry is added:

Number	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'2	Profoxydim CAS No 139001-49-3 CIPAC No 621	2 - [(1 E/Z) - [(2 R S) - 2 - (4 - chlorophenoxy) propoxyimino] butyl] - 3 - hydroxy - 5 - [(3 R S; 3 S R) - tetrahydro - 2 H - thiopyran - 3 - yl] cyclohex - 2 - enone	≥ 940 g/kg	1 August 2011	31 July 2021	PART A Only uses as herbicide in rice may be authorised. PART B For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on profoxydim, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 17 June 2011 shall be taken into account. In this overall assessment, Member States shall pay particular attention to: — the protection of groundwater when the active substance is applied in regions with vulnerable soil and/or climatic conditions, — the long-term risk to non-target organisms. Conditions of authorisation shall include risk mitigation measures where appropriate.'

⁽¹⁾ Further details on identity and specification of active substances are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 707/2011**of 20 July 2011****on setting the final amount of aid for dried fodder for the 2010/2011 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⁾, and in particular Article 90(c), in conjunction with Article 4 thereof,

Whereas:

- (1) Article 88(1) of Regulation (EC) No 1234/2007 sets the amount for aid to be paid to processors for dried fodder up to the maximum guaranteed quantity laid down in Article 89 of that Regulation.
- (2) In accordance with the second subparagraph of Article 33(1) of Commission Regulation (EC) No 382/2005 of 7 March 2005 laying down detailed rules for the application of Council Regulation (EC) No 1786/2003 on the common organisation of the market in dried fodder ⁽²⁾, the Member States have notified the Commission of the quantities of dried fodder in respect

of which entitlements to aid have been recognised for the 2010/2011 marketing year. These notifications indicate that the maximum guaranteed quantity for dried fodder has not been exceeded.

- (3) Therefore, in accordance with Article 88(1) of Regulation (EC) No 1234/2007, the amount of the aid for dried fodder is EUR 33 per tonne.
- (4) 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

The final amount of the aid for dried fodder for the 2010/2011 marketing year shall be EUR 33 per tonne.

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, 20 July 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 61, 8.3.2005, p. 4.

COMMISSION IMPLEMENTING REGULATION (EU) No 708/2011**of 20 July 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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

Implementing Regulation (EU) No 543/2011 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 XVI, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 July 2011.

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

Done at Brussels, 20 July 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 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	49,0
	AR	19,4
	EC	19,4
	MK	41,0
	ZZ	32,2
0707 00 05	AR	22,0
	TR	105,8
	ZZ	63,9
0709 90 70	AR	24,9
	TR	110,8
	ZZ	67,9
0805 50 10	AR	66,1
	TR	62,0
	UY	66,8
	ZA	77,5
	ZZ	68,1
0808 10 80	AR	124,7
	BR	79,3
	CL	92,2
	CN	104,7
	NZ	115,6
	US	166,9
	ZA	99,2
	ZZ	111,8
0808 20 50	AR	81,6
	CL	93,7
	CN	54,5
	NZ	149,7
	ZA	100,0
	ZZ	95,9
0809 10 00	TR	196,3
	XS	143,2
	ZZ	169,8
0809 20 95	TR	286,5
	ZZ	286,5
0809 30	TR	158,2
	ZZ	158,2
0809 40 05	BA	55,4
	ZZ	55,4

⁽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 709/2011
of 20 July 2011
fixing the export refunds on milk and milk products

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 164(2) and Article 170, in conjunction with Article 4, thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products listed in Part XVI of Annex I to that Regulation and prices for those products on the Union market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should be fixed in accordance with the rules and certain criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that export refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.

(4) Refunds should be granted only on products that comply with the requirements of Commission Regulation (EC) No 1187/2009 of 27 November 2009 laying down special detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards export licences and export refunds for milk and milk products ⁽²⁾.

(5) The currently applicable refunds have been fixed by Commission Regulation (EU) No 400/2011 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.

(6) 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

Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation, subject to the conditions provided for in Article 3 of Regulation (EC) No 1187/2009.

Article 2

Regulation (EU) No 400/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 July 2011.

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

Done at Brussels, 20 July 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 318, 4.12.2009, p. 1.

⁽³⁾ OJ L 105, 21.4.2011, p. 10.

ANNEX

Export refunds on milk and milk products applicable from 21 July 2011

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L20	EUR/100 kg	0,00	0402 29 19 9900	L20	EUR/100 kg	0,00
0401 30 31 9400	L20	EUR/100 kg	0,00	0402 29 99 9100	L20	EUR/100 kg	0,00
0401 30 31 9700	L20	EUR/100 kg	0,00	0402 29 99 9500	L20	EUR/100 kg	0,00
0401 30 39 9100	L20	EUR/100 kg	0,00	0402 91 10 9370	L20	EUR/100 kg	0,00
0401 30 39 9400	L20	EUR/100 kg	0,00	0402 91 30 9300	L20	EUR/100 kg	0,00
0401 30 39 9700	L20	EUR/100 kg	0,00	0402 91 99 9000	L20	EUR/100 kg	0,00
0401 30 91 9100	L20	EUR/100 kg	0,00	0402 99 10 9350	L20	EUR/100 kg	0,00
0401 30 99 9100	L20	EUR/100 kg	0,00	0402 99 31 9300	L20	EUR/100 kg	0,00
0401 30 99 9500	L20	EUR/100 kg	0,00	0403 90 11 9000	L20	EUR/100 kg	0,00
0402 10 11 9000	L20	EUR/100 kg	0,00	0403 90 13 9200	L20	EUR/100 kg	0,00
0402 10 19 9000	L20	EUR/100 kg	0,00	0403 90 13 9300	L20	EUR/100 kg	0,00
0402 10 99 9000	L20	EUR/100 kg	0,00	0403 90 13 9500	L20	EUR/100 kg	0,00
0402 21 11 9200	L20	EUR/100 kg	0,00	0403 90 13 9900	L20	EUR/100 kg	0,00
0402 21 11 9300	L20	EUR/100 kg	0,00	0403 90 33 9400	L20	EUR/100 kg	0,00
0402 21 11 9500	L20	EUR/100 kg	0,00	0403 90 59 9310	L20	EUR/100 kg	0,00
0402 21 11 9900	L20	EUR/100 kg	0,00	0403 90 59 9340	L20	EUR/100 kg	0,00
0402 21 17 9000	L20	EUR/100 kg	0,00	0403 90 59 9370	L20	EUR/100 kg	0,00
0402 21 19 9300	L20	EUR/100 kg	0,00	0404 90 21 9120	L20	EUR/100 kg	0,00
0402 21 19 9500	L20	EUR/100 kg	0,00	0404 90 21 9160	L20	EUR/100 kg	0,00
0402 21 19 9900	L20	EUR/100 kg	0,00	0404 90 23 9120	L20	EUR/100 kg	0,00
0402 21 91 9100	L20	EUR/100 kg	0,00	0404 90 23 9130	L20	EUR/100 kg	0,00
0402 21 91 9200	L20	EUR/100 kg	0,00	0404 90 23 9140	L20	EUR/100 kg	0,00
0402 21 91 9350	L20	EUR/100 kg	0,00	0404 90 23 9150	L20	EUR/100 kg	0,00
0402 21 99 9100	L20	EUR/100 kg	0,00	0404 90 81 9100	L20	EUR/100 kg	0,00
0402 21 99 9200	L20	EUR/100 kg	0,00	0404 90 83 9110	L20	EUR/100 kg	0,00
0402 21 99 9300	L20	EUR/100 kg	0,00	0404 90 83 9130	L20	EUR/100 kg	0,00
0402 21 99 9400	L20	EUR/100 kg	0,00	0404 90 83 9150	L20	EUR/100 kg	0,00
0402 21 99 9500	L20	EUR/100 kg	0,00	0404 90 83 9170	L20	EUR/100 kg	0,00
0402 21 99 9600	L20	EUR/100 kg	0,00	0405 10 11 9500	L20	EUR/100 kg	0,00
0402 21 99 9700	L20	EUR/100 kg	0,00	0405 10 11 9700	L20	EUR/100 kg	0,00
0402 29 15 9200	L20	EUR/100 kg	0,00				
0402 29 15 9300	L20	EUR/100 kg	0,00				
0402 29 15 9500	L20	EUR/100 kg	0,00				
0402 29 19 9300	L20	EUR/100 kg	0,00				
0402 29 19 9500	L20	EUR/100 kg	0,00				

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 10 19 9500	L20	EUR/100 kg	0,00	0406 30 39 9500	L04	EUR/100 kg	0,00
0405 10 19 9700	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 30 9100	L20	EUR/100 kg	0,00	0406 30 39 9700	L04	EUR/100 kg	0,00
0405 10 30 9300	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 30 9700	L20	EUR/100 kg	0,00	0406 30 39 9930	L04	EUR/100 kg	0,00
0405 10 50 9500	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 50 9700	L20	EUR/100 kg	0,00	0406 30 39 9950	L04	EUR/100 kg	0,00
0405 10 90 9000	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 20 90 9500	L20	EUR/100 kg	0,00	0406 40 50 9000	L04	EUR/100 kg	0,00
0405 20 90 9700	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 90 10 9000	L20	EUR/100 kg	0,00	0406 40 90 9000	L04	EUR/100 kg	0,00
0405 90 90 9000	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9640	L04	EUR/100 kg	0,00	0406 90 13 9000	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9650	L04	EUR/100 kg	0,00	0406 90 15 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9830	L04	EUR/100 kg	0,00	0406 90 17 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9850	L04	EUR/100 kg	0,00	0406 90 21 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9913	L04	EUR/100 kg	0,00	0406 90 23 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9915	L04	EUR/100 kg	0,00	0406 90 25 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9917	L04	EUR/100 kg	0,00	0406 90 27 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9919	L04	EUR/100 kg	0,00	0406 90 29 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 30 31 9730	L04	EUR/100 kg	0,00	0406 90 29 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 30 31 9930	L04	EUR/100 kg	0,00	0406 90 32 9119	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 30 31 9950	L04	EUR/100 kg	0,00	0406 90 35 9190	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
				0406 90 35 9990	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00
				0406 90 37 9000	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00
				0406 90 61 9000	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 63 9100	L04	EUR/100 kg	0,00	0406 90 86 9200	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 63 9900	L04	EUR/100 kg	0,00	0406 90 86 9400	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 69 9910	L04	EUR/100 kg	0,00	0406 90 86 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 73 9900	L04	EUR/100 kg	0,00	0406 90 87 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 75 9900	L04	EUR/100 kg	0,00	0406 90 87 9400	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9300	L04	EUR/100 kg	0,00	0406 90 87 9951	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9400	L04	EUR/100 kg	0,00	0406 90 87 9971	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9500	L04	EUR/100 kg	0,00	0406 90 87 9973	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 78 9100	L04	EUR/100 kg	0,00	0406 90 87 9974	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 78 9300	L04	EUR/100 kg	0,00	0406 90 87 9975	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 79 9900	L04	EUR/100 kg	0,00	0406 90 87 9979	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 81 9900	L04	EUR/100 kg	0,00	0406 90 88 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 85 9930	L04	EUR/100 kg	0,00	0406 90 88 9500	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 85 9970	L04	EUR/100 kg	0,00		L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00

The destinations are defined as follows:

L20: All destinations with the exception of:

- (a) third countries: Andorra, Holy See (Vatican City State), Liechtenstein and the United States of America;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

L04: Albania, Bosnia and Herzegovina, Serbia, Kosovo (*), Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations with the exception of:

- (a) third countries: L04, Andorra, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the United States of America, Croatia, Turkey, Australia, Canada, New Zealand and South Africa;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

(*) As defined by United Nations Security Council Resolution 1244 of 10 June 1999.

COMMISSION IMPLEMENTING REGULATION (EU) No 710/2011
of 20 July 2011
fixing the export refunds on eggs

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⁽¹⁾, and in particular Article 164(2), and Article 170, in conjunction with Article 4 thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products referred to in Part XIX of Annex I to that Regulation and prices in the Union for those products may be covered by an export refund.
- (2) In view of the current situation on the market in eggs, export refunds should be fixed in accordance with the rules and certain criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products which are authorised to move freely within the Union and comply with requirements under Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs⁽²⁾ and of

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽³⁾, as well as marking requirements under point A of Annex XIV to Regulation (EC) No 1234/2007.

- (5) The currently applicable refunds have been fixed by Commission Regulation (EU) No 398/2011⁽⁴⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the marking conditions laid down in Section I of Annex II to Regulation (EC) No 853/2004 and those defined in point A of Annex XIV to Regulation (EC) No 1234/2007.

Article 2

Regulation (EU) No 398/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 July 2011.

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

Done at Brussels, 20 July 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 139, 30.4.2004, p. 1.

⁽³⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁴⁾ OJ L 105, 21.4.2011, p. 6.

ANNEX

Export refunds on eggs applicable from 21 July 2011

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	A02	EUR/100 pcs	0,39
0407 00 19 9000	A02	EUR/100 pcs	0,20
0407 00 30 9000	E09	EUR/100 kg	0,00
	E10	EUR/100 kg	19,00
	E19	EUR/100 kg	0,00
0408 11 80 9100	A03	EUR/100 kg	74,00
0408 19 81 9100	A03	EUR/100 kg	22,00
0408 19 89 9100	A03	EUR/100 kg	22,00
0408 91 80 9100	A03	EUR/100 kg	38,00
0408 99 80 9100	A03	EUR/100 kg	9,00

NB: The product codes and the "A" series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The other destinations are defined as follows:

E09: Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR, Russia and Turkey.

E10: South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

E19: all destinations except Switzerland and those of E09 and E10.

COMMISSION IMPLEMENTING REGULATION (EU) No 711/2011**of 20 July 2011****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

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 143 thereof,

Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices for poultrymeat and egg products and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin. The representative prices should therefore be published.

(3) In view of the situation on the market, this amendment should be applied as soon as possible.

(4) 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

Annex I to Regulation (EC) No 1484/95 is replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 20 July 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 181, 14.7.2009, p. 8.

⁽³⁾ OJ L 145, 29.6.1995, p. 47.

ANNEX

**to the Commission Regulation of 20 July 2011 fixing representative prices in the poultrymeat and egg sectors
and for egg albumin, and amending Regulation (EC) No 1484/95**

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security under Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	113,9	0	BR
		127,1	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	149,5	0	BR
		127,2	0	AR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	235,7	19	BR
		239,5	18	AR
		338,3	0	CL
0207 27 10	Turkeys, boneless cuts, frozen	330,5	0	BR
		392,1	0	CL
0408 11 80	Egg yolks	359,2	0	AR
0408 91 80	Eggs, not in shell, dried	336,2	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	278,2	3	BR
		356,7	0	CL
3502 11 90	Egg albumin, dried	575,1	0	AR

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). The code “ZZ” represents “other origins”.

COMMISSION IMPLEMENTING REGULATION (EU) No 712/2011
of 20 July 2011
fixing the export refunds on pigmeat

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 164(2), and Article 170, in conjunction with Article 4 thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products listed in Part XVII of Annex I to that Regulation and prices for those products on the Union market may be covered by an export refund.
- (2) Given the present situation on the market in pigmeat, export refunds should therefore be fixed in accordance with the rules and criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that the refund may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products that are allowed to move freely in the Union and that bear the health mark as provided for in Article 5(1)(a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾. Those products must also satisfy the requirements laid down

in Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾ and Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.

- (5) The currently applicable refunds have been fixed by Commission Regulation (EU) No 399/2011 ⁽⁵⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) 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. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the condition provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the health marking requirements laid down in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

Article 2

Regulation (EU) No 399/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 July 2011.

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

Done at Brussels, 20 July 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 139, 30.4.2004, p. 55.

⁽³⁾ OJ L 139, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206.

⁽⁵⁾ OJ L 105, 21.4.2011, p. 8.

ANNEX

Export refunds on pigmeat applicable from 21 July 2011

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	A00	EUR/100 kg	54,20
0210 11 31 9910	A00	EUR/100 kg	54,20
0210 19 81 9100	A00	EUR/100 kg	54,20
0210 19 81 9300	A00	EUR/100 kg	54,20
1601 00 91 9120	A00	EUR/100 kg	19,50
1601 00 99 9110	A00	EUR/100 kg	15,20
1602 41 10 9110	A00	EUR/100 kg	29,00
1602 41 10 9130	A00	EUR/100 kg	17,10
1602 42 10 9110	A00	EUR/100 kg	22,80
1602 42 10 9130	A00	EUR/100 kg	17,10
1602 49 19 9130	A00	EUR/100 kg	17,10

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) No 713/2011**of 20 July 2011****fixing the rates of the refunds applicable to milk and milk products exported in the form of goods not covered by Annex I to the Treaty**

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 164(2) thereof,

Whereas:

(1) Article 162(1)b of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(p) and listed in Part XVI of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part IV of Annex XX to that Regulation.

(2) Commission Regulation (EU) No 578/2010 of 29 June 2010 implementing Council Regulation (EC) No 1216/2009 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Part IV of Annex XX to Regulation (EC) No 1234/2007.

(3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

(4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(5) In the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the

commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(6) Article 15(2) of Regulation (EU) No 578/2010 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the agricultural markets to the basic products listed in Annex I to Regulation (EU) No 578/2010 or to assimilated products.

(7) Article 100(1) of Regulation (EC) No 1234/2007 provides for the payment of aid for Union-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(8) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 402/2011 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.

(9) 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

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XVI of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part IV of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 402/2011 is hereby repealed.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 171, 6.7.2010, p. 1.

⁽³⁾ OJ L 105, 21.4.2011, p. 16.

Article 3

This Regulation shall enter into force on 21 July 2011.

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

Done at Brussels, 20 July 2011.

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

Heinz ZOUREK
Director-General for Enterprise and Industry

ANNEX

Rates of the refunds applicable from 21 July 2011 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3)	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	0,00	0,00
	(b) on exportation of other goods	0,00	0,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to:

- (a) third countries: Andorra, the Holy See (Vatican City State), Liechtenstein, the United States of America and the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.
- (b) territories of EU Member States not forming part of the customs territory of the Community: Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) No 714/2011**of 20 July 2011****fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

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 market and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 164(2) thereof,

Whereas:

- (1) Article 162(1)(b) of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(s) and listed in Part XIX of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part V of Annex XX to that Regulation.
- (2) Commission Regulation (EU) No 578/2010 of 29 June 2010 implementing Council Regulation (EC) No 1216/2009 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007.
- (3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a

period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

- (4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.
- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 401/2011 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XIX of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 401/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 July 2011.

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

Done at Brussels, 20 July 2011.

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

Heinz ZOUREK
Director-General for Enterprise and Industry

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 171, 6.7.2010, p. 1.

⁽³⁾ OJ L 105, 21.4.2011, p. 14.

ANNEX

Rates of the refunds applicable from 21 July 2011 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	0,00
		03	19,00
		04	0,00
	(b) On exportation of other goods	01	0,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption:		
	not sweetened	01	74,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid:		
	not sweetened	01	22,00
ex 0408 19 89	– – – – Frozen:		
	not sweetened	01	22,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption:		
	not sweetened	01	38,00
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption:		
	not sweetened	01	9,00

⁽¹⁾ The destinations are as follows:

01 Third countries. For Switzerland and Liechtenstein these rates are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 all destinations except Switzerland and those of 02 and 03.

DECISIONS

COUNCIL DECISION

of 19 July 2011

on the launch of automated data exchange with regard to dactyloscopic data in the Czech Republic

(2011/434/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, in particular Article 25 thereof,

Having regard to Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA ⁽²⁾, in particular Article 20 and Chapter 4 of the Annex thereto,

Whereas:

- (1) According to the Protocol on Transitional Provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, the legal effects of the acts of the institutions, bodies, offices and agencies of the Union adopted prior to the entry into force of the Treaty of Lisbon are preserved until those acts are repealed, annulled or amended in implementation of the Treaties.
- (2) Accordingly, Article 25 of Decision 2008/615/JHA is applicable and the Council must unanimously decide whether the Member States have implemented the provisions of Chapter 6 of that Decision.
- (3) Article 20 of Decision 2008/616/JHA provides that decisions referred to in Article 25(2) of Decision 2008/615/JHA are to be taken on the basis of an evaluation report based on a questionnaire. With respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA, the evaluation report is to be based on an evaluation visit and a pilot run.
- (4) According to Chapter 4, point 1.1 of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and has to be answered by

a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.

- (5) The Czech Republic has completed the questionnaire on data protection and the questionnaire on dactyloscopic data exchange.
- (6) A successful pilot run has been carried out by the Czech Republic with Slovakia and Austria.
- (7) An evaluation visit has taken place in the Czech Republic and a report on the evaluation visit has been produced by the Slovakian/Austrian evaluation team and forwarded to the relevant Council Working Group.
- (8) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning dactyloscopic data exchange has been presented to the Council,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of dactyloscopic data, the Czech Republic has fully implemented the general provisions on data protection of Chapter 6 of Decision 2008/615/JHA and is entitled to receive and supply personal data pursuant to Article 9 of that Decision as from the date of the entry into force of this Decision.

Article 2

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

Done at Brussels, 19 July 2011.

For the Council
The President
M. SAWICKI

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ OJ L 210, 6.8.2008, p. 12.

COMMISSION IMPLEMENTING DECISION

of 19 July 2011

on the recognition of the 'Roundtable of Sustainable Biofuels EU RED' scheme for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council

(2011/435/EU)

THE EUROPEAN COMMISSION,

should be avoided and voluntary schemes can help creating efficient solutions for proving compliance with these sustainability criteria.

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

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC⁽¹⁾, and in particular Article 18(6) thereof,

- (4) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuels comply with the sustainability criteria set out in Article 17(3) to (5) of Directive 2009/28/EC or that a voluntary national or international scheme to measure greenhouse gas emission savings contains accurate data for the purposes of Article 17(2) of this Directive.

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels⁽²⁾ as amended by the Directive 2009/30/EC⁽³⁾, and in particular Article 7c(6) thereof,

- (5) The Commission may recognise such a voluntary scheme for a period of 5 years.

After consulting the Advisory Committee established by Article 25, paragraph 2 of Directive 2009/28/EC,

- (6) When an economic operator provides proof or data obtained in accordance with a scheme that has been recognised by the Commission, to the extent covered by that recognition decision, a Member State shall not require the supplier to provide further evidence of compliance with the sustainability criteria.

Whereas:

- (1) Directives 2009/28/EC and 2009/30/EC both lay down sustainability criteria for biofuels. When reference is made to the provisions of Articles 17 and 18 and Annex V to Directive 2009/28/EC this should be construed as the reference also to the similar provisions of Articles 7a, 7b and 7c and Annex IV to Directive 2009/30/EC.

- (7) The 'Roundtable of Sustainable Biofuels EU RED' (hereinafter 'RSB EU RED') scheme was submitted on 10 May 2011 to the Commission with the request for recognition. The scheme has a global scope and can cover a wide range of different biofuels. The recognised scheme will be made available at the transparency platform established under Directive 2009/28/EC. The Commission will take into account considerations of commercial sensitivity and may decide to only partially publish the scheme.

- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c), Member States shall require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.

- (8) Assessment of the 'RSB EU RED' scheme found it to adequately cover the sustainability criteria of Directive 2009/28/EC, as well as applying a mass balance methodology in line with the requirements of Article 18(1) of the Directive 2009/28/EC.

- (3) Recital 76 of Directive 2009/28/EC states that the imposition of an unreasonable burden on industry

- (9) The evaluation of the 'RSB EU RED' scheme found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements in Annex V to Directive 2009/28/EC.

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

⁽²⁾ OJ L 350, 28.12.1998, p. 58.

⁽³⁾ OJ L 140, 5.6.2009, p. 88.

- (10) Any additional sustainability elements covered by the 'RSB EU RED' scheme are not part of the consideration of this Decision. These additional sustainability criteria are not mandatory to show compliance with sustainability requirements set up in Directive 2009/28/EC. The Commission may at a later stage take a view on whether the scheme also contains accurate data for the purpose of information on measures taken for issues referred to in the second paragraph, second sentence of Article 18(4) of Directive 2009/28/EC,

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'Roundtable of Sustainable Biofuels EU RED' for which the request for partial recognition was submitted to the Commission on 10 May 2011 demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a), (b) and (c) and Article 17(4) and (5) of Directive 2009/28/EC, and Article 7b(3)(a), (b) and (c) and Article 7b(4) and (5) of Directive 98/70/EC. The scheme also contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC.

Furthermore, it may be used for demonstrating compliance with Article 18(1) of Directive 2009/28/EC and Article 7c(1) of Directive 98/70/EC.

Article 2

1. The Decision is valid for a period of 5 years after it enters into force. If the scheme, after adoption of Commission decision, undergoes changes to its contents in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission will assess the notified changes with a view to establish whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

2. If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if severe and structural breach of those elements has taken place, the Commission reserves the right to revoke its Decision.

Article 3

This Decision enters into force 20 days after its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING DECISION

of 19 July 2011

on the recognition of the ‘Abengoa RED Bioenergy Sustainability Assurance’ scheme for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council

(2011/436/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC ⁽¹⁾, and in particular Article 18(6) thereof,

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels ⁽²⁾ as amended by Directive 2009/30/EC ⁽³⁾, and in particular Article 7c(6) thereof,

After consulting the Advisory Committee established by Article 25, paragraph 2 of Directive 2009/28/EC,

Whereas:

- (1) Directives 2009/28/EC and 2009/30/EC both lay down sustainability criteria for biofuels. When reference is made to the provisions of Articles 17 and 18 of, and Annex V to, Directive 2009/28/EC this should be construed as the reference also to the similar provisions of Articles 7a, 7b and 7c of, and Annex IV to, Directive 2009/30/EC.
- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c), Member States shall require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.
- (3) Recital 76 of Directive 2009/28/EC states that the imposition of an unreasonable burden on industry should be avoided and voluntary schemes can help creating efficient solutions for proving compliance with these sustainability criteria.
- (4) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuels comply with the sustainability criteria set out in

Article 17(3) to (5) of Directive 2009/28/EC or that a voluntary national or international scheme to measure greenhouse gas emission savings contains accurate data for the purposes of Article 17(2) of this Directive.

- (5) The Commission may recognise such a voluntary scheme for a period of 5 years.
- (6) When an economic operator provides proof or data obtained in accordance with a scheme that has been recognised by the Commission, to the extent covered by that recognition decision, a Member State shall not require the supplier to provide further evidence of compliance with the sustainability criteria.
- (7) The ‘Abengoa RED Bioenergy Sustainability Assurance’ (hereinafter ‘RBSA’) scheme was submitted on 8 April 2011 to the Commission with the request for recognition. The scheme covers a wide range of products and applies to all geographic locations. The recognised scheme will be made available at the transparency platform established under Directive 2009/28/EC. The Commission will take into account considerations of commercial sensitivity and may decide to only partially publish the scheme.
- (8) Assessment of the RBSA scheme found it to adequately cover the sustainability criteria of Directive 2009/28/EC, as well as applying a mass balance methodology in line with the requirements of Article 18(1) of Directive 2009/28/EC.
- (9) The evaluation of the RBSA scheme found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements in Annex V to Directive 2009/28/EC.
- (10) Any additional sustainability elements covered by the ‘RBSA’ scheme are not part of the consideration of this Decision. These additional sustainability criteria are not mandatory to show compliance with sustainability requirements set up in Directive 2009/28/EC. The Commission may at a later stage take a view on whether the scheme also contains accurate data for the purpose of information on measures taken for issues referred to in the second paragraph, second sentence of Article 18(4) of Directive 2009/28/EC,

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

⁽²⁾ OJ L 350, 28.12.1998, p. 58.

⁽³⁾ OJ L 140, 5.6.2009, p. 88.

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'RBSA' for which the request for recognition was submitted to the Commission on 8 April 2011 demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a), (b) and (c) and Article 17(4) and (5) of Directive 2009/28/EC and Article 7b(3)(a), (b) and (c) and Article 7b(4) and (5) of Directive 98/70/EC. The scheme also contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC.

Furthermore, it may be used for demonstrating compliance with Article 18(1) of Directive 2009/28/EC and Article 7c(1) of Directive 98/70/EC.

Article 2

1. The Decision is valid for a period of 5 years after it enters into force. If the scheme, after adoption of Commission decision, undergoes changes to its contents in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission will

assess the notified changes with a view to establish whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

2. If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if severe and structural breach of those elements has taken place, the Commission reserves the right to revoke its Decision.

Article 3

This Decision enters into force 20 days after its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING DECISION

of 19 July 2011

on the recognition of the ‘Biomass Biofuels Sustainability voluntary scheme’ for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council

(2011/437/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC ⁽¹⁾, and in particular Article 18(6) thereof,

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels ⁽²⁾ as amended by the Directive 2009/30/EC ⁽³⁾, and in particular Article 7c(6) thereof,

After consulting the Advisory Committee established by Article 25, paragraph 2 of Directive 2009/28/EC,

Whereas:

- (1) Directives 2009/28/EC and 2009/30/EC both lay down sustainability criteria for biofuels. When reference is made to the provisions of Articles 17 and 18 and Annex V to Directive 2009/28/EC this should be construed as the reference also to the similar provisions of Articles 7a, 7b and 7c and Annex IV to Directive 2009/30/EC.
- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c) Member States shall require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.
- (3) Recital 76 of Directive 2009/28/EC states that the imposition of an unreasonable burden on industry should be avoided and voluntary schemes can help creating efficient solutions for proving compliance with these sustainability criteria.
- (4) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuels comply with the sustainability criteria set out in

Article 17(3) to (5) of Directive 2009/28/EC or that a voluntary national or international scheme to measure greenhouse gas emission savings contains accurate data for the purposes of Article 17(2) of this Directive.

- (5) The Commission may recognise such a voluntary scheme for a period of 5 years.
- (6) When an economic operator provides proof or data obtained in accordance with a scheme that has been recognised by the Commission, to the extent covered by that recognition decision, a Member State shall not require the supplier to provide further evidence of compliance with the sustainability criteria.
- (7) The ‘Biomass Biofuels Sustainability voluntary scheme’ (hereinafter ‘2BSvs’) scheme was submitted on 11 May 2011 to the Commission with the request for recognition. The scheme covers a wide range of products and applies to all geographic locations. The recognised scheme will be made available at the transparency platform established under Directive 2009/28/EC. The Commission will take into account considerations of commercial sensitivity and may decide to only partially publish the scheme.
- (8) Assessment of the 2BSvs scheme found it to adequately cover, with exception of the criterion set out in Article 17(3)(c), the sustainability criteria of Directive 2009/28/EC, as well as applying a mass balance methodology in line with the requirements of Article 18(1) of the Directive 2009/28/EC.
- (9) The evaluation of the 2BSvs scheme found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements in Annex V to Directive 2009/28/EC.
- (10) Any additional sustainability elements covered by the 2BSvs scheme are not part of the consideration of this Decision. These additional sustainability criteria are not mandatory to show compliance with sustainability requirements set up in Directive 2009/28/EC. The Commission may at a later stage take a view on whether the scheme also contains accurate data for the purpose of information on measures taken for issues referred to in the second paragraph, second sentence of Article 18(4) of Directive 2009/28/EC,

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

⁽²⁾ OJ L 350, 28.12.1998, p. 58.

⁽³⁾ OJ L 140, 5.6.2009, p. 88.

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'Biomass Biofuels Sustainability voluntary scheme' for which the request for recognition was submitted to the Commission on 11 May 2011 demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a) and (b) and Article 17(4) and (5) of Directive 2009/28/EC and Article 7b(3)(a) and (b) and Article 7b(4) and (5) of Directive 98/70/EC. The scheme also contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC.

Furthermore, it may be used for demonstrating compliance with Article 18(1) of Directive 2009/28/EC and of Article 7c(1) of Directive 98/70/EC.

Article 2

1. The Decision is valid for a period of 5 years after it enters into force. If the scheme, after adoption of Commission decision, undergoes changes to its contents in a way that

might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission will assess the notified changes with a view to establish whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

2. If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if severe and structural breach of those elements has taken place, the Commission reserves the right to revoke its Decision.

Article 3

This Decision enters into force 20 days after its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING DECISION

of 19 July 2011

on the recognition of the 'International Sustainability and Carbon Certification' scheme for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council

(2011/438/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC ⁽¹⁾, and in particular Article 18(6) thereof,

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels ⁽²⁾ as amended by the Directive 2009/30/EC ⁽³⁾, and in particular Article 7c(6) thereof,

After consulting the Advisory Committee established by Article 25, paragraph 2 of Directive 2009/28/EC,

Whereas:

- (1) Directives 2009/28/EC and 2009/30/EC both lay down sustainability criteria for biofuels. When reference is made to the provisions of Articles 17 and 18 and Annex V to Directive 2009/28/EC this should be construed as the reference also to the similar provisions of Articles 7a, 7b and 7c and Annex IV to Directive 2009/30/EC.
- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c), Member States shall require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.
- (3) Recital 76 of Directive 2009/28/EC states that the imposition of an unreasonable burden on industry should be avoided and voluntary schemes can help creating efficient solutions for proving compliance with these sustainability criteria.
- (4) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuels comply with the sustainability criteria set out in

Article 17(3) to (5) of Directive 2009/28/EC or that a voluntary national or international scheme to measure greenhouse gas emission savings contains accurate data for the purposes of Article 17(2) of this Directive.

- (5) The Commission may recognise such a voluntary scheme for a period of 5 years.
- (6) When an economic operator provides proof or data obtained in accordance with a scheme that has been recognised by the Commission, to the extent covered by that recognition decision, a Member State shall not require the supplier to provide further evidence of compliance with the sustainability criteria.
- (7) The 'International Sustainability and Carbon Certification' (hereinafter 'ISCC') scheme was submitted on 18 March 2011 to the Commission with the request for recognition. The scheme has a global scope and can cover a wide range of different biofuels. The recognised scheme will be made available at the transparency platform established under Directive 2009/28/EC. The Commission will take into account considerations of commercial sensitivity and may decide to only partially publish the scheme.
- (8) Assessment of the ISCC scheme found it to adequately cover the sustainability criteria of Directive 2009/28/EC, as well as applying a mass balance methodology in line with the requirements of Article 18(1) of the Directive 2009/28/EC.
- (9) The evaluation of the ISCC scheme found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements in Annex V to Directive 2009/28/EC.
- (10) Any additional sustainability elements covered by the ISCC scheme are not part of the consideration of this Decision. These additional sustainability criteria are not mandatory to show compliance with sustainability requirements set up in Directive 2009/28/EC. The Commission may at a later stage take a view on whether the scheme also contains accurate data for the purpose of information on measures taken for issues referred to in the second paragraph, second sentence of Article 18(4) of Directive 2009/28/EC,

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

⁽²⁾ OJ L 350, 28.12.1998, p. 58.

⁽³⁾ OJ L 140, 5.6.2009, p. 88.

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'International Sustainability and Carbon Certification scheme' for which the request for recognition was submitted to the Commission on 18 March 2011 demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a), (b) and (c) and Article 17(4) and (5) of Directive 2009/28/EC and Article 7b(3)(a), (b) and (c) and Article 7b(4) and (5) of Directive 98/70/EC. The scheme also contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC.

Furthermore, it may be used for demonstrating compliance with Article 18(1) of Directive 2009/28/EC and Article 7c(1) of Directive 98/70/EC.

Article 2

1. The Decision is valid for a period of 5 years after it enters into force. If the scheme, after adoption of Commission decision, undergoes changes to its contents in a way that might affect the basis of this Decision, such changes shall be

notified to the Commission without delay. The Commission will assess the notified changes with a view to establish whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

2. If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if severe and structural breach of those elements has taken place, the Commission reserves the right to revoke its Decision.

Article 3

This Decision enters into force 20 days after its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING DECISION

of 19 July 2011

on the recognition of the 'Bonsucro EU' scheme for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council

(2011/439/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC ⁽¹⁾, and in particular Article 18(6) thereof,

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels ⁽²⁾ as amended by the Directive 2009/30/EC ⁽³⁾, and in particular Article 7c(6) thereof,

After consulting the Advisory Committee established by Article 25, paragraph 2 of Directive 2009/28/EC,

Whereas:

- (1) Directives 2009/28/EC and 2009/30/EC both lay down sustainability criteria for biofuels. When reference is made to the provisions of Articles 17 and 18 of and Annex V to Directive 2009/28/EC this should be construed as the reference also to the similar provisions of Articles 7a, 7b and 7c of and Annex IV to Directive 2009/30/EC.
- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c), Member States shall require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.
- (3) Recital 76 of Directive 2009/28/EC states that the imposition of an unreasonable burden on industry should be avoided and voluntary schemes can help creating efficient solutions for proving compliance with these sustainability criteria.
- (4) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuel comply with the sustainability criteria set out in

Article 17(3) to (5) of Directive 2009/28/EC or that voluntary national or international scheme to measure greenhouse gas emission saving contains accurate data for the purposes of Article 17(2) of this Directive.

- (5) The Commission may recognise such a voluntary scheme for a period of five years.
- (6) When an economic operator provides proof or data obtained in accordance with a scheme that has been recognised by the Commission, to the extent covered by that recognition decision, a Member State shall not require the supplier to provide further evidence of compliance with the sustainability criteria.
- (7) The 'Bonsucro EU' scheme was submitted on 11 March 2011 to the Commission with the request for recognition. The scheme covers sugar cane based products and applies to all geographic locations. The recognised scheme will be made available at the transparency platform established under Directive 2009/28/EC. The Commission will take into account considerations of commercial sensitivity and may decide to only partially publish the scheme.
- (8) Assessment of the Bonsucro EU scheme found it to adequately cover, with exception of the criterion set out in Article 17(3)(c), the sustainability criteria of Directive 2009/28/EC, as well as applying a mass balance methodology in line with the requirements of Article 18(1) of Directive 2009/28/EC.
- (9) The evaluation of the Bonsucro EU scheme found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements in Annex V to Directive 2009/28/EC.
- (10) Any additional sustainability elements covered by the Bonsucro EU scheme are not part of the consideration of this Decision. These additional sustainability criteria are not mandatory to show compliance with sustainability requirements set up in Directive 2009/28/EC. The European Commission may at a later stage take a view on whether the scheme also contains accurate data for the purpose of information on measures taken for issues referred to in the second paragraph, second sentence of Article 18(4) of Directive 2009/28/EC.

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

⁽²⁾ OJ L 350, 28.12.1998, p. 58.

⁽³⁾ OJ L 140, 5.6.2009, p. 88.

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'Bonsucro EU', for which the request for recognition was submitted to the Commission on 11 March 2011, demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a) and (b), (4) and (5) of Directive 2009/28/EC and Article 7b(3)(a) and 7b(3)(b), 7b(4) and 7b(5) of Directive 98/70/EC. The scheme also contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC.

Furthermore, it may be used for demonstrating compliance with Article 18(1) of Directive 2009/28/EC and of Article 7c(1) of Directive 98/70/EC.

Article 2

1. The Decision is valid for a period of five years after it enters into force. If the scheme, after adoption of Commission decision, undergoes changes to its contents in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission will assess

the notified changes with a view to establish whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

2. If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if severe and structural breach of those elements has taken place, the Commission reserves the right to revoke its Decision.

Article 3

This Decision enters into force 20 days after its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING DECISION

of 19 July 2011

on the recognition of the 'Round Table on Responsible Soy EU RED' scheme for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council

(2011/440/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC ⁽¹⁾, and in particular Article 18(6) thereof,

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels ⁽²⁾ as amended by the Directive 2009/30/EC ⁽³⁾, and in particular Article 7c(6) thereof,

After consulting the Advisory Committee established by Article 25, paragraph 2 of Directive 2009/28/EC,

Whereas:

- (1) Directives 2009/28/EC and 2009/30/EC both lay down sustainability criteria for biofuels. When reference is made to the provisions of Articles 17 and 18 of and Annex V to Directive 2009/28/EC this should be construed as the reference also to the similar provisions of Articles 7a, 7b, 7c of and Annex IV to Directive 2009/30/EC.
- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c), Member States shall require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.
- (3) Recital 76 of Directive 2009/28/EC states that the imposition of an unreasonable burden on industry should be avoided and voluntary schemes can help creating efficient solutions for proving compliance with these sustainability criteria.
- (4) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuel comply with the sustainability criteria set out in Article 17(3) to (5) of Directive 2009/28/EC or that

voluntary national or international scheme to measure greenhouse gas emission saving contains accurate data for the purposes of Article 17(2) of this Directive.

- (5) The Commission may recognise such a voluntary scheme for a period of five years.
- (6) When an economic operator provides proof or data obtained in accordance with a scheme that has been recognised by the Commission, to the extent covered by that recognition decision, a Member State shall not require the supplier to provide further evidence of compliance with the sustainability criteria.
- (7) The 'Round Table on Responsible Soy EU RED' (hereafter 'RTRS EU RED') scheme was submitted on 11 May 2011 to the Commission with the request for recognition. The scheme covers soy based products. The recognised scheme will be made available at the transparency platform established under Directive 2009/28/EC. The Commission will take into account considerations of commercial sensitivity and may decide to only partially publish the scheme.
- (8) Assessment of the RTRS EU RED scheme found it to adequately cover the sustainability criteria of Directive 2009/28/EC, as well as applying a mass balance methodology in line with the requirements of Article 18(1) of Directive 2009/28/EC.
- (9) The evaluation of the RTRS EU RED scheme found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements in Annex V to Directive 2009/28/EC.
- (10) Any additional sustainability elements covered by the RTRS EU RED scheme are not part of the consideration of this Decision. These additional sustainability criteria are not mandatory to show compliance with sustainability requirements set up in Directive 2009/28/EC. The European Commission may at a later stage take a view on whether the scheme also contains accurate data for the purpose of information on measures taken for issues referred to in the second paragraph, second sentence of Article 18(4) of Directive 2009/28/EC,

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

⁽²⁾ OJ L 350, 28.12.1998, p. 58.

⁽³⁾ OJ L 140, 5.6.2009, p. 88.

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'Round Table on Responsible Soy EU RED', for which the request for recognition was submitted to the Commission on 11 May 2011, demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a), (b) and (c), (4) and (5) of Directive 2009/28/EC and Article 7b(3)(a), 7b (3) b, 7b (3) c, 7b(4) and 7b(5) of Directive 98/70/EC. The scheme also contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC.

Furthermore, it may be used for demonstrating compliance with Article 18(1) of Directive 2009/28/EC and of Article 7c(1) of Directive 98/70/EC.

Article 2

1. The Decision is valid for a period of five years after it enters into force. If the scheme, after adoption of Commission decision, undergoes changes to its contents in a way that might affect the basis of this Decision, such changes shall be notified

to the Commission without delay. The Commission will assess the notified changes with a view to establish whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

2. If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if severe and structural breach of those elements has taken place, the Commission reserves the right to revoke its Decision.

Article 3

This Decision enters into force 20 days after its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING DECISION

of 19 July 2011

on the recognition of the 'Greenery Brazilian Bioethanol verification programme' scheme for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council

(2011/441/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC⁽¹⁾, and in particular Article 18(6) thereof,

Having regard to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels⁽²⁾ as amended by the Directive 2009/30/EC⁽³⁾, and in particular Article 7c(6) thereof,

After consulting the Advisory Committee established by Article 25, paragraph 2 of Directive 2009/28/EC,

Whereas:

- (1) Directives 2009/28/EC and 2009/30/EC both lay down sustainability criteria for biofuels. When reference is made to the provisions of Articles 17 and 18 of and Annex V to Directive 2009/28/EC this should be construed as the reference also to the similar provisions of Articles 7a, 7b, 7c of and Annex IV to Directive 2009/30/EC.
- (2) Where biofuels and bioliquids are to be taken into account for the purposes referred to in Article 17(1)(a), (b) and (c), Member States shall require economic operators to show the compliance of biofuels and bioliquids with the sustainability criteria set out in Article 17(2) to (5) of Directive 2009/28/EC.
- (3) Recital 76 of Directive 2009/28/EC states that the imposition of an unreasonable burden on industry should be avoided and voluntary schemes can help creating efficient solutions for proving compliance with these sustainability criteria.
- (4) The Commission may decide that a voluntary national or international scheme demonstrates that consignments of biofuel comply with the sustainability criteria set out in Article 17(3) to (5) of Directive 2009/28/EC or that voluntary national or international scheme to measure greenhouse gas emission saving contains accurate data for the purposes of Article 17(2) of this Directive.
- (5) The Commission may recognise such a voluntary scheme for a period of five years.
- (6) When an economic operator provides proof or data obtained in accordance with a scheme that has been recognised by the Commission, to the extent covered by that recognition decision, a Member State shall not require the supplier to provide further evidence of compliance with the sustainability criteria.
- (7) The 'Greenery Brazilian Bioethanol verification programme' (hereafter 'Greenery') scheme was submitted on 31 January 2011 to the Commission with the request for recognition. This scheme covers bioethanol from sugar cane produced in Brazil. The recognised scheme will be made available at the transparency platform established under Directive 2009/28/EC. The Commission will take into account considerations of commercial sensitivity and may decide to only partially publish the scheme.
- (8) Assessment of the Greenery scheme found it to adequately cover, with exception of the criterion set out in Article 17(3)(c), the sustainability criteria of Directive 2009/28/EC, as well as applying a mass balance methodology in line with the requirements of Article 18(1) of Directive 2009/28/EC.
- (9) The evaluation of the Greenery scheme found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements in Annex V to Directive 2009/28/EC.
- (10) Any additional sustainability elements covered by the Greenery scheme are not part of the consideration of this Decision. These additional sustainability criteria are not mandatory to show compliance with sustainability requirements set up in Directive 2009/28/EC. The European Commission may at a later stage take a view on whether the scheme also contains accurate data for the purpose of information on measures taken for issues referred to in the second paragraph, second sentence of Article 18(4) of Directive 2009/28/EC,

⁽¹⁾ OJ L 140, 5.6.2009, p. 16.

⁽²⁾ OJ L 350, 28.12.1998, p. 58.

⁽³⁾ OJ L 140, 5.6.2009, p. 88.

HAS ADOPTED THIS DECISION:

Article 1

The voluntary scheme 'Greenergy Brazilian Bioethanol verification programme', for which the request for recognition was submitted to the Commission on 31 January 2011, demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a) and (b), (4) and (5) of Directive 2009/28/EC and Article 7b(3)(a), 7b(3)(b), 7b(4) and 7b(5) of Directive 98/70/EC. The scheme also contains accurate data for purposes of Article 17(2) of Directive 2009/28/EC and Article 7b(2) of Directive 98/70/EC.

Furthermore, it may be used for demonstrating compliance with Article 18(1) of Directive 2009/28/EC and of Article 7c(1) of Directive 98/70/EC.

Article 2

1. The Decision is valid for a period of five years after it enters into force. If the scheme, after adoption of Commission decision, undergoes changes to its contents in a way that might affect the basis of this Decision, such changes shall be notified

to the Commission without delay. The Commission will assess the notified changes with a view to establish whether the scheme is still adequately covering the sustainability criteria for which it is recognised.

2. If it has been clearly demonstrated that the scheme has not implemented elements considered to be decisive for this Decision and if severe and structural breach of those elements has taken place, the Commission reserves the right to revoke its Decision.

Article 3

This Decision enters into force 20 days after its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2011.

For the Commission

The President

José Manuel BARROSO

RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 18 July 2011

on access to a basic payment account

(Text with EEA relevance)

(2011/442/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Ensuring that consumers have access to payment services in the European Union (hereinafter referred to as 'the Union') is essential to enable them to fully benefit from the Single Market and for the Single Market to function properly. At present, the availability of essential payment services is neither ensured by payment service providers nor guaranteed by all Member States in the Union.
- (2) Existing restrictive eligibility criteria imposed by payment service providers to open payment accounts, beyond what is required by law, may prevent full access to the right of freedom of movement of persons within the Union. Moreover, lack of access to payment accounts prevents consumers from accessing the mainstream financial services market and thereby weakens financial and social inclusion, often to the detriment of the most vulnerable part of the population. It also makes it more difficult for consumers to access essential goods and services. It is therefore necessary to establish principles on access to basic payment accounts which is a key element for promoting social inclusion and cohesion, in order to allow consumers to benefit as a minimum from a common set of essential payment services.
- (3) It is important to ensure that principles on access to basic payment accounts are applied consistently throughout the Union. However, in order to be more effective, those principles would need to be implemented taking into account the variety of banking habits within the Union.
- (4) This Recommendation sets out general principles applicable to the provision of basic payment accounts within the Union.
- (5) This Recommendation should apply in conjunction with Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market ⁽¹⁾. Accordingly, rules on the transparency of conditions and on information regarding payment services should apply to basic payment accounts.
- (6) The provisions of this Recommendation should not prevent Member States or payment services providers from taking measures justified on legitimate grounds of public security and public order in conformity with Union law.
- (7) In any Member State, consumers who are legally resident in the Union and who do not hold a payment account in that Member State should be in a position to open and use a basic payment account in that Member State. In order to ensure the widest possible access to basic payment accounts, Member States should ensure that consumers have access to such an account in spite of their financial circumstances, such as unemployment or personal bankruptcy. However, the right to access a basic payment account in any Member State should be granted in conformity with the requirements set out in Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing ⁽²⁾, in particular with regard to customer due diligence procedures.
- (8) Furthermore this Recommendation should be without prejudice to the payment service provider's obligation to terminate the basic payment account contract in

⁽¹⁾ OJ L 319, 5.12.2007, p. 1.

⁽²⁾ OJ L 309, 25.11.2005, p. 15.

exceptional circumstances under relevant Union or national legislation, such as legislation on money laundering and terrorist financing or on the prevention and investigation of crimes.

- (9) To ensure the availability of basic payment accounts in light of their specific national circumstances, Member States should be able to designate, based on the principles of transparency, non-discrimination and proportionality, one, several or all payment service providers. The measures to be adopted by Member States in this respect should not create distortions of competition between payment service providers and should be based on the principles of transparency, non-discrimination and proportionality. In this context, Member States should make public the rights enjoyed by and the obligations placed on the providers that are responsible for providing basic payment accounts.
- (10) In order to ensure transparency and fairness of treatment and in order to allow the consumer to question the payment service provider's decision, the payment service provider should inform the consumer of the grounds and justification for his refusal of access to a basic payment account.
- (11) Access to a core range of essential payment services should be guaranteed in any Member State. Services inseparably linked to basic payment accounts should include the facility to deposit and withdraw cash into and from the account. They should enable the consumer to make essential payment transactions such as receiving income or benefits, paying bills or taxes and purchasing goods and services, including via direct debit, credit transfer and the use of a payment card. In order to ensure the fullest financial inclusion possible, such services should allow the purchase of goods and services online where technically possible. They should also give the opportunity to the consumer to initiate payment orders via the payment service provider's online banking facilities where technically possible. However a basic payment account should not allow the execution of payment orders where such payment orders would result in a negative balance on the account. Access to credit should not be considered as an automatic component of or a right attached to a basic payment account.
- (12) Where the payment service provider charges the consumer for the opening, operating and closing of the account and for using the services that are inseparably associated to it as defined in this Recommendation, the total amount charged should be reasonable for the consumer and should be such that the consumer, in the light of specific national circumstances, is not prevented from opening the basic payment account and using its associated services. All additional charges

to the consumer in the event of non-compliance with any of the terms laid down in the contract should also be reasonable.

- (13) In order to ensure consistency and efficiency in the implementation of the principle of a reasonable charge, Member States should establish what constitutes a reasonable charge on the basis of the indicative criteria laid down in this Recommendation, which may be considered together.
- (14) Measures to enhance consumers' awareness of the availability of basic payment accounts are also necessary in order to promote financial inclusion. General, clear and comprehensible information should therefore be provided to consumers by Member States as well as by payment service providers on the main features and conditions of the use of such accounts as well as on the practical steps that the consumer should follow in exercising the right to open a basic payment account. The consumer should also be informed that the purchase of additional services is not compulsory to access a basic payment account.
- (15) Compliance with the provisions laid down in this Recommendation requires the processing of consumers' personal data. Such processing is governed by Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽¹⁾, notably its Articles 6, 7, 10, 11, 12 and 17 so as to ensure the fair and lawful processing and the respect of the fundamental right to protection of personal data, in particular with regard to the general requirements of necessity and proportionality, the data subject's right of access to his own data, the rectification and erasure or blocking of inaccurate data, and its Article 28 regarding the monitoring of compliance with Directive 95/46/EC by independent public data protection authorities.
- (16) Consumers should have access to effective out-of-court complaint and redress procedures for the settlement of disputes arising from the principles set out in this Recommendation. Existing bodies and schemes, for instance those existing for the settlement of disputes concerning rights and obligations arising under Directive 2007/64/EC, may be used.
- (17) The implementation of the principles laid down in this Recommendation should be reinforced through supervisory review at the national level. Competent authorities should be empowered to fulfil their monitoring duties efficiently.

⁽¹⁾ OJ L 281, 23.11.1995, p. 31.

(18) Member States should have reliable annual statistics at least on the number of basic payment accounts opened, the number of refusals and terminations of basic payment accounts and the charges associated to basic payment accounts. To this end, Member States are invited to use any relevant sources of information. They should communicate this information to the Commission on an annual basis and for the first time by 1 July 2012 at the latest.

(19) Member States should be invited to take the necessary measures to ensure the application of this Recommendation at the latest 6 months after its publication. Based on the reporting provided by Member States, the Commission will monitor and assess the measures taken by 1 July 2012. On the basis of this monitoring, the Commission will propose any necessary action, including legislative measures if needed, in order to ensure that the objectives of this Recommendation are fully met,

HAS ADOPTED THIS RECOMMENDATION:

SECTION I

Definitions

1. For the purposes of this Recommendation, the following definitions apply:

(a) 'Consumer' means any natural person who is acting for purposes other than his trade, business, craft or profession;

(b) 'Payment service provider' means the payment service provider(s) as defined in Article 4(9) of Directive 2007/64/EC, which is in charge of offering basic payment accounts pursuant to paragraph 3;

(c) 'Payment account' means an account held in the name of one consumer which is used for the execution of payment transactions;

(d) 'Payment transaction' means a payment transaction as defined in Article 4(5) of Directive 2007/64/EC;

(e) 'Funds' means funds as defined in Article 4(15) of Directive 2007/64/EC;

(f) 'Contract' means a framework contract as defined in Article 4(12) of Directive 2007/64/EC.

SECTION II

Right of access

2. Member States should ensure that any consumer legally resident in the Union has the right to open and use a basic payment account with a payment service provider operating in their territory provided that the consumer does not already hold a payment account allowing him to make use of the payment services listed in paragraph 6 in their territory. Such a right should apply irrespective of the consumer's financial circumstances.

3. Member States should ensure that at least one payment service provider is in charge of offering basic payment accounts in their jurisdiction. For this purpose, they should take into consideration the geographical location or market share of payment service providers in their jurisdictions. Member States should ensure that this does not create distortions of competition between payment service providers.

4. Member States should take measures to guarantee that payment services providers use transparent, fair and reliable systems when verifying whether the consumer already holds or does not hold a payment account.

5. Member States should ensure that where an application for access to a basic payment account is refused, the payment service provider immediately informs the consumer of the grounds and the justification for such a refusal, in writing and free of charge. Limitations to this right to information may be made by legislative measures where such a limitation constitutes a necessary and proportionate measure to safeguard the objectives of national security or public policy.

SECTION III

Characteristics of a basic payment account

6. A basic payment account should include the following payment services:

(a) services enabling all the operations required for the opening, operating and closing of a payment account;

(b) services enabling money to be placed on a payment account;

(c) services enabling cash withdrawals from a payment account;

(d) execution of payment transactions, including transfers of funds in and out of a payment account with the consumer's payment service provider or with another service provider following:

(i) the execution of direct debit;

(ii) the execution of payment transactions through a payment card that does not allow the execution of payment transactions that would exceed the current balance of the payment account;

(iii) the execution of credit transfers.

7. Access to a basic payment account should not be made conditional on the purchase of additional services.

8. The payment service provider should not offer, explicitly or tacitly, any overdraft facilities in conjunction with a basic payment account. A payment order to the consumer's payment service provider should not be executed where such an execution would result in a negative balance of the consumer's basic payment account.

SECTION IV

Associated charges

9. Member States should ensure that a basic payment account is provided either free of charge or at a reasonable charge.

10. Where a payment service provider charges the consumer for the opening, operating and closing of a basic payment account or for the use of one, some or all services listed in paragraph 6, the total amount of charges to the consumer should be reasonable.

11. Any additional fees that the payment service provider may charge in relation to the basic payment account contract, including those resulting from non-compliance with the consumer's commitments laid down in the contract, should be reasonable.

12. Member States should establish what constitutes a reasonable charge according to one or several of the following criteria:

(a) national income levels;

(b) average charges associated with payment accounts in that Member State;

(c) total costs relating to the provision of the basic payment account;

(d) national consumer prices.

SECTION V

General information

13. Member States should launch campaigns raising awareness among the public about the availability of basic payment accounts, their pricing conditions, the procedures to be followed in order to exercise the right to access basic payment accounts and the methods for having access to an out-of-court complaint and redress mechanism.

14. Member States should ensure that payment service providers make information available to consumers about the specific features of the basic payment accounts on offer, their associated charges and their conditions of use. The consumer should also be informed that the purchase of additional services is not compulsory to access a basic payment account.

SECTION VI

Supervision and out-of-court dispute resolution mechanisms

15. Member States should designate competent authorities to ensure and monitor effective compliance with the principles set out in this Recommendation. Those designated competent authorities should be independent from payment service providers.

16. Member States should ensure that appropriate and effective complaints and redress procedures are established for the out-of-court settlement of disputes concerning the rights and obligations established under the principles set out in this Recommendation between payment service providers and consumers, using existing bodies where appropriate. Member States should further ensure that all payment service providers responsible for providing basic payment accounts adhere to one or more such bodies implementing such complaint and redress procedures.

17. Member States should ensure that the bodies referred to in paragraph 16 actively cooperate in the resolution of cross-border disputes.

SECTION VII

Statistical information

18. Member States should ensure that payment services providers provide national authorities with reliable information at least on the number of basic payment accounts opened, the number of applications for basic

payment accounts refused and the grounds of such refusals, the number of terminations of such accounts as well as the charges associated to basic payment accounts on an annual basis. Such information should be provided in an aggregated form.

6 months after its publication and to notify the Commission of any measures taken in accordance with this Recommendation.

19. On an annual basis and for the first time by 1 July 2012 at the latest, Member States are invited to provide the Commission with information on the number of basic payment accounts opened, the number of applications for basic payment accounts refused and the grounds of such refusals, the number of terminations of such accounts as well as the charges associated to basic payment accounts.

21. This Recommendation is addressed to the Member States.

Done at Brussels, 18 July 2011.

SECTION VIII

Final provisions

20. Member States are invited to take the necessary measures to ensure the application of this Recommendation at the latest

For the Commission

Michel BARNIER

Member of the Commission

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⁽¹⁾ Text with EEA relevance

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