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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1016/2011

of 23 September 2011

operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of those stocks 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) and (2) thereof,

Whereas:

(1) Fishing quotas for the year 2010 have been established by:

- 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 and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009 and (EC) No 1287/2009 ⁽⁵⁾.

(2) Fishing quotas for the year 2011 have been established by:

- 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 ⁽⁶⁾,
- 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 ⁽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⁾.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽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 318, 4.12.2010, p. 1.

⁽⁷⁾ OJ L 336, 21.12.2010, p. 1.

⁽⁸⁾ OJ L 343, 29.12.2010, p. 2.

⁽⁹⁾ OJ L 24, 27.1.2011, p. 1.

- (3) According to paragraph 1 of Article 105 of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing quotas which have been allocated to it, it shall operate deductions from future fishing quotas of that Member State.
- (4) Paragraphs 2 and 3 of Article 105 of Regulation (EC) No 1224/2009 provide that such deductions shall be operated in the following year or years by applying certain multiplying factors as set out therein.
- (5) Certain Member States have exceeded their fishing quotas for the year 2010. It is therefore appropriate to operate deductions on the fishing quotas allocated to them in 2011 and, where appropriate, in subsequent years, for the overfished stocks.
- (6) Commission Regulation (EU) No 1004/2010⁽¹⁾ has operated deductions from fishing quotas for 2010. However, for certain Member States the deductions to be applied were higher than their respective 2010 quota and could therefore not be operated entirely in that year. To ensure that also in such cases the full amount be deducted, the remaining quantities should be taken into account when establishing deductions from 2011 and, where appropriate, subsequent quotas.
- (7) Deductions provided for by this Regulation should apply without prejudice to deductions applicable to 2011 quotas pursuant to:
- Commission Regulation (EC) No 147/2007 of 15 February 2007 adapting certain fish quotas from 2007 to 2012 pursuant to Article 23(4) of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy⁽²⁾,
 - Commission Regulation (EC) No 635/2008 of 3 July 2008 adapting the cod fishing quotas to be allocated to Poland in the Baltic Sea (Subdivisions 25-32, EC

Waters) from 2008 to 2011 pursuant to Council Regulation (EC) No 338/2008⁽³⁾,

— Commission Regulation (EU) No 165/2011 of 22 February 2011 providing for deductions from certain mackerel quotas allocated to Spain in 2011 and subsequent years on account of overfishing in 2010⁽⁴⁾, and

— Commission Implementing Regulation (EU) No 1021/2011 of 14 October 2011 operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of other stocks in the previous year⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

The fishing quotas that may be allocated to Member States in 2012 and, where appropriate, in subsequent years shall be reduced as shown in the Annex.

Article 3

Articles 1 and 2 shall apply without prejudice to reductions provided for in Regulations (EC) No 147/2007, (EC) No 635/2008, (EU) No 165/2011 and Implementing Regulation (EU) No 1021/2011.

Article 4

This Regulation shall enter into force on the seventh 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, 23 September 2011.

For the Commission
The President

José Manuel BARROSO

⁽¹⁾ OJ L 291, 9.11.2010, p. 31.

⁽²⁾ OJ L 46, 16.2.2007, p. 10.

⁽³⁾ OJ L 176, 4.7.2008, p. 8.

⁽⁴⁾ OJ L 48, 23.2.2011, p. 11.

⁽⁵⁾ See page 16 of this Official Journal.

ANNEX

Deductions on account of overfishing and outstanding balances from 2010

MS	Species code	Area code	Species name	Area name	Initial Quota 2010	Permitted landings 2010 (Total adapted qty) ⁽⁶⁾	Total catches 2010	Over-fishing related to permitted landing (%)	Overfishing related to permitted landing (quantity in t)	Multi-plying factor 105(2)	Multi-plying factor 105(3)	Deductions 2011	Remaining deduction from 2010 (Regulation (EU) No 1004/2010)	Initial quota 2011	Revised Qty 2011	Outstanding balance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
BEL	SRX	2AC4-C	Skates and rays	EU waters of IIa and IV	235,00 ⁽¹⁾	299,00	304,80	1,94	5,80	1	1	– 5,80		235,00 ⁽⁴⁾	229,20	
BEL	WHG	2AC4.	Whiting	EU waters of IIa and IV	250,00 ⁽¹⁾	129,00	139,10	7,83	10,10	1	1	– 10,10		286,00 ⁽⁴⁾	275,90	
DNK	DGS	03A-C.	Spurdog/dogfish	EU waters of IIIa	0,00 ⁽¹⁾	0,00							– 12,00	0,00	0,00	12,00
DNK	WHG	2AC4.	Whiting	EU waters of IIa and IV	1 082,00 ⁽¹⁾	154,00	156,40	1,56	2,40	1	1	– 2,40		1 236,00 ⁽⁴⁾	1 233,60	
DEU	COD	3BC+24	Cod	EU waters of subdivisions 22-24	3 777,00 ⁽²⁾	4 232,00	4 256,50	0,58	24,50	1	1,5	– 36,75		4 012,00 ⁽⁴⁾	3 975,25	
DEU	HAD	2AC4.	Haddock	EU waters of IIa and IV	876,00 ⁽¹⁾	634,00	637,90	0,62	3,90	1	1	– 3,90		858,00 ⁽⁴⁾	854,10	
DEU	HER	4AB.	Herring	EU waters of IV north of 53° 30' N	14 147,00 ⁽¹⁾	2 455,00	2 477,60	0,92	22,60	1	1	– 22,60		17 423,00 ⁽⁴⁾	17 400,40	
DEU	SAN	2A3A4.	Sandeel	EU waters of IIa, IIIa and IV	166,00 ⁽¹⁾	12 975,00	13 015,10	0,31	40,10	1	1	– 40,10		511,00 ⁽⁴⁾	470,90	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
EST	COD	N3M.	Cod	NAFO 3M	61,00 ⁽¹⁾	30,00	42,20	40,67	12,20	1	1	– 12,20		111,00 ⁽⁴⁾	98,80	
IRL	COD	7XAD34	Cod	VIIb, VIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1	825,00 ⁽¹⁾	917,00	927,80	1,18	10,80	1	1,5	– 16,20		825,00 ⁽⁴⁾	808,80	
IRL	HER	07A/MM	Herring	VIIa	1 250,00 ⁽¹⁾	0,00	16,00	n/a	16,00	1	1	– 16,00		1 374,00 ⁽⁴⁾	1 358,00	
IRL	WHB	1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIIA, VIIIB, VIIId, VIIIE, XII and XIV	7 843,00 ⁽¹⁾	8 279,00	8 324,00	0,54	45,00	1	1	– 45,00		1 187,00 ⁽⁴⁾	1 142,00	
ESP	BLI	67-	Blue ling	EU waters and international waters of Vb, VI, VII	67,00 ⁽¹⁾	0,00							– 103,00	62,00 ⁽⁴⁾	0,00	41,00
ESP	COD	N3M.	Cod	NAFO 3M	796,00 ⁽¹⁾	916,00	919,30	0,36	3,30	1	1	– 3,30		1 448,00 ⁽⁴⁾	1 444,70	
ESP	RED	N3M.	Redfish	NAFO 3M	233,00 ⁽¹⁾	846,00	891,20	5,34	45,20	1	1	– 45,20		233,00 ⁽⁴⁾	187,80	
ESP	USK	567EI.	Tusk	EU and international waters of V, VI and VII	14,00 ⁽¹⁾	16,00	19,70	23,13	3,70	1	1	– 3,70		14,00 ⁽⁴⁾	10,30	
FRA	HER	4CXB7D	Herring	VIIId; IVc	5 235,00 ⁽¹⁾	6 560,00	6 747,40	2,86	187,40	1	1	– 187,40		6 447,00 ⁽⁴⁾	6 259,60	
FRA	SBR	678-	Red seabream	EU waters and waters not under the sovereignty or jurisdiction of third countries of VI, VII and VIII	9,00 ⁽³⁾	66,00	85,40	29,39	19,40	1	1	– 19,40		9,00 ⁽⁵⁾	0,00	10,40

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
FRA	WHG	2AC4.	Whiting	EU waters of IIa and IV	1 627,00 ⁽¹⁾	2 367,00	2 593,40	9,56	226,40	1,1	1	- 249,04		1 857,00 ⁽⁴⁾	1 607,96	
LTU	PRA	N3L.	Northern prawn	NAFO 3L.	334,00 ⁽¹⁾	334,00	339,90	1,77	5,90	1	1	- 5,90		214,00 ⁽⁴⁾	208,10	
NLD	BSF	56712-	Black scab-bardfish	EU and international waters of V, VI, VII and XII		0,00							- 5,00	0,00	0,00	5,00
NLD	SBR	678-	Red seabream	EU and international waters of VI, VII and VIII		0,00							- 6,00	0,00	0,00	6,00
POL	GHL	1N2AB	Greenland halibut	Norwegian waters of I and II		0,00							- 1,00	0,00	0,00	1,00
POL	COD	1N2AB	Cod	Norwegian waters of I and II		1 390,00	1 389,10						- 2,00	0,00	0,00	2,00
POL	RED	514GRN	Redfish	Greenland waters of V and XIV		0,00							- 1,00	0,00	0,00	1,00
POL	HAD	2AC4	Haddock	IV; EU waters of IIa		1,00							- 16,00	0,00	0,00	16,00
POL	WHB	1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV		0,00							- 8,00	0,00	0,00	8,00
POL	MAC	2A34	Mackerel	IIIa and IV; EU waters of IIa, IIb, IIc and Subdivisions 22-32		0,00							- 5,00	0,00	0,00	5,00

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
PRT	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	214,00 ⁽³⁾	224,00	231,90	3,53	7,90	1	1	- 7,90		214,00 ⁽³⁾	206,10	
PRT	ANF	8C3411	Anglerfish	VIIIc, IX and X; EC waters of CECAF 34.1.1	248,00 ⁽¹⁾	277,00	280,80	1,37	3,80	1	1	- 3,80		260,00 ⁽⁴⁾	256,20	
PRT	BFT	AE045W	Bluefin tuna	Atlantic Ocean, east of 45°W, and Mediterranean	237,66 ⁽¹⁾	57,70	63,30	9,71	5,60	1	1,5	- 8,40		226,84 ⁽⁴⁾	218,44	
PRT	GHL	1N2AB	Greenland halibut	Norwegian waters of I and II		0,00							- 11,00	0,00	0,00	11,00
PRT	HAD	1N2AB	Haddock	Norwegian waters of I and II	0,00	200,00	64,90						- 458,00	0,00	0,00	458,00
PRT	POK	1N2AB	Saithe (=Pollock)	Norwegian waters of I and II		0,00							- 294,00		0,00	294,00
PRT	RED	51214. (new code 51214D)	Redfish	EU and international waters of V; international waters of XII and XIV	896,00 ⁽¹⁾	1 416,00	1 420,00	0,28	4,00	1	1	- 4,00		757,00 ⁽⁴⁾	753,00	
GBR	BET	ATLANT	Bigeye Tuna	Atlantic Ocean		0,00							- 10,00	0,00 ⁽⁴⁾	0,00	10,00
GBR	BLI	245- (new code 24-)	Blue ling	EU waters and waters not under the sovereignty or jurisdiction of third countries of II, IV and V	15,00 ⁽³⁾	16,00	33,00	106,25	17,00	1	1	- 17,00		15,00 ⁽³⁾	0,00	2,00

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
GBR	DWS	56789-	Deep-sea sharks	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII and IX	0,00 ⁽³⁾	18,70	20,00	6,95	1,30	1	1	- 1,30		5,60 ⁽³⁾	4,30	
GBR	WHG	2AC4.	Whiting	EU waters of IIa and IV	4 317,00 ⁽¹⁾	7 782,00	7 798,10	0,21	16,10	1	1	- 16,10		8 933,00 ⁽⁴⁾	8 916,90	

⁽¹⁾ Quantity as fixed by Regulation (EU) No 53/2010.

⁽²⁾ Quantity as fixed by Regulation (EC) No 1226/2009.

⁽³⁾ Quantity as fixed by Regulation (EC) No 1359/2008.

⁽⁴⁾ Quantity as fixed by Regulation (EU) No 57/2011.

⁽⁵⁾ Quantity as fixed by Regulation (EU) No 1225/2010.

⁽⁶⁾ Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Council Regulation (EC) No 2371/2002, quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009.

COMMISSION REGULATION (EU) No 1017/2011**of 12 October 2011****establishing a prohibition of fishing for blue marlin in the Atlantic Ocean by vessels flying the flag of Portugal**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

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

Whereas:

*Article 2***Prohibitions**

(1) 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 ⁽²⁾, lays down quotas for 2011.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2011.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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, 12 October 2011.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 24, 27.1.2011, p. 1.

ANNEX

No	49/T&Q
Member State	Portugal
Stock	BUM/ATLANT
Species	Blue marlin (<i>Makaira nigricans</i>)
Zone	Atlantic Ocean
Date	5.9.2011

COMMISSION REGULATION (EU) No 1018/2011**of 12 October 2011****establishing a prohibition of fishing for blue whiting in EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

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

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

Whereas:

*Article 2***Prohibitions**(1) 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 ⁽²⁾, lays down quotas for 2011.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2011.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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, 12 October 2011.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries⁽¹⁾ OJ L 343, 22.12.2009, p. 1.⁽²⁾ OJ L 24, 27.1.2011, p. 1.

ANNEX

No	48/T&Q
Member State	France
Stock	WHB/1X14
Species	Blue whiting (<i>Micromesistius poutassou</i>)
Zone	EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV
Date	7.9.2011

COMMISSION REGULATION (EU) No 1019/2011**of 12 October 2011****establishing a prohibition of fishing for plaice in VIII, IX and X; EU waters of CECAF 34.1.1 by vessels flying the flag of Belgium**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

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

Whereas:

*Article 2***Prohibitions**

(1) 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 ⁽²⁾, lays down quotas for 2011.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2011.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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, 12 October 2011.

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

Lowri EVANS
Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 24, 27.1.2011, p. 1.

ANNEX

No	43/T&Q
Member State	Belgium
Stock	PLE/8/3411
Species	Plaice (<i>Pleuronectes platessa</i>)
Zone	VIII, IX and X; EU waters of CECAF 34.1.1
Date	13.8.2011

COMMISSION IMPLEMENTING REGULATION (EU) No 1020/2011**of 14 October 2011****amending Implementing Regulation (EU) No 543/2011 as regards the maximum amount of support for market withdrawals for nectarines and peaches**

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 103h in conjunction with Article 4 thereof,

Whereas:

- (1) Regulation (EC) No 1234/2007 and 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⁾ provide for rules on the application of crisis management and prevention measures in respect of fruit and vegetables, production of which is highly unpredictable.
- (2) Surplus of fruit and vegetables on the market may occur and can significantly disturb the market. In this case, crisis management and prevention measures can include market withdrawals as referred to in Article 103c(2)(a) of Regulation (EC) No 1234/2007 and in Article 75 of Implementing Regulation (EU) No 543/2011 to stabilise producer prices.
- (3) In accordance with Article 79(1) of Implementing Regulation (EU) No 543/2011, Annex XI to that Regulation sets out the maximum amounts of support for market withdrawals for the products referred thereto. Those amounts have to be fixed so as to avoid that withdrawals

become a permanent alternative outlet for products compared to placing them on the market and to ensure at the same time that withdrawals remain an effective instrument for crisis prevention and management.

- (4) In the light of the prevailing market situation for peaches and nectarines and in order to mitigate the impact of a sudden drop in prices this summer, the maximum amounts of support for market withdrawals for peaches and nectarines should be adjusted.
- (5) Implementing Regulation (EU) No 543/2011 should therefore be amended accordingly.
- (6) It is appropriate to apply the new amounts of support as from 19 July 2011 onwards, the date around which the significance of the drop in prices for peaches and nectarines became apparent. This Regulation should therefore enter into force on the day of its publication.
- (7) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XI to Implementing Regulation (EU) No 543/2011 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 19 July 2011.

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

Done at Brussels, 14 October 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

'ANNEX XI

Maximum amounts of support for market withdrawals as referred to in Article 79(1)

(EUR/100 kg)	
Product	Maximum support
Cauliflowers	10,52
Tomatoes	7,25
Apples	13,22
Grapes	12,03
Apricots	21,26
Nectarines	26,90
Peaches	26,90
Pears	12,59
Aubergines	5,96
Melons	6,00
Watermelons	6,00
Oranges	21,00
Mandarins	19,50
Clementines	19,50
Satsumas	19,50
Lemons	19,50'

COMMISSION IMPLEMENTING REGULATION (EU) No 1021/2011**of 14 October 2011****operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of other stocks 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), (2) and (5) thereof,

After consulting the Member States concerned in accordance with Article 105(5) of Regulation (EC) No 1224/2009,

Whereas:

(1) Fishing quotas for the year 2010 have been established by:

- 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 and amending Regulations (EC) No 1359/2008, (EC) No 754/2009, (EC) No 1226/2009 and (EC) No 1287/2009 ⁽⁵⁾.

(2) Fishing quotas for the year 2011 have been established by:

- 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 ⁽⁶⁾,
- 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 ⁽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⁾.

(3) According to paragraphs 1, 2 and 3 of Article 105 of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing quotas which have been allocated to it, it shall operate deductions from future fishing quotas of that Member State by applying certain multiplying factors as set out therein.

(4) Paragraph 5 of Article 105 of Regulation (EC) No 1224/2009 provides that, if a deduction cannot be operated pursuant to paragraphs 1 and 2 of that Article on the quota of the stock that was overfished because that quota is not sufficiently available to the Member State concerned, the Commission, after consultation of the Member State concerned, may deduct in the following year or years quotas for other stocks or groups of stocks available to that Member State in the same geographical area, or with the same commercial value.

(5) Certain Member States have no quota available in 2011 for some stocks which they overfished in 2010. In such cases, it is appropriate to operate such deductions on quotas available to those Member States for other stocks in the same geographical area, taking into account the need to avoid discards in mixed fisheries.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽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 318, 4.12.2010, p. 1.

⁽⁷⁾ OJ L 336, 21.12.2010, p. 1.

⁽⁸⁾ OJ L 343, 29.12.2010, p. 2.

⁽⁹⁾ OJ L 24, 27.1.2011, p. 1.

(6) Concerned Member States have been consulted with regard to proposed deductions and suggested certain changes which should be taken into account by the Commission to the extent justified.

(7) Deductions provided for by this Regulation should apply without prejudice to deductions applicable to 2011 quotas pursuant to:

— Commission Regulation (EC) No 147/2007 of 15 February 2007 adapting certain fish quotas from 2007 to 2012 pursuant to Article 23(4) of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾,

— Commission Implementing Regulation (EU) No 1016/2011 of 23 September 2011 operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of those stocks in the previous year ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

Article 1 shall apply without prejudice to reductions provided for in Regulations (EC) No 147/2007 and Implementing Regulation (EU) No 1016/2011.

Article 3

This Regulation shall enter into force on the seventh 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, 14 October 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 46, 16.2.2007, p. 10.

⁽²⁾ See page 1 of this Official Journal.

ANNEX

MS	Species code	Area code	Species name	Area name	Initial quota 2010	Permitted landings 2010 (Total adapted quantity) ^(*)	Total catches 2010	Over-fishing related to permitted landing (%)	Over-fishing related to permitted landing (quantity in t)	Multi-plying factor 105(2)	Multi-plying factor 105(3)	Deductions 2011	Initial quota 2011	Revised quantity 2011
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
DNK	DGS	03A-C.	Spurdog/dogfish	EU waters of IIIa	0,00 ⁽¹⁾	0,00	3,60	n/a	3,60	1	1	– 3,60	0,00	(*)

(*) Deductions to be made on the following stock

DNK	COD	03AN.	Cod	Skagerrak								– 3,60	3 068,00 ⁽²⁾	3 064,40
FRA	DGS	15X14	Spurdog/dogfish	EU and international waters of I, V, VI, VII, VIII, XII and XIV	0,00 ⁽¹⁾	84,00	158,30	88,45	74,30	1	1	– 74,30	0,00	(*)

(*) Deductions to be made on the following stock

FRA	LIN	6X14.	Ling	EU and international waters of VI, VII, VIII, IX, X, XII and XIV								– 74,30	2 293,00 ⁽²⁾	2 218,70
FRA	DGS	2AC4-C	Spurdog/dogfish	EU waters of IIa and IV	0,00 ⁽¹⁾	5,00	10,70	114,00	5,70	1	1	– 5,70	0,00	(*)

(*) Deductions to be made on the following stock

FRA	ANF	2AC4-C	Anglerfish	EU waters of IIa and IV								– 5,70	70,00 ⁽²⁾	64,30
FRA	DWS	56789-	Deep-sea sharks	EU waters and waters not under the sovereignty or jurisdiction of third countries of V, VI, VII, VIII and IX	0,00 ⁽¹⁾	98,00	131,30	33,98	33,30	1	1	– 33,30	10,17 ⁽³⁾	(*)

(*) Deductions to be made on the following stock

FRA	RNG	5B67-	Roundnose grenadier	EU and international waters of Vb, VI, VII								– 33,30	2 409,00 ⁽³⁾	2 375,70
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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
GBR	FLX	05B-F	Flatfish	Faroese waters of Vb	204,00 ⁽¹⁾	217,00	252,20	16,22	35,20	1	1	– 35,20	0,00	(*)

(*) Deductions to be made on the following stock

GBR	PLE	561214	Plaice	VI; EU and international waters of Vb; international waters of XII and XIV								– 35,20	408,00 ⁽²⁾	372,80
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⁽¹⁾ Quantity as fixed by Regulation (EU) No 53/2010.

⁽²⁾ Quantity as fixed by Regulation (EU) No 57/2011.

⁽³⁾ Quantity as fixed by Regulation (EU) No 1225/2010.

⁽⁴⁾ Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Council Regulation (EC) No 2371/2002 (OJ L 358, 31.12.2002, p. 59), quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3) and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Council Regulation (EC) No 1224/2009.

COMMISSION IMPLEMENTING REGULATION (EU) No 1022/2011**of 14 October 2011****concerning the non-renewal of the approval of the active substance cyclanilide 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 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 20 and Article 78(2) thereof,

Whereas:

- (1) The active substance cyclanilide was included in Annex I to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽²⁾ for a period expiring on 31 October 2011.
- (2) To enable applicants to prepare their applications and to enable the Commission to evaluate and decide upon such applications, that inclusion was extended until 31 December 2015 by Commission Directive 2010/77/EU of 10 November 2010 amending Council Directive 91/414/EEC as regards the expiry dates for inclusion in Annex I of certain active substances ⁽³⁾.
- (3) In accordance with Article 78(3) of Regulation (EC) No 1107/2009 that substance was included 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⁾ and is to be deemed to have been approved under Regulation (EC) No 1107/2009.
- (4) The Commission did not, however, receive any applications for the active substance concerned and the time period for the submission of such applications, as provided for in Article 4(1) of Commission Regulation (EU) No 1141/2010 of 7 December 2010 laying down the procedure for the renewal of the inclusion of a second group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances ⁽⁵⁾, has expired.

- (5) Consequently, the approval of that active substance should not be renewed and it should be removed from Part A of the Annex to Implementing Regulation (EU) No 540/2011, as from the date on which its approval would have expired had it not been extended by Directive 2010/77/EU.
- (6) Member States should be allowed the period necessary to withdraw authorisations granted for plant protection products containing cyclanilide.
- (7) This Regulation does not prejudice the submission of an application for this substance pursuant to Article 7 of Regulation (EC) No 1107/2009.
- (8) 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***Non-renewal of approval**

The approval of the active substance cyclanilide is not renewed.

*Article 2***Transitional measures**

Member States shall ensure that authorisations for plant protection products containing cyclanilide are withdrawn by 30 April 2012.

*Article 3***Grace periods**

Any grace period granted by a Member State for plant protection products containing cyclanilide shall expire on 31 October 2012 at the latest for the sale and distribution and on 31 October 2013 at the latest for the disposal, storage, and use of existing stocks.

*Article 4***Amendments to Implementing Regulation (EU) No 540/2011**

Part A of the Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.⁽²⁾ OJ L 230, 19.8.1991, p. 1.⁽³⁾ OJ L 293, 11.11.2010, p. 48.⁽⁴⁾ OJ L 153, 11.6.2011, p. 1.⁽⁵⁾ OJ L 322, 8.12.2010, p. 10.

*Article 5***Entry into force**

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

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

Done at Brussels, 14 October 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

Row 21 of Part A of the Annex to Implementing Regulation (EU) No 540/2011 is replaced by the following:

Number	Common name, identification numbers	IUPAC name	Purity (*)	Date of approval	Expiration of approval	Specific provisions
'21	Cyclanilide CAS No 113136-77-9 CIPAC No 586	Not available	960 g/kg	1 November 2001	31 October 2011	Only uses as a plant growth regulator may be authorised. The maximum content of the impurity 2,4-dichloroaniline (2,4-DCA) in the active substance as manufactured should be 1 g/kg. Date of Standing Committee on Plant Health at which the review report was finalised: 29 June 2001.'

(*) Further details on identity and specification of active substances are provided in their review reports.

COMMISSION IMPLEMENTING REGULATION (EU) No 1023/2011**of 14 October 2011****opening the tendering procedure for aid for private storage of olive oil**

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 43(a), (d) and (j), in conjunction with Article 4 thereof,

Whereas:

(1) Article 33 of Regulation (EC) No 1234/2007 provides that the Commission may decide to authorise bodies, offering sufficient guarantees and approved by the Member States, to conclude contracts for the storage of olive oil that they market in the event of a serious disturbance on the market in certain regions of the European Union.

(2) In Spain the average price of virgin olive oil recorded in the market during the period specified in Article 4 of Commission Regulation (EC) No 826/2008 of 20 August 2008 laying down common rules for the granting of private storage aid for certain agricultural products ⁽²⁾, is below the level indicated in Article 33 of Regulation (EC) No 1234/2007. The prospect of a consecutive good harvest and the accumulation of stocks in Spain create an imbalance between supply and demand which exerts a downward pressure on virgin olive oil prices and causes a serious disturbance on the Spanish market. Spain is the most important olive oil producer of the Union and the price leader. The Union olive oil market is characterised by a high level of interdependence and therefore the serious disturbance of the Spanish market risks to propagate to all the olive oil producing Member States.

(3) Article 31 of Regulation (EC) No 1234/2007 provides that aid for private storage may be granted for olive oil and that the aid should be fixed by the Commission in advance or by means of a tendering procedure.

(4) Regulation (EC) No 826/2008 has established common rules for the implementation of the private storage aid scheme. Pursuant to Article 6 of that Regulation, a tendering procedure is to be opened in accordance with the detailed rules and conditions provided for in its Article 9.

(5) The global quantity up to which private storage aid can be granted should be set at a level which, according to market analysis, would contribute to the stabilisation of the market.

(6) In order to facilitate the administrative and control work relating to the conclusion of contracts, the minimum quantity of product each tender must provide for should be fixed.

(7) A security should be fixed in order to ensure that the operators fulfil their contractual obligations and that the measure will have its desired effect on the market.

(8) In the light of the evolution of the market situation in the current marketing year and the forecasts for the following marketing year, the Commission should have the possibility to decide to shorten the term of contracts which are being performed and adjust the level of aid accordingly. That possibility has to be included in the contract, as provided for by Article 21 of Regulation (EC) No 826/2008.

(9) Pursuant to Article 12(3) of Regulation (EC) No 826/2008, the time period of notification of all valid tenders by Member States to the Commission is to be fixed.

(10) In order to prevent uncontrolled price falls, to react swiftly to the exceptional market situation and to ensure efficient management of this measure, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.

(11) 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***Subject matter**

1. A tendering procedure is hereby opened in order to determine the level of aid for private storage referred to in Article 31(1)(b) of Regulation (EC) No 1234/2007 for virgin olive oil as defined in point 1(b) of Annex XVI to that Regulation.

2. The global quantity up to which aid for private storage can be granted shall be 100 000 tonnes.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 223, 21.8.2008, p. 3.

*Article 2***Applicable rules**

Regulation (EC) No 826/2008 shall apply save as otherwise provided for in this Regulation.

*Article 3***Submission of tenders**

1. The sub-period during which tenders may be submitted in response to the first partial invitation to tender shall begin on 19 October 2011 and shall end on 25 October 2011 at 11:00 Brussels time.

The sub-period during which tenders may be submitted in response to the second partial invitation to tender shall begin on the first working day following the end of the preceding sub-period and shall end on 8 November at 11:00 Brussels time.

2. Tenders shall relate to a storage period of 180 days.

3. Each tender shall cover a minimum quantity of at least 50 tonnes.

4. Where an operator takes part in a tendering procedure for more than one category of oil or for vats located at different addresses, it shall submit a separate tender in each case.

5. Tenders may be lodged only in Greece, Spain, France, Italy, Cyprus, Malta, Portugal and Slovenia.

*Article 4***Securities**

Tenderers shall establish a security of EUR 50 per tonne of olive oil covered by a tender.

*Article 5***Shortening the term of contracts**

The Commission may, on the basis of developments on the market in olive oil and the outlook for the future, decide, in accordance with the procedure referred to in Article 195(2) of Regulation (EC) No 1234/2007, to shorten the term of contracts which are being performed and adjust the amount of the aid accordingly. The contract with the successful tenderer shall include reference to this option.

*Article 6***Notification of the tenders to the Commission**

In accordance with Article 12 of Regulation (EC) No 826/2008 all valid tenders shall be notified separately by Member States to the Commission, within 24 hours from the end of each tendering sub-period as referred to in Article 3(1) of this Regulation.

*Article 7***Entry into force**

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

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

Done at Brussels, 14 October 2011.

For the Commission

Joaquín ALMUNIA

Vice-President

COMMISSION IMPLEMENTING REGULATION (EU) No 1024/2011**of 14 October 2011****amending for the 159th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network,⁽¹⁾ and in particular Article 7(1)(a) and 7a(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 5 October 2011 the Sanctions Committee of the United Nations Security Council decided to add one

natural person to its list of persons, groups and entities to whom the freezing of funds and economic resources should apply.

- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.
- (4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with 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, 14 October 2011.

*For the Commission,
On behalf of the President,
Head of the Service for Foreign Policy Instruments*

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

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

The following entry shall be added under the heading 'Natural persons':

- (a) 'Ibrahim Awwad Ibrahim Ali **Al-Badri Al-Samarrai** (*alias* (a) Dr. Ibrahim 'Awwad Ibrahim' Ali al-Badri al-Samarrai', (b) Ibrahim 'Awad Ibrahim al-Badri al-Samarrai, (c) Ibrahim 'Awad Ibrahim al-Samarra'i, (d) Dr. Ibrahim Awwad Ibrahim al-Samarra'i, (e) Abu Du'a, (f) Abu Duaa, (g) Dr. Ibrahim, (h) Abu Bakr al-Baghdadi al-Husayni al-Quraishi, (i) Abu Bakr al-Baghdadi. Title: Dr. Address: Iraq. Date of birth: 1971. Place of birth: Samarra, Iraq. Nationality: Iraqi. Other information: (a) Leader of Al-Qaida in Iraq; (b) Currently based in Iraq; (c) Responsible for managing and directing AQI large scale operations; (d) Prominently known by nom de guerre (Abu Du'a, Abu Duaa'). Date of designation referred to in Article 2a(4)(b): 5.10.2011.'
-

COMMISSION IMPLEMENTING REGULATION (EU) No 1025/2011**of 14 October 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 15 October 2011.

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

Done at Brussels, 14 October 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	58,3
	EC	36,3
	MA	42,3
	MK	53,8
	ZA	35,6
	ZZ	45,3
0707 00 05	AL	65,0
	MK	64,2
	TR	132,0
	ZZ	87,1
0709 90 70	EC	33,4
	TR	112,1
	ZZ	72,8
0805 50 10	AR	59,3
	BR	38,2
	CL	60,5
	TR	72,0
	UY	56,8
	ZA	73,7
	ZZ	60,1
0806 10 10	BR	170,5
	CL	79,6
	MK	85,4
	TR	118,4
	ZA	56,1
	ZZ	102,0
0808 10 80	AR	61,9
	CL	69,6
	CN	79,2
	NZ	115,8
	US	82,8
	ZA	115,4
	ZZ	87,5
0808 20 50	CL	85,4
	CN	49,2
	TR	133,7
	ZZ	89,4

⁽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 1026/2011**of 14 October 2011****fixing the import duties in the cereals sector applicable from 16 October 2011**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

- (2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, for the purposes of calculating the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Pursuant to Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

- (4) Import duties should be fixed for the period from 16 October 2011 and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 October 2011, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 16 October 2011.

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

Done at Brussels, 14 October 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 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 16 October 2011

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	0,00
1005 10 90	Maize seed, other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00
1007 00 90	Grain sorghum, other than hybrids for sowing	0,00

⁽¹⁾ For goods arriving in the Union via the Atlantic Ocean or via the Suez Canal the importer may benefit, pursuant to Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom, or on the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

30.9.2011-13.10.2011

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾
Exchange	Minneapolis	Chicago	—	—	—
Quotation	259,12	178,57	—	—	—
Fob price USA	—	—	360,44	350,44	330,44
Gulf of Mexico premium	—	16,96	—	—	—
Great Lakes premium	23,04	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).⁽²⁾ Discount of 10 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).⁽³⁾ Discount of 30 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico–Rotterdam: 18,96 EUR/t

Freight costs: Great Lakes–Rotterdam: 53,14 EUR/t

DECISIONS

COUNCIL DECISION 2011/687/CFSP

of 14 October 2011

**amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo ⁽¹⁾,
EULEX KOSOVO**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28 and 43(2) thereof,

Whereas:

- (1) On 4 February 2008, the Council adopted Joint Action 2008/124/CFSP ⁽²⁾.
- (2) On 9 June 2009, the Council adopted Joint Action 2009/445/CFSP ⁽³⁾, which amended Joint Action 2008/124/CFSP by increasing the financial reference amount to cover the expenditure of the European Union Rule of Law Mission in Kosovo ('EULEX KOSOVO') until the expiry of Joint Action 2008/124/CFSP.
- (3) On 8 June 2010, the Council adopted Decision 2010/322/CFSP ⁽⁴⁾, which amended and extended Joint Action 2008/124/CFSP for a period of 2 years until 14 June 2012, and laid down the financial reference amount until 14 October 2010.
- (4) The financial reference amount provided in Council Decision 2010/619/CFSP, of 15 October 2010, amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO ⁽⁵⁾, and intended to cover the expenditure related to EULEX KOSOVO until 14 October 2011 should cover the period until 14 December 2011.
- (5) EULEX KOSOVO will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the common foreign and security policy as set out in Article 21 of the Treaty.

(6) Joint Action 2008/124/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 16(1) of Joint Action 2008/124/CFSP is hereby replaced by the following:

'1. The financial reference amount intended to cover the expenditure of EULEX KOSOVO until 14 October 2010 shall be EUR 265 000 000.

The financial reference amount intended to cover the expenditure of EULEX KOSOVO from 15 October 2010 until 14 December 2011 shall be EUR 165 000 000.

The financial reference amount for the subsequent period for EULEX KOSOVO shall be decided by the Council.'

Article 2

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

Done at Brussels, 14 October 2011.

*For the Council**The President*

M. DOWGIELEWICZ

⁽¹⁾ Under United Nations Security Council Resolution 1244 (1999).

⁽²⁾ OJ L 42, 16.2.2008, p. 92.

⁽³⁾ OJ L 148, 11.6.2009, p. 33.

⁽⁴⁾ OJ L 145, 11.6.2010, p. 13.

⁽⁵⁾ OJ L 272, 16.10.2010, p. 19.

POLITICAL AND SECURITY COMMITTEE DECISION EULEX KOSOVO/1/2011**of 14 October 2011****extending the mandate of the Head of Mission of the European Union Rule of Law Mission in Kosovo ⁽¹⁾, EULEX KOSOVO****(2011/688/CFSP)**

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union and in particular the third subparagraph of Article 38 thereof,

Having regard to Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO ⁽²⁾, and in particular Article 12(2) thereof,

Whereas:

- (1) Pursuant to Joint Action 2008/124/CFSP, the Political and Security Committee (PSC) is authorised, in accordance with Article 38 of the Treaty, to take the relevant decisions for the purpose of exercising political control and strategic direction of the European Union Rule of Law Mission in Kosovo (EULEX KOSOVO), including the decision to appoint a Head of Mission.
- (2) On 8 June 2010 the Council adopted Decision 2010/322/CFSP ⁽³⁾ extending the duration of EULEX KOSOVO until 14 June 2012.
- (3) By Decision 2010/431/CFSP ⁽⁴⁾, following a proposal by the High Representative of the Union for Foreign Affairs and Security Policy (HR), the PSC appointed Mr Xavier

BOUT DE MARNHAC as Head of Mission of EULEX KOSOVO with effect from 15 October 2010. That Decision applies until 14 October 2011.

- (4) On 23 September 2011, the HR proposed the extension of the mandate of Mr Xavier BOUT DE MARNHAC as Head of Mission of EULEX KOSOVO,

HAS ADOPTED THIS DECISION:

Article 1

The mandate of Mr Xavier BOUT DE MARNHAC as Head of Mission of EULEX KOSOVO is hereby extended until 14 December 2011.

Article 2

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

Done at Brussels, 14 October 2011.

For the Political and Security Committee
The Chairperson
O. SKOOG

⁽¹⁾ Under United Nations Security Council Resolution 1244 (1999).

⁽²⁾ OJ L 42, 16.2.2008, p. 92.

⁽³⁾ OJ L 145, 11.6.2010, p. 13.

⁽⁴⁾ OJ L 202, 4.8.2010, p. 10.

COMMISSION IMPLEMENTING DECISION

of 14 October 2011

on excluding from European Union financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD)

(notified under document C(2011) 7105)

(Only the Danish, Dutch, English, Finnish, German, Greek, Italian, Maltese, Polish, Portuguese, Spanish and Swedish texts are authentic)

(2011/689/EU)

THE EUROPEAN COMMISSION,

which has been incurred in a way that has not infringed European Union rules may be financed.

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

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 7(4) thereof,

- (4) In the light of the verifications carried out, the outcome of the bilateral discussions and the conciliation procedures, part of the expenditure declared by the Member States does not fulfil this requirement and cannot, therefore, be financed under the EAGGF Guarantee Section, the EAGF and the EAFRD.

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽²⁾, and in particular Article 31 thereof,

- (5) The amounts that are not recognised as being chargeable to the EAGGF Guarantee Section, the EAGF and the EAFRD should be indicated. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the verifications to the Member States.

Having consulted the Committee on the Agricultural Funds,

Whereas:

- (1) Under Article 7(4) of Regulation (EC) No 1258/1999, and Article 31 of Regulation (EC) No 1290/2005, the Commission is to carry out the necessary verifications, communicate to the Member States the results of these verifications, take note of the comments of the Member States, initiate a bilateral discussion so that an agreement may be reached with the Member States in question, and formally communicate its conclusions to them.

- (6) As regards the cases covered by this decision, the assessment of the amounts to be excluded on grounds of non-compliance with European Union rules was notified by the Commission to the Member States in a summary report on the subject.

- (2) The Member States have had an opportunity to request the launch of a conciliation procedure. That opportunity has been used in some cases and the reports issued on the outcome have been examined by the Commission.

- (7) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 30 April 2011 and relating to its content,

- (3) Under Regulation (EC) No 1258/1999 and Regulation (EC) No 1290/2005, only agricultural expenditure

HAS ADOPTED THIS DECISION:

Article 1

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section, under the EAGF or under the EAFRD shall be excluded from European Union financing because it does not comply with European Union rules.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

⁽²⁾ OJ L 209, 11.8.2005, p. 1.

Article 2

This Decision is addressed to the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the Italian Republic, the Republic of Cyprus, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 14 October 2011.

For the Commission

Dacian CIOLOŞ

Member of the Commission

ANNEX

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
BUDGET ITEM 6701									
AT	Financial audit — Over-shooting	2006	exceeding of ceilings	ONE-OFF		EUR	– 1 303 515,38	0,00	– 1 303 515,38
					TOTAL (AT)	EUR	– 1 303 515,38	0,00	– 1 303 515,38
CY	Direct payments	2006	non-application of sanctions	ONE-OFF		CYP	– 284 123,39	0,00	– 284 123,39
CY	Direct payments	2006	LPIS deficiencies and weaknesses in on-the-spot controls	ONE-OFF		CYP	– 757 074,89	0,00	– 757 074,89
CY	Direct decoupled aid (single area payment scheme — SAPS)	2007	LPIS deficiencies and weaknesses in on-the-spot controls	ONE-OFF		EUR	– 1 808 329,75	0,00	– 1 808 329,75
CY	Direct decoupled aid (single area payment scheme — SAPS)	2007	non-application of sanctions	ONE-OFF		EUR	– 582 030,50	0,00	– 582 030,50
CY	Decoupled direct aids	2008	LPIS deficiencies and weaknesses in on-the-spot controls	ONE-OFF		EUR	– 1 656 910,66	0,00	– 1 656 910,66
CY	Decoupled direct aids	2008	non-application of sanctions	ONE-OFF		EUR	– 666 122,62	0,00	– 666 122,62
CY	Decoupled direct aids	2009	weaknesses in LPIS-GIS	ONE-OFF		EUR	– 1 474 495,53	0,00	– 1 474 495,53
					TOTAL (CY)	CYP	– 1 041 198,28	0,00	– 1 041 198,28
					TOTAL (CY)	EUR	– 6 187 889,06	0,00	– 6 187 889,06
DE	Clearance of accounts	2008	most likely error, known error	ONE-OFF		EUR	– 949 205,00	0,00	– 949 205,00
DE	Fruit and vegetables — Operational programmes	2008	ineligible expenditures in 3 producer organisations	ONE-OFF		EUR	– 846 668,37	0,00	– 846 668,37
					TOTAL (DE)	EUR	– 1 795 873,37	0,00	– 1 795 873,37

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
DK	Decoupled direct aids	2006	correction on set-aside, uncultivated areas, permanent pastures	FLAT RATE	5,00 %	DKK	– 33 186 833,89	0,00	– 33 186 833,89
DK	Decoupled direct aids	2006	weaknesses in LPIS/GIS, sanctions, tolerance for cross-checks, random sample for analysis of reference parcel	ONE-OFF		DKK	– 38 993 246,83	0,00	– 38 993 246,83
DK	Direct payments	2007	correction on set-aside, uncultivated areas, permanent pastures	FLAT RATE	5,00 %	EUR	– 4 935 369,61	0,00	– 4 935 369,61
DK	Other direct aid — Energy crops	2007	weaknesses in LPIS/GIS, sanctions, tolerance for cross-checks, random sample for analysis of reference parcel	ONE-OFF		EUR	– 9 726,04	0,00	– 9 726,04
DK	Direct payments	2007	weaknesses in LPIS/GIS, sanctions, tolerance for cross-checks, random sample for analysis of reference parcel	ONE-OFF		EUR	– 5 669 895,79	0,00	– 5 669 895,79
DK	Entitlements	2006	lack of controls on the farmer status of landowners	FLAT RATE	5,00 %	DKK	– 3 744,13	– 557,28	– 3 186,85
DK	Entitlements	2006	non agricultural use of area declared	FLAT RATE	2,00 %	DKK	– 19 696,62	– 19 696,62	0,00
DK	Entitlements	2007	consequence of the one-off correction under enquiry AA/2006/05/DK	ONE-OFF		EUR	0,00	– 369,71	369,71
DK	Entitlements	2007	deficiencies in controls on the farmer status in case of transfers subject to a private contract clause	ONE-OFF		EUR	– 80 459,15	0,00	– 80 459,15
DK	Entitlements	2007	lack of controls on the farmer status of landowners	FLAT RATE	5,00 %	EUR	– 181 248,40	– 26 735,94	– 154 512,46
DK	Entitlements	2007	non agricultural use of area declared	FLAT RATE	2,00 %	EUR	– 147 389,20	– 147 389,20	0,00
DK	Entitlements	2008	deficiencies in controls on the farmer status in case of transfers subject to a private contract clause	ONE-OFF		EUR	– 80 483,98	0,00	– 80 483,98
DK	Entitlements	2008	lack of controls on the farmer status of landowners	FLAT RATE	5,00 %	EUR	– 178 999,72	0,00	– 178 999,72
DK	Entitlements	2008	non agricultural use of area declared	FLAT RATE	2,00 %	EUR	– 142 037,56	0,00	– 142 037,56

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
DK	Entitlements	2009	deficiencies in controls on the farmer status in case of transfers subject to a private contract clause	ONE-OFF		EUR	– 80 417,10	0,00	– 80 417,10
DK	Entitlements	2009	lack of controls on the farmer status of landowners	FLAT RATE	5,00 %	EUR	– 160 151,14	0,00	– 160 151,14
DK	Entitlements	2009	non agricultural use of area declared	FLAT RATE	2,00 %	EUR	– 131 624,35	0,00	– 131 624,35
DK	Entitlements	2010	deficiencies in controls on the farmer status in case of transfers subject to a private contract clause	ONE-OFF		EUR	– 80 598,58	0,00	– 80 598,58
DK	Entitlements	2010	lack of controls on the farmer status of landowners	FLAT RATE	5,00 %	EUR	– 173 759,98	0,00	– 173 759,98
DK	Entitlements	2010	non agricultural use of area declared	FLAT RATE	2,00 %	EUR	– 281 759,83	0,00	– 281 759,83
DK	Financial audit — Over-shooting	2008	exceeding of financial ceiling	ONE-OFF		EUR	– 1 500,20	– 1 353,02	– 147,18
DK	Financial audit — Late payments and payment deadlines	2008	non-respect of payment deadlines	ONE-OFF		EUR	– 329 708,43	– 329 708,43	0,00
					TOTAL (DK)	DKK	– 72 203 521,47	– 20 253,90	– 72 183 267,57
					TOTAL (DK)	EUR	– 12 665 129,06	– 505 556,30	– 12 159 572,76
ES	Clearance of accounts — EAGF	2005	debtors	ONE-OFF		EUR	– 277 219,89	0,00	– 277 219,89
ES	Clearance of accounts — EAGF	2005	financial errors — not recovered financial errors	ONE-OFF		EUR	– 76 518,03	0,00	– 76 518,03
ES	Clearance of accounts — EAGF	2005	financial errors — most likely error	ONE-OFF		EUR	– 103 605,08	0,00	– 103 605,08
ES	Clearance of accounts — EAGF	2006	financial errors — most likely error	ONE-OFF		EUR	– 113 321,70	0,00	– 113 321,70
					TOTAL (ES)	EUR	– 570 664,70	0,00	– 570 664,70

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
FI	Decoupled direct aids	2007	incorrect application of sanctions	ONE-OFF		EUR	– 10 268,39	0,00	– 10 268,39
FI	Decoupled direct aids	2007	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 188 478,74	0,00	– 188 478,74
FI	Additional Amounts of Aid	2007	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 4 661,37	0,00	– 4 661,37
FI	Other direct aid — Energy crops	2007	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 242,40	0,00	– 242,40
FI	Decoupled direct aids	2008	incorrect application of sanctions	ONE-OFF		EUR	– 8 285,31	0,00	– 8 285,31
FI	Decoupled direct aids	2008	non-recovered amounts over different years	ONE-OFF		EUR	– 14 577,20	0,00	– 14 577,20
FI	Other direct aid — Energy crops	2008	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 171,75	0,00	– 171,75
FI	Decoupled direct aids	2008	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 186 113,92	0,00	– 186 113,92
FI	Additional amounts of aid	2008	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 5 698,74	0,00	– 5 698,74
FI	Decoupled direct aids	2009	non-recovered amounts over different years	ONE-OFF		EUR	– 43 442,18	0,00	– 43 442,18
FI	Other direct aid — Energy crops	2009	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 26,97	0,00	– 26,97
FI	Decoupled direct aids	2009	weaknesses related to LPIS-GIS Lapland region	FLAT RATE	2,00 %	EUR	– 2,95	0,00	– 2,95
FI	Entitlements	2007	activation of entitlements on vegetable gardens	ONE-OFF		EUR	– 134 535,85	0,00	– 134 535,85
FI	Entitlements	2007	non-recovery of undue payments following the parcels updating process	ONE-OFF		EUR	– 208 560,32	0,00	– 208 560,32
FI	Entitlements	2007	overpayments linked to reference amounts for sugar beet production	ONE-OFF		EUR	– 10 112,98	0,00	– 10 112,98
FI	Entitlements	2008	activation of entitlements on vegetable gardens	ONE-OFF		EUR	– 106 422,80	0,00	– 106 422,80
FI	Entitlements	2008	non-recovery of undue payments following the parcels updating process	ONE-OFF		EUR	– 38 963,06	0,00	– 38 963,06

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
FI	Entitlements	2008	overpayments linked to reference amounts for sugar beet production	ONE-OFF		EUR	- 10 092,45	0,00	- 10 092,45
FI	Entitlements	2009	overpayments linked to reference amounts for sugar beet production	ONE-OFF		EUR	- 10 117,45	0,00	- 10 117,45
FI	Entitlements	2010	overpayments linked to reference amounts for sugar beet production	ONE-OFF		EUR	- 10 135,57	0,00	- 10 135,57
					TOTAL (FI)	EUR	- 990 910,38	0,00	- 990 910,38
GB	Entitlements	2006	deficiencies in controls for new farmers (Northern Ireland)	FLAT RATE	10,00 %	GBP	- 614 431,29	- 307 215,65	- 307 215,64
GB	Entitlements	2006	incorrect national reserve allocation under category of investors (Northern Ireland)	FLAT RATE	10,00 %	GBP	- 712 321,41	- 356 160,71	- 356 160,70
GB	Entitlements	2006	incorrect reduction for national reserve (Northern Ireland)	ONE-OFF		GBP	- 100 767,54	0,00	- 100 767,54
GB	Entitlements	2006	incorrect reduction for national reserve (Scotland)	ONE-OFF		GBP	- 216 419,91	0,00	- 216 419,91
GB	Entitlements	2006	incorrect reduction for national reserve (Wales)	ONE-OFF		GBP	- 97 813,25	0,00	- 97 813,25
GB	Entitlements	2007	deficiencies in controls for new farmers (Northern Ireland)	FLAT RATE	10,00 %	EUR	- 900 088,77	- 450 044,39	- 450 044,38
GB	Entitlements	2007	incorrect national reserve allocation under category of investors (Northern Ireland)	FLAT RATE	10,00 %	EUR	- 1 037 875,96	- 518 937,98	- 518 937,98
GB	Entitlements	2007	incorrect reduction for national reserve (Northern Ireland)	ONE-OFF		EUR	- 147 022,79	0,00	- 147 022,79
GB	Entitlements	2007	incorrect reduction for national reserve (Scotland)	ONE-OFF		EUR	- 317 354,51	0,00	- 317 354,51
GB	Entitlements	2007	incorrect reduction for national reserve (Wales)	ONE-OFF		EUR	- 145 427,65	0,00	- 145 427,65
GB	Entitlements	2007	overshooting of the regional ceiling (Northern Ireland)	ONE-OFF		EUR	- 321 536,36	0,00	- 321 536,36

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
GB	Entitlements	2008	deficiencies in controls for new farmers (Northern Ireland)	FLAT RATE	10,00 %	EUR	– 896 459,38	0,00	– 896 459,38
GB	Entitlements	2008	incorrect national reserve allocation under category of investors (Northern Ireland)	FLAT RATE	10,00 %	EUR	– 1 033 690,98	0,00	– 1 033 690,98
GB	Entitlements	2008	incorrect reduction for national reserve (Scotland)	ONE-OFF		EUR	– 317 354,51	0,00	– 317 354,51
GB	Entitlements	2008	incorrect reduction for national reserve (Wales)	ONE-OFF		EUR	– 140 080,83	0,00	– 140 080,83
GB	Entitlements	2008	incorrect reduction for national reserve (Northern Ireland)	ONE-OFF		EUR	– 146 429,96	0,00	– 146 429,96
GB	Entitlements	2008	overshooting of the regional ceiling (Northern Ireland)	ONE-OFF		EUR	– 292 441,14	0,00	– 292 441,14
					TOTAL (GB)	GBP	– 1 741 753,40	– 663 376,36	– 1 078 377,04
					TOTAL (GB)	EUR	– 5 695 762,84	– 968 982,37	– 4 726 780,47
GR	Entitlements	2007	forage area non-inclusion (ovine producers)	FLAT RATE	5,00 %	EUR	– 11 191 152,98	– 7 020 040,97	– 4 171 112,01
GR	Entitlements	2007	incorrect calculation of the regional average ceiling	ONE-OFF		EUR	– 2 951 138,27	0,00	– 2 951 138,27
GR	Entitlements	2007	national reserve criteria	FLAT RATE	10,00 %	EUR	– 10 460 620,42	– 10 460 620,42	0,00
GR	Entitlements	2007	reimbursement based on the reduction of the population at risk subject to a 10 % flat-rate correction under enquiry AA/2007/006	ONE-OFF		EUR	0,00	– 295 113,83	295 113,83
GR	Wine — Distillation	2004	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 252 757,14	0,00	– 252 757,14
GR	Wine — Must	2004	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 341 649,98	0,00	– 341 649,98
GR	Wine — Other distillation	2004	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 28 978,93	0,00	– 28 978,93

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
GR	Wine — Restructuring	2004	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 713 964,37	0,00	– 713 964,37
GR	Wine — Restructuring	2005	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 695 736,36	0,00	– 695 736,36
GR	Wine — Distillation	2005	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 471 948,20	0,00	– 471 948,20
GR	Wine — Must	2005	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 371 061,43	0,00	– 371 061,43
GR	Wine — Other distillation	2005	weaknesses in the key controls, deficiencies in establishment and access to vineyard register	FLAT RATE	10,00 %	EUR	– 41 646,07	0,00	– 41 646,07
					TOTAL (GR)	EUR	– 27 520 654,16	– 17 775 775,22	– 9 744 878,94
IT	Direct decoupled aid (single payment scheme — SPS)	2008	deficiencies in LPIS-GIS and in the calculation of sanctions in claim year 2007 taking account of amounts recovered by 30/06/2011 following LPIS update	ONE-OFF		EUR	– 6 626 678,98	0,00	– 6 626 678,98
IT	Clearance of accounts — EAGF	2005	non-paid amount included in annual declaration	ONE-OFF		EUR	– 67 178,23	0,00	– 67 178,23
IT	Milk — Quota	2005	late controls — Region Abruzzo	FLAT RATE	5,00 %	EUR	– 1 433 721,00	0,00	– 1 433 721,00
IT	Milk — Quota	2005	late controls — Region Lazio	FLAT RATE	2,00 %	EUR	– 9 201,00	0,00	– 9 201,00
IT	Milk — Quota	2005	late controls — Region Lazio	FLAT RATE	10,00 %	EUR	– 14 238 138,00	0,00	– 14 238 138,00
IT	Milk — Quota	2005	late controls — Region Marche	FLAT RATE	5,00 %	EUR	– 739 456,00	0,00	– 739 456,00
IT	Milk — Quota	2005	late controls — Region Puglia	FLAT RATE	10,00 %	EUR	– 10 869 023,00	0,00	– 10 869 023,00
IT	Milk — Quota	2005	late controls — Region Sardegna	FLAT RATE	2,00 %	EUR	– 1 501 436,00	0,00	– 1 501 436,00
IT	Milk — Quota	2006	late controls — Region Abruzzo	FLAT RATE	10,00 %	EUR	– 2 647 097,00	0,00	– 2 647 097,00

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
IT	Milk — Quota	2006	late controls — Region Calabria	FLAT RATE	5,00 %	EUR	– 916 827,00	0,00	– 916 827,00
IT	Milk — Quota	2006	late controls — Region Friuli Venezia Giulia	FLAT RATE	2,00 %	EUR	– 1 603 613,00	0,00	– 1 603 613,00
IT	Milk — Quota	2006	late controls — Region Lazio	FLAT RATE	10,00 %	EUR	– 12 955 974,00	0,00	– 12 955 974,00
IT	Milk — Quota	2006	late controls — Region Puglia	FLAT RATE	5,00 %	EUR	– 5 214 971,00	0,00	– 5 214 971,00
IT	Milk — Quota	2006	late controls — Region Sardegna	FLAT RATE	5,00 %	EUR	– 3 592 277,00	0,00	– 3 592 277,00
IT	Milk — Quota	2006	late controls — Region Valle D'Aosta	FLAT RATE	2,00 %	EUR	– 212 754,00	0,00	– 212 754,00
IT	Milk — Quota	2007	late controls — Region Calabria	FLAT RATE	5,00 %	EUR	– 845 921,00	0,00	– 845 921,00
IT	Milk — Quota	2007	late controls — Region Friuli Venezia Giulia	FLAT RATE	5,00 %	EUR	– 3 708 423,00	0,00	– 3 708 423,00
IT	Milk — Quota	2007	late controls — Region Marche	FLAT RATE	5,00 %	EUR	– 661 562,00	0,00	– 661 562,00
IT	Milk — Quota	2007	late controls — Region Puglia	FLAT RATE	10,00 %	EUR	– 9 761 988,00	0,00	– 9 761 988,00
					TOTAL (IT)	EUR	– 77 606 239,21	0,00	– 77 606 239,21
MT	Other direct aid — Direct payments	2007	weaknesses with respect to LPIS-GIS	ONE-OFF		EUR	– 24 934,28	0,00	– 24 934,28
MT	Clearance of accounts — EAGF	2007	irregularities / debts	ONE-OFF		EUR	– 38 922,70	0,00	– 38 922,70
					TOTAL (MT)	EUR	– 63 856,98	0,00	– 63 856,98
NL	Entitlements	2007	forage area non-inclusive — farmers without census	FLAT RATE	2,00 %	EUR	– 196 376,29	– 928,45	– 195 447,84
NL	Entitlements	2007	overshoot of national ceiling	ONE-OFF		EUR	– 1 400 132,00	0,00	– 1 400 132,00
NL	Entitlements	2007	simultaneously granting of reference amounts from National reserve from different categories	ONE-OFF		EUR	– 6 164,44	– 29,15	– 6 135,29
NL	Entitlements	2007	systematic error in the calculation of flax and hemp	FLAT RATE	5,00 %	EUR	– 7 732,46	– 36,56	– 7 695,90

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
NL	Entitlements	2008	forage area non-inclusive — farmers without census	FLAT RATE	2,00 %	EUR	– 196 376,29	0,00	– 196 376,29
NL	Entitlements	2008	simultaneously granting of reference amounts from National reserve from different categories	ONE-OFF		EUR	– 6 982,28	0,00	– 6 982,28
NL	Entitlements	2008	systematic error in the calculation of flax and hemp	FLAT RATE	5,00 %	EUR	– 7 732,46	0,00	– 7 732,46
NL	Entitlements	2009	forage area non-inclusive — farmers without census	FLAT RATE	2,00 %	EUR	– 196 376,29	0,00	– 196 376,29
NL	Entitlements	2009	simultaneously granting of reference amounts from National reserve from different categories	ONE-OFF		EUR	– 6 982,28	0,00	– 6 982,28
NL	Entitlements	2009	systematic error in the calculation of flax and hemp	FLAT RATE	5,00 %	EUR	– 7 732,46	0,00	– 7 732,46
NL	Entitlements	2010	forage area non-inclusive — farmers without census	FLAT RATE	2,00 %	EUR	– 196 376,29	0,00	– 196 376,29
NL	Entitlements	2010	simultaneously granting of reference amounts from National reserve from different categories	ONE-OFF		EUR	– 6 681,11	0,00	– 6 681,11
NL	Entitlements	2010	systematic error in the calculation of flax and hemp	FLAT RATE	5,00 %	EUR	– 7 732,46	0,00	– 7 732,46
					TOTAL (NL)	EUR	– 2 243 377,11	– 994,16	– 2 242 382,95
PT	Clearance of accounts — EAGF	2007	financial errors in the EAGF IACS population — systematic error	ONE-OFF		EUR	– 179 421,00	0,00	– 179 421,00
PT	Fruit and vegetables — Tomato processing	2007	deficiencies in checking the processing yield	FLAT RATE	2,00 %	EUR	– 674 661,75	0,00	– 674 661,75
PT	Fruit and vegetables — Tomato processing	2008	deficiencies in checking the processing yield	FLAT RATE	2,00 %	EUR	– 2 974,43	0,00	– 2 974,43
PT	Rural Development EAGGF (2000-2006) — Area-related measures	2006	deficiencies in the scope of the on-the-spot checks in AEM	FLAT RATE	2,00 %	EUR	– 1 412 286,78	– 1 412 286,78	0,00
PT	Rural Development EAGGF (2000-2006) — Area-related measures	2006	deficiencies in the scope of the on-the-spot checks in LFA	FLAT RATE	2,00 %	EUR	– 1 323 588,00	– 1 323 588,00	0,00

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
PT	Rural Development EAGGF (2000-2006) — Area related measures	2006	late application of the sanction system and recovery procedures in Afforestation measure	ONE-OFF		EUR	– 157 547,00	0,00	– 157 547,00
PT	Rural Development EAGGF (2000-2006) — Area related measures	2007	deficiencies in the scope of the on-the-spot checks in Agri-environment measures (AEM)	FLAT RATE	2,00 %	EUR	– 46 042,43	– 46 042,43	0,00
PT	Rural Development EAGGF (2000-2006) — Area related measures	2007	deficiencies in the scope of the on-the-spot checks in Less-favoured areas (LFA)	FLAT RATE	2,00 %	EUR	– 40 691,34	– 40 691,34	0,00
					TOTAL (PT)	EUR	– 3 837 212,73	– 2 822 608,55	– 1 014 604,18
SE	Direct payments	2006	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		SEK	– 223 191 203,03	0,00	– 223 191 203,03
SE	Rural Development EAGGF (2000-2006) — Improving the competitiveness	2006	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		SEK	– 145 546,50	0,00	– 145 546,50
SE	Rural Development EAGGF (2000-2006) — Area-related measures	2006	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		SEK	– 18 707 318,95	0,00	– 18 707 318,95
SE	Rural Development EAGGF (2000-2006) — Non-area-related measures)	2006	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		SEK	– 23 524,74	0,00	– 23 524,74
SE	Decoupled direct aids	2007	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		EUR	– 23 916 240,00	0,00	– 23 916 240,00
SE	Decoupled direct aids	2008	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		EUR	– 22 173 168,00	0,00	– 22 173 168,00
					TOTAL (SE)	SEK	– 242 067 593,22	0,00	– 242 067 593,22
					TOTAL (SE)	EUR	– 46 089 408,00	0,00	– 46 089 408,00
					TOTAL 6701	CYP	– 1 041 198,28	0,00	– 1 041 198,28

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
					TOTAL 6701	DKK	– 72 203 521,47	– 20 253,90	– 72 183 267,57
					TOTAL 6701	GBP	– 1 741 753,40	– 663 376,36	– 1 078 377,04
					TOTAL 6701	SEK	– 242 067 593,22	0,00	– 242 067 593,22
					TOTAL 6701	EUR	– 186 570 492,99	– 22 073 916,60	– 164 496 576,39

BUDGET ITEM 6500

CY	Rural development — Transitional instrument	2006	LPIS deficiencies and weaknesses in on-the-spot controls	ONE-OFF		EUR	– 887 611,15	0,00	– 887 611,15
CY	Rural development — Transitional instrument	2006	non-application of sanctions	ONE-OFF		EUR	– 333 112,47	0,00	– 333 112,47
CY	Rural development — Transitional instrument	2007	LPIS deficiencies and weaknesses in on-the-spot controls	ONE-OFF		EUR	– 420 652,93	0,00	– 420 652,93
CY	Rural development — Transitional instrument	2007	non-application of sanctions	ONE-OFF		EUR	– 135 391,70	0,00	– 135 391,70
					TOTAL (CY)	EUR	– 1 776 768,25	0,00	– 1 776 768,25
MT	Rural development — Transitional instrument	2007	weaknesses with respect to LPIS-GIS	ONE-OFF		EUR	– 196 874,70	0,00	– 196 874,70
					TOTAL (MT)	EUR	– 196 874,70	0,00	– 196 874,70
PL	Clearance of accounts	2006	material error in the population	ONE-OFF		EUR	– 454 236,65	0,00	– 454 236,65
PL	Rural development — Transitional instrument	2007	Measure E(LFA) — weaknesses in sanction system on Usual Good Farming Practices (UGFP)	FLAT RATE	2,00 %	EUR	– 5 324 873,00	– 5 324 873,00	0,00
PL	Rural development — Transitional instrument	2007	Measure F (AEM) — weaknesses in sanction system on Usual Good Farming Practices (UGFP)	FLAT RATE	2,00 %	EUR	– 2 011 045,00	– 2 011 045,00	0,00
PL	Rural development — Transitional instrument	2005	Measure H (afforestation) — lack of an environmental impact assessment in projects below 20ha	FLAT RATE	10,00 %	EUR	– 40 254,00	– 20 127,00	– 20 127,00

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
PL	Rural development — Transitional instrument	2006	Measure H (afforestation) -lack of an environmental impact assessment in projects below 20ha	FLAT RATE	10,00 %	EUR	– 197 006,00	– 98 503,00	– 98 503,00
PL	Rural development — Transitional instrument	2007	Measure H (afforestation) -lack of an environmental impact assessment in projects below 20ha	FLAT RATE	10,00 %	EUR	– 164 908,00	– 82 454,00	– 82 454,00
					TOTAL (PL)	EUR	– 8 192 322,65	– 7 537 002,00	– 655 320,65
					TOTAL 6500	EUR	– 10 165 965,60	– 7 537 002,00	– 2 628 963,60

BUDGET ITEM 6711

CY	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2008	LPIS deficiencies and weaknesses in on-the-spot controls	ONE-OFF		EUR	– 582 867,03	0,00	– 582 867,03
CY	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2008	non-application of sanctions	ONE-OFF		EUR	– 234 328,21	0,00	– 234 328,21
CY	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2009	weaknesses in LPIS-GIS	ONE-OFF		EUR	– 184 341,03	0,00	– 184 341,03
					TOTAL (CY)	EUR	– 1 001 536,27	0,00	– 1 001 536,27
DE	Clearance of accounts	2008	materiality breach for the EAFRD non-IACS population	ONE-OFF		EUR	– 696 861,00	0,00	– 696 861,00
					TOTAL (DE)	EUR	– 696 861,00	0,00	– 696 861,00
IT	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2008	deficiencies in LPIS-GIS and in the calculation of sanctions in claim year 2007 taking account of amounts recovered by 30/06/2011 following LPIS update	ONE-OFF		EUR	– 980 405,64	0,00	– 980 405,64

MS	Measure	Financial year	Reason	Type	%	Currency	Amount	Deductions	Financial impact
					TOTAL (IT)	EUR	– 980 405,64	0,00	– 980 405,64
PT	Clearance of accounts	2007	financial errors in the EAFRD non-IACS populations — most likely error	ONE-OFF		EUR	– 151 837,24	0,00	– 151 837,24
PT	Clearance of accounts	2007	financial errors in the EAFRD non-IACS populations — systematic error	ONE-OFF		EUR	– 69 343,67	0,00	– 69 343,67
PT	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2007	deficiencies in the scope of the on-the-spot checks in Agri-environment measures (AEM)	FLAT RATE	2,00 %	EUR	– 381 557,00	0,00	– 381 557,00
PT	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2007	deficiencies in the scope of the on-the-spot checks in Less-favoured areas (LFA)	FLAT RATE	2,00 %	EUR	– 116 522,00	0,00	– 116 522,00
					TOTAL (PT)	EUR	– 719 259,91	0,00	– 719 259,91
SE	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2007	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		EUR	– 1 985 365,00	0,00	– 1 985 365,00
SE	Rural Development EAFRD Axis 2 (2007-2013, area-related measures)	2008	weaknesses in the LPIS-GIS, administrative controls and sanctions	ONE-OFF		EUR	– 1 316 185,00	0,00	– 1 316 185,00
					TOTAL (SE)	EUR	– 3 301 550,00	0,00	– 3 301 550,00
					TOTAL 6711	EUR	– 6 699 612,82	0,00	– 6 699 612,82

COMMISSION IMPLEMENTING DECISION

of 14 October 2011

amending and correcting the Annex to Commission Decision 2011/163/EU on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC

*(notified under document C(2011) 7167)***(Text with EEA relevance)**

(2011/690/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC ⁽¹⁾, and in particular the fourth subparagraph of Article 29(1) and Article 29(2) thereof.

Whereas:

countries from which Member States are authorised to import certain animals and animal products, as provided for in Directive 96/23/EC and currently listed in the Annex to Decision 2011/163/EU ('the list').

(1) Directive 96/23/EC lays down measures to monitor the substances and groups of residues listed in Annex I thereto. Pursuant to Directive 96/23/EC, the inclusion and retention on the lists of third countries from which Member States are authorised to import animals and animal products covered by that Directive are subject to the submission by the third countries concerned of a plan setting out the guarantees which they offer as regards the monitoring of the groups of residues and substances listed in that Annex. Those plans are to be updated at the request of the Commission, particularly when certain checks render it necessary.

(2) Commission Decision 2011/163/EU ⁽²⁾ approves the plans provided for in Article 29 of Directive 96/23/EC ('the plans') submitted by certain third countries listed in the Annex thereto for the animals and animal products indicated in that list. Decision 2011/163/EU repealed and replaced Commission Decision 2004/432/EC of 29 April 2004 on the approval of residue monitoring plans submitted by third countries in accordance with Council Directive 96/23/EC ⁽³⁾.

(3) In the light of the recent plans submitted by certain third countries and additional information obtained by the Commission, it is necessary to update the list of third

(4) Belize is currently included in the list for aquaculture and honey. However, Belize has not provided a plan as required by Article 29 of Directive 96/23/EC. Therefore, Belize should be removed from the list.

(5) Ghana has submitted a plan for honey to the Commission. That plan provides sufficient guarantees and should be approved. Therefore, an entry for Ghana for honey should be included in the list.

(6) India has now carried out corrective measures to address the shortcomings in its residue plan for honey. That third country has submitted an improved residue plan for honey and a Commission inspection confirmed an acceptable implementation of the plan. Therefore, the entry for India in the list should include honey.

(7) Madagascar has submitted a plan for honey to the Commission. That plan provides sufficient guarantees and should be approved. Therefore, honey should be included in the entry for Madagascar in the list.

(8) Mauritius is currently included in the list for poultry but with a reference to footnote 2 in the Annex to Decision 2011/163/EU. That footnote restricts such imports to those from third countries using only raw material either from Member States or from other third countries approved for imports of such raw material to the Union, in accordance with Article 2 of that Decision. However, Mauritius has not provided the required guarantees for the plan for poultry. Therefore, the entry for that third country in the list should no longer include poultry.

(9) Turkey has submitted a plan for eggs to the Commission. That plan provides sufficient guarantees and should be approved. Therefore, eggs should be included in the entry for Turkey in the list.

⁽¹⁾ OJ L 125, 23.5.1996, p. 10.

⁽²⁾ OJ L 70, 17.3.2011, p. 40.

⁽³⁾ OJ L 154, 30.4.2004, p. 44.

- (10) The entry for Singapore in the list includes aquaculture but with a reference to footnote 2 in the Annex to Decision 2011/163/EU. However, in the Annex to Decision 2004/432/EC, as amended by Commission Decision 2010/327/EU ⁽¹⁾, there is no reference to footnote 2 as Singapore submitted an approved plan for aquaculture. The Commission has not been advised of any change since the approval of that plan. Therefore, the entry for that third country in the list should be corrected by deleting the reference to that footnote for imports of aquaculture. For reasons of legal certainty, the entry for Singapore should apply retroactively from 15 March 2011, the date of application of Decision 2011/163/EU when the error in the entry regarding Singapore occurred. The competent authorities of the Member States have been informed accordingly and no disruption to imports has been reported to the Commission.
- (11) The Annex to Decision 2011/163/EU should therefore be amended accordingly.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2011/163/EU is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 1 November 2011.

However, the amendment concerning the entry for Singapore shall apply from 15 March 2011.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2011.

For the Commission

John DALLI

Member of the Commission

⁽¹⁾ OJ L 147, 12.6.2010, p. 5.

ANNEX

ANNEX

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
AD	Andorra	X	X		X								
AE	United Arab Emirates						X	X ⁽¹⁾					
AL	Albania		X				X		X				
AR	Argentina	X	X		X	X	X	X	X	X	X	X	X
AU	Australia	X	X		X		X	X			X	X	X
BA	Bosnia and Herzegovina						X						
BD	Bangladesh						X						
BN	Brunei						X						
BR	Brazil	X			X	X	X						X
BW	Botswana	X			X							X	
BY	Belarus				X ⁽²⁾		X	X	X				
CA	Canada	X	X	X	X	X	X	X	X	X	X	X	X
CH	Switzerland	X	X	X	X	X	X	X	X	X	X	X	X
CL	Chile	X	X ⁽³⁾	X		X	X	X			X		X
CM	Cameroon												X
CN	China					X	X		X	X			X
CO	Colombia						X						
CR	Costa Rica						X						

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
CU	Cuba						X						X
CW	Curaçao							X ⁽⁴⁾					
EC	Ecuador						X						
ET	Ethiopia												X
FK	Falkland Islands	X	X										
FO	Faeroe Islands						X						
GH	Ghana												X
GL	Greenland		X								X	X	
GT	Guatemala						X						X
HK	Hong Kong					X ⁽⁴⁾	X ⁽⁴⁾						
HN	Honduras						X						
HR	Croatia	X	X	X	X ⁽²⁾	X	X	X	X	X	X	X	X
ID	Indonesia						X						
IL	Israel					X	X	X	X			X	X
IN	India						X		X				X
IS	Iceland	X	X	X	X		X	X				X ⁽⁴⁾	
IR	Iran						X						
JM	Jamaica						X						X
JP	Japan						X						
KG	Kyrgyzstan												X

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
KR	South Korea						X						
LK	Sri Lanka						X						
MA	Morocco						X						
MD	Moldova												X
ME	Montenegro	X	X	X		X	X		X				X
MG	Madagascar						X						X
MK	former Yugoslav Republic of Macedonia ⁽⁵⁾	X	X	X		X	X	X	X		X		X
MU	Mauritius						X						
MX	Mexico				X		X		X				X
MY	Malaysia					X ⁽⁴⁾	X						
MZ	Mozambique						X						
NA	Namibia	X	X								X	X	
NC	New Caledonia	X					X				X	X	X
NI	Nicaragua						X						X
NZ	New Zealand	X	X		X		X	X			X	X	X
PA	Panama						X						
PE	Peru					X	X						
PF	French Polynesia												X
PH	Philippines						X						
PN	Pitcairn Islands												X

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
PY	Paraguay	X											
RS	Serbia ⁽⁶⁾	X	X	X	X ⁽²⁾	X	X	X	X		X		X
RU	Russia	X	X	X		X		X	X			X ⁽⁷⁾	X
SA	Saudi Arabia						X						
SG	Singapore	X ⁽⁴⁾	X ⁽⁴⁾	X ⁽⁴⁾		X ⁽⁴⁾	X	X ⁽⁴⁾					
SM	San Marino	X		X									X
SR	Suriname						X						
SV	El Salvador												X
SX	Sint Maarten							X ⁽⁴⁾					
SZ	Swaziland	X											
TH	Thailand					X	X						X
TN	Tunisia					X	X				X		
TR	Turkey					X	X	X	X				X
TW	Taiwan						X						X
TZ	Tanzania						X						X
UA	Ukraine					X	X	X	X				X
UG	Uganda						X						X
US	United States	X	X	X		X	X	X	X	X	X	X	X
UY	Uruguay	X	X		X		X	X			X		X
VE	Venezuela						X						

Code ISO2	Country	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
VN	Vietnam						X						
YT	Mayotte						X						
ZA	South Africa										X	X	
ZM	Zambia												X
ZW	Zimbabwe						X					X	

(¹) Camel milk only.

(²) Export to the Union of live equidae for slaughter (food producing animals only).

(³) Only ovine animals.

(⁴) Third countries using only raw material either from Member States or from other third countries approved for imports of such raw material to the Union, in accordance with Article 2.

(⁵) The former Yugoslav Republic of Macedonia; the definitive nomenclature for this country will be agreed following current negotiations at UN level.

(⁶) Not including Kosovo which is at present under international administration pursuant to United Nations Security Council Resolution 1244 of 10 June 1999.

(⁷) Only for reindeer from the Murmansk and Yamalo-Nenets regions.

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