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⁽¹⁾ Text with EEA relevance

EN

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 1083/2011

of 27 October 2011

amending Regulation (EC) No 194/2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar

THE COUNCIL OF THE EUROPEAN UNION,

Burma/Myanmar and to ensure consistency with the process for amending and reviewing Annexes I, II and III to Decision 2010/232/CFSP.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2011/239/CFSP of 12 April 2011 amending Decision 2010/232/CFSP renewing restrictive measures against Burma/Myanmar ⁽¹⁾,

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the Commission,

Whereas:

(1) Council Regulation (EC) No 194/2008 of 25 February 2008 renewing and strengthening the restrictive measures in respect of Burma/Myanmar ⁽²⁾ provides for certain measures, including restrictions on certain exports from Burma/Myanmar and a freezing of the assets of certain individuals and entities.

(2) By Decision 2011/239/CFSP, the Council amended Decision 2010/232/CFSP ⁽³⁾. Some of the amendments, in particular those relating to the freezing of funds of certain individuals and entities, require further action by the Union.

(3) The power to amend the lists in Annexes V, VI and VII to Regulation (EC) No 194/2008 should be exercised by the Council in view of the serious political situation in

(4) The procedure for amending the lists in Annex VI to Regulation (EC) No 194/2008 should include providing designated natural or legal persons, entities or bodies with the grounds for listing, so as to give them an opportunity to submit observations. Where observations are submitted, or substantial new evidence is presented, the Council should review its decision in light of those observations and inform the person, entity or body concerned accordingly.

(5) For the implementation of Regulation (EC) No 194/2008, and in order to create maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, entities and bodies whose funds and economic resources must be frozen in accordance with that Regulation, must be made public. Any processing of personal data should comply with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽⁴⁾ and Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽⁵⁾.

(6) Regulation (EC) No 194/2008 should therefore be amended accordingly.

(7) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately upon its publication,

⁽¹⁾ OJ L 101, 15.4.2011, p. 24.

⁽²⁾ OJ L 66, 10.3.2008, p. 1.

⁽³⁾ OJ L 105, 27.4.2010, p. 22.

⁽⁴⁾ OJ L 8, 12.1.2001, p. 1.

⁽⁵⁾ OJ L 281, 23.11.1995, p. 31.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 194/2008 is hereby amended as follows:

(1) Article 11 is replaced by the following:

'Article 11

1. All funds and economic resources belonging to, owned, held or controlled by the natural or legal persons, entities and bodies listed in Annex VI shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex VI.

3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

4. The prohibition set out in paragraph 2 shall not give rise to liability of any kind on the part of the natural or legal persons or entities concerned, if they did not know, and had no reasonable cause to suspect, that their actions would infringe this prohibition.;

(2) the following Article is inserted:

'Article 11a

1. Annex VI shall include:

(a) senior members of the former State Peace and Development Council (SPDC), Burmese authorities in the tourism sector, senior members of the military, the Government or the security forces who formulate, implement or benefit from policies that impede Burma/ Myanmar's transition to democracy, and members of their families;

(b) senior serving members of the Burmese military and members of their families;

(c) natural or legal persons, entities or bodies associated with persons referred to in points (a) and (b).

2. Annex VI shall include the grounds for listing of listed persons, entities and bodies concerned.

3. Annex VI shall also include, where available, information necessary to identify the natural or legal persons, entities and bodies concerned. With regard to natural persons, such information may include names including aliases, date and place of birth, nationality, passport and ID card numbers, gender, address, if known, and function or profession. With regards to legal persons, entities or bodies, such information may include names, place and date of registration, registration number and place of business.;

(3) Article 18 is replaced by the following:

'Article 18

1. The Commission shall be empowered to amend Annex IV on the basis of information supplied by Member States.

2. Where the Council decides to subject a natural or legal person, entity or body to measures referred to in Article 11(1), it shall amend Annex VI accordingly.

3. The Council shall communicate its decision, including the grounds for listing, to the natural or legal person, entity or body referred to in paragraph 2, either directly, if the address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to present observations.

4. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the natural or legal person, entity or body accordingly.

5. The Council shall amend Annexes V and VII on the basis of decisions taken in respect of Annexes I and III to Council Decision 2010/232/CFSP (*).

(*) OJ L 105, 27.4.2010, p. 22.;

Article 2

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

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

Done at Luxembourg, 27 October 2011.

For the Council
The President
J. MILLER

COMMISSION IMPLEMENTING REGULATION (EU) No 1084/2011**of 27 October 2011****amending and correcting Regulation (EC) No 1235/2008, laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 ⁽¹⁾, and in particular Article 33(2) and Article 38(d) thereof,

Whereas:

(1) Article 7(2) of Commission Regulation (EC) No 1235/2008 ⁽²⁾ provides that the list of recognised third countries shall contain all the information necessary in respect of each third country to allow verifying whether products placed on the Union market have been subject to the control system of the third country recognised in accordance with Article 33(2) of Regulation (EC) No 834/2007. Tunisia has transmitted an amendment to the relevant specifications provided in Annex III to Regulation (EC) No 1235/2008 following the creation of a new general direction in charge of organic farming in the agricultural department, which has become the new competent authority responsible for the control system in Tunisia.

(2) Commission Implementing Regulation (EU) No 590/2011 ⁽³⁾ has inserted in Annex III to Regulation (EC) No 1235/2008 a new text relating to Canada. Point 1 'Product categories' of that text contains an error in so far it has established a separate point (c) for 'feed' as one of those categories, while indeed it constitutes one of the possible uses of 'processed agricultural products' referred to in point 1(b) of the said text.

(3) Canada informed the Commission that the list of control bodies included in Annex III to Regulation (EC) No 1235/2008 includes another error, as the control body 'Control Union Certifications' is not accredited by the Canadian Food Inspection Agency to provide certification services in Canada.

(4) Regulation (EC) No 1235/2008 should therefore be amended and corrected accordingly.

(5) For the sake of legal certainty, the correcting provision established in this Regulation should apply from the date of entry into force of Regulation (EU) No 590/2011.

(6) The measures provided for in this Regulation are in accordance with the opinion of the regulatory Committee on organic production,

HAS ADOPTED THIS REGULATION:

*Article 1***Amending provisions**

In the text relating to Tunisia in Annex III to Regulation (EC) No 1235/2008, point 4 is replaced by the following:

'4. **Competent authority:** Direction générale de l'Agriculture Biologique (Ministère de l'Agriculture et de l'Environnement); www.agriportail.tn'.

*Article 2***Correcting provisions**

The text relating to Canada in Annex III to Regulation (EC) No 1235/2008 is amended as follows:

(1) in point 1, points (b) and (c) are replaced by the following:

'(b) processed agricultural products for use as food and feed;'

(2) in point 5, the sixth indent 'Control Union Certifications (CUC), www.controlunion.com' is deleted.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

However, Article 2 shall apply from 28 June 2011.

⁽¹⁾ OJ L 189, 20.7.2007, p. 1.

⁽²⁾ OJ L 334, 12.12.2008, p. 25.

⁽³⁾ OJ L 161, 21.6.2011, p. 9.

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

Done at Brussels, 27 October 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 1085/2011**of 27 October 2011****amending Regulation (EC) No 501/2008 laying down detailed rules for the application of Council Regulation (EC) No 3/2008 on information provision and promotion measures for agricultural products on the internal market and in third countries**

THE EUROPEAN COMMISSION,

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

Having regard to the Council Regulation (EC) No 3/2008 of 17 December 2007 on information provision and promotion measures for agricultural products on the internal market and in third countries ⁽¹⁾, and in particular Article 15 thereof,

Whereas:

- (1) Commission Regulation (EC) No 501/2008 ⁽²⁾ provides rules for the drawing-up, selection, implementation, financing and checking of programmes referred to in Article 6 of Regulation (EC) No 3/2008.
- (2) To increase the efficiency of the scheme, trade and inter-trade organisations should be given the opportunity to submit programmes to be implemented twice a year on the internal market and in third countries. The submission and selection schedule should be adjusted in order to give another chance to programmes that have been rejected in the previous round. To ease the transition to a new submission and selection schedule, it should be provided that the schedule for the first submission of programmes in 2012 should not be affected by the schedule change.
- (3) To reduce unnecessary administrative burden, the requirement to send to the Commission a number of documents (a copy of the contract concluded with proposing organisations and proof that a performance security has been lodged; a copy of the contract signed with the implementing body; a copy of each application for an advance payment and proof that the corresponding security has been lodged; and the quarterly reports on the implementation of the contract) should be abolished except if the Commission specifically requests it.
- (4) It should be specified that messages referring to the impact on health of a product must be accepted by the national authority responsible for public health and that the material approved by a Member State should be sent to the Commission.

(5) Regulation (EC) No 501/2008 should therefore be amended accordingly.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 501/2008 is amended as follows:

(1) in Article 4(3), the second subparagraph is replaced by the following:

‘Messages referring to such effects must be accepted by the national authority responsible for public health.’;

(2) in Article 8(1), the second subparagraph is replaced by the following:

‘Trade and inter-trade organisations in the Union which are representative of the sectors concerned (hereinafter referred to as “proposing organisations”) shall submit their programmes to the Member State no later than 30 September (“the first submission of programmes”) and 15 April (“the second submission of programmes”) each year. For 2012 the first submission of programmes may take place until 30 November 2011.’;

(3) Article 11 is amended as follows:

(a) in paragraph 1, the first subparagraph is replaced by the following:

‘1. Member States shall send to the Commission the list referred to in Article 9(1) including, if applicable, the list of implementing bodies which they have selected, if these have already been selected in accordance with Article 8(3), and a copy of each programme. It shall be submitted both electronically and by post and received by the Commission no later than 30 November regarding the first submission of programmes and 15 June regarding the second submission of programmes.’;

⁽¹⁾ OJ L 3, 5.1.2008, p. 1.

⁽²⁾ OJ L 147, 6.6.2008, p. 3.

(b) paragraph 2 is replaced by the following:

‘2. No later than 31 January regarding the first submission of programmes and 16 August regarding the second submission of programmes, the Commission shall inform the Member States concerned if it finds that all or part of a programme submitted does not comply with:

(a) the Union rules; or

(b) the guidelines, in the case of the internal market; or

(c) the criteria referred to in Article 9(2), in the case of third countries.’;

(c) in paragraph 3, the second subparagraph is replaced by the following:

‘After checking the amended programmes the Commission shall decide, no later than 30 April regarding the first submission of programmes and 15 November regarding the second submission of programmes, which programmes it may part-finance in accordance with the procedure referred to in Article 16(2) of Regulation (EC) No 3/2008.’;

(d) the following paragraph 5 is added:

‘5. By way of derogation from paragraphs 1, 2 and 3, the following deadlines are set for the first submission of programmes in 2012:

(a) the list referred to in paragraph 1 shall be submitted by Member States and received by the Commission not later than 15 February 2012;

(b) the Commission shall send to the Member States the information provided in paragraph 2 by 26 April 2012; and

(c) the Commission shall decide no later than 30 June 2012 which programmes it may part-finance.’;

(4) in Article 16, paragraph 5 is replaced by the following:

‘5. A Member State shall send to the Commission upon its request and within 10 working days a copy of the contract and proof that the performance security has been lodged.

A Member State shall also send to the Commission upon its request and within 10 working days a copy of the contract concluded by the selected proposing organisation with the implementing body. That contract shall contain the provision that the implementing body must submit to the checks provided for in Article 25.’;

(5) in Article 17(3), the first subparagraph is replaced by the following:

‘3. The advance shall be paid on condition that the contracting organisation lodges a security equal to 110 % of that advance in favour of the Member State in accordance with Title III of Regulation (EEC) No 2220/85. The Member State shall forward to the Commission upon its request and within 10 working days a copy of each application for an advance payment and proof that the corresponding security has been lodged.’;

(6) in Article 22, paragraph 3 is replaced by the following:

‘3. A Member State shall send to the Commission upon its request and within 10 working days a copy of the quarterly reports required for intermediate payments in accordance with Article 18.’;

(7) in Article 23(1), the second subparagraph is replaced by the following:

‘They shall send to the Commission the material approved.’.

Article 2

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

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

Done at Brussels, 27 October 2011.

For the Commission
The President
José Manuel BARROSO

COMMISSION REGULATION (EU) No 1086/2011

of 27 October 2011

amending Annex II to Regulation (EC) No 2160/2003 of the European Parliament and of the Council and Annex I to Commission Regulation (EC) No 2073/2005 as regards *salmonella* in fresh poultry meat

(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 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents ⁽¹⁾, and in particular Article 5(6) thereof,

Having regard to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) Regulation (EC) No 2160/2003 aims at ensuring that proper and effective measures are taken to detect and control salmonella and other zoonotic agents at all relevant stages of production, processing and distribution in order to reduce their prevalence and the risk they pose to public health. That Regulation covers, amongst other things, the adoption of targets for the reduction of the prevalence of specified zoonoses in animal populations and the adoption of rules concerning trade within the Union and imports from third countries of certain animals and products thereof.
- (2) Commission Regulation (EC) No 646/2007 of 12 June 2007 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers and repealing Regulation (EC) No 1091/2005 ⁽³⁾ sets a Union target for the reduction of those two serotypes of salmonella in broilers. That Regulation aims for a reduction to be achieved in the number of flocks of broilers remaining positive to *Salmonella enteritidis* and *Salmonella typhimurium* to 1 % or less by 31 December 2011.
- (3) Commission Regulation (EC) No 584/2008 of 20 June 2008 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a

Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in turkeys ⁽⁴⁾ sets a Union target for the reduction of those two serotypes of salmonella in turkey flocks. That Regulation aims for a reduction to be achieved in the number of fattening turkey flocks remaining positive to *Salmonella enteritidis* and *Salmonella typhimurium* to 1 % or less by 31 December 2012.

- (4) Annex II to Regulation (EC) No 2160/2003 sets out specific measures to be taken for the control of the zoonoses and zoonotic agents listed in Annex I thereto. More specifically, point 1 of Part E of Annex II to Regulation (EC) No 2160/2003 provides that, as from 12 December 2010, certain fresh poultry meat from animals listed in Annex I thereto may not be placed on the market for human consumption unless it meets the criterion: 'Salmonella: absence in 25 grams'. That Regulation also provides for detailed rules for that criterion to be laid down, in particular, rules specifying sampling schemes and analytical methods.
- (5) As regards fresh poultry meat, provision should be made to ensure that the detailed rules for the salmonella criterion in poultry meat result in a reasonable assurance that it is free from the relevant salmonella and that a harmonised application results in fair competition and similar conditions for placing on the market.
- (6) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs ⁽⁵⁾ lays down microbiological criteria for certain micro-organisms and the implementing rules that are to be complied with by food business operators when implementing the general and specific hygiene measures referred to in Article 4 of Regulation (EC) No 852/2004.
- (7) In the interests of consistency of Union legislation, it is appropriate to amend the specific requirements concerning fresh poultry meat set out in Part E of Annex II to Regulation (EC) No 2160/2003 and to introduce detailed rules of the salmonella criterion in Annex I to Regulation (EC) No 2073/2005.

⁽¹⁾ OJ L 325, 12.12.2003, p. 1.

⁽²⁾ OJ L 139, 30.4.2004, p. 1.

⁽³⁾ OJ L 151, 13.6.2007, p. 21.

⁽⁴⁾ OJ L 162, 21.6.2008, p. 3.

⁽⁵⁾ OJ L 338, 22.12.2005, p. 1.

- (8) In accordance with Commission Decision 2005/636/EC of 1 September 2005 concerning a financial contribution of the Community towards a baseline survey on the prevalence of *Salmonella* spp. in broiler flocks of *Gallus gallus* to be carried out in the Member States⁽¹⁾, Commission Decision 2006/662/EC of 29 September 2006 concerning a financial contribution from the Community towards a baseline survey on the prevalence of salmonella in turkeys to be carried out in the Member States⁽²⁾ and Commission Decision 2007/516/EC of 19 July 2007 concerning a financial contribution from the Community towards a survey on the prevalence and antimicrobial resistance of *Campylobacter* spp. in broiler flocks and on the prevalence of *Campylobacter* spp. and *Salmonella* spp. in broiler carcasses to be carried out in the Member States⁽³⁾ information was collected on the prevalence of salmonella in broiler flocks, turkey flocks and broiler carcasses, respectively. The results of these surveys, as well as preliminary results of the first year of national salmonella control programmes in broilers (2009) in accordance with Article 5 of Regulation (EC) No 2160/2003 show that salmonella prevalence in flocks of broilers and turkeys is still high⁽⁴⁾. In addition, national salmonella control programmes in turkeys in accordance with Regulation (EC) No 2160/2003 only became mandatory from 2010 onwards. The application of the criterion to all salmonella serotypes before a notable reduction of the prevalence of salmonella in flocks of broilers and turkeys has been demonstrated may result in a disproportionate economic impact for the industry. Chapter 1 of Annex I to Regulation (EC) No 2073/2005 should therefore be amended.
- (9) According to the Community Summary Report on trends and sources of zoonoses, and zoonotic agents and food-borne outbreaks in the European Union in 2008⁽⁵⁾ by the European Food Safety Authority approximately 80 % of human salmonellosis cases are caused by *Salmonella enteritidis* and *Salmonella typhimurium* which is similar to preceding years. Poultry meat remains a major source of human salmonellosis.
- (10) Setting a criterion for *Salmonella enteritidis* and *Salmonella typhimurium* would provide the best balance between reducing human salmonellosis attributed to the consumption of poultry meat and the economic consequences of the application of that criterion. At the same time, it would encourage food business operators to take measures at previous stages of poultry production that may contribute to the reduction of all serotypes of salmonella with public health significance. Focusing on those two serotypes would also be consistent with the Union targets set for primary production of poultry.
- (11) The sampling plans for other salmonella food safety criteria have been provided for in Regulation (EC) No 2073/2005. They have been demonstrated to be practical for use by food business operators and are therefore also appropriate for fresh poultry meat sampling.
- (12) The international standard EN/ISO 6579 is the horizontal method for the detection of *Salmonella* spp. in food and animal feeding stuffs. In addition, Annex I to Regulation (EC) No 2073/2005 provides for that standard to be the reference method for all salmonella criteria. It should, therefore, also be laid down as a reference method for the criterion for fresh poultry meat, without prejudice to provisions on the use of alternative methods laid down in that Regulation. The European Union Reference Laboratory for Salmonella recommends that it is appropriate to use the White-Kaufmann-Le Minor scheme as reference method for serotyping.
- (13) Monophasic strains of *Salmonella typhimurium* have rapidly emerged as one of the most commonly found serotype of salmonella in several species of animals and in clinical isolates from humans. According to the Scientific Opinion on monitoring and assessment of the public health risk of 'Salmonella typhimurium-like' strains⁽⁶⁾ monophasic *Salmonella typhimurium* strains with the antigenic formula 1,4,[5],12:i:- are considered as variants of *Salmonella typhimurium* and current evidence has shown that these strains appear to pose a public health risk comparable to that of other *Salmonella typhimurium* strains. Therefore, it is appropriate to clarify that provisions for *Salmonella typhimurium* are applicable also to these monophasic strains.
- (14) Regulation (EC) No 2073/2005 lays down a process hygiene criterion for salmonella in poultry carcasses of broilers and turkeys after chilling in slaughterhouses. The process hygiene criterion aims at controlling faecal contamination of poultry carcasses if derived from infected flocks or due to cross-contamination in the slaughterhouse. Under Article 10 of Regulation (EC) No 2073/2005, the criteria and conditions concerning the presence of salmonella in poultry carcasses are to be revised in the light of the changes observed in salmonella prevalence. Since the Union targets laid down for flocks of broilers in Regulation (EC) No 646/2007, and for turkeys in Regulation (EC) No 584/2008, must be achieved by the end of 2011 and the end of 2012 respectively, the number of sample units accepted to exceed the set limit should be decreased. Chapter 2 of Annex I to Regulation (EC) No 2073/2005 should therefore be amended accordingly.
- (15) Regulations (EC) No 2160/2003 and (EC) No 2073/2005 should therefore be amended accordingly.

⁽¹⁾ OJ L 228, 3.9.2005, p. 14.

⁽²⁾ OJ L 272, 3.10.2006, p. 22.

⁽³⁾ OJ L 190, 21.7.2007, p. 25.

⁽⁴⁾ www.efsa.europa.eu

⁽⁵⁾ EFSA Journal (2010); 8(1): 1496.

⁽⁶⁾ EFSA Journal (2010); 8(10): 1826.

- (16) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

microbiological criterion set out in Row 1.28 of Chapter 1 of Annex I to Commission Regulation (EC) No 2073/2005 (*).

(*) OJ L 338, 22.12.2005, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

In Annex II to Regulation (EC) No 2160/2003, point 1 of Part E is replaced by the following:

- ‘1. From 1 December 2011, fresh poultry meat from animal populations listed in Annex I shall meet the relevant

Article 2

Annex I to Regulation (EC) No 2073/2005 is amended in accordance with the Annex to this Regulation:

Article 3

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

It shall apply from 1 December 2011.

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

Done at Brussels, 27 October 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

Annex I to Regulation (EC) No 2073/2005 is amended as follows:

(1) in Chapter 1, the following Row 1.28 and the corresponding footnotes 20 and 21 are added:

'1.28 Fresh poultry meat ⁽²⁰⁾	<i>Salmonella typhimurium</i> ⁽²¹⁾ <i>Salmonella enteritidis</i>	5	0	Absence in 25 g	EN/ISO 6579 (for detection) White-Kaufmann-Le Minor scheme (for serotyping)	Products placed on the market during their shelf-life
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⁽²⁰⁾ This criterion shall apply to fresh meat from breeding flocks of *Gallus gallus*, laying hens, broilers and breeding and fattening flocks of turkeys.

⁽²¹⁾ As regards monophasic *Salmonella typhimurium* only 1,4,[5],12:i:- is included.'

(2) in Chapter 2, Row 2.1.5 is replaced by the following and the corresponding footnote 10 is added:

'2.1.5 Poultry carcasses of broilers and turkeys	<i>Salmonella</i> spp. ⁽¹⁰⁾	50 ⁽⁵⁾	7 ⁽⁶⁾ From 1.1.2012 c = 5 for broilers From 1.1.2013 c = 5 for turkeys	Absence in 25 g of a pooled sample of neck skin	EN/ISO 6579 (for detection)	Carcasses after chilling	Improvement in slaughter hygiene and review of process controls, origin of animals and biosecurity measures in the farms of origin
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⁽¹⁰⁾ Where *Salmonella* spp. is found, the isolates shall be further serotyped for *Salmonella typhimurium* and *Salmonella enteritidis* in order to verify compliance with the microbiological criterion set out in Row 1.28 of Chapter 1.'

(3) in Chapter 3, Section 3.2 is replaced by the following:

'3.2. Bacteriological sampling in slaughterhouses and at premises producing minced meat, meat preparations, mechanically separated meat and fresh meat

Sampling rules for carcasses of cattle, pigs, sheep, goats and horses

The destructive and non-destructive sampling methods, the selection of the sampling sites and the rules for storage and transport of samples to be used are set out in standard ISO 17604.

Five carcasses shall be sampled at random during each sampling session. Sample sites must be selected taking into account the slaughter technology used in each plant.

When sampling for analyses of Enterobacteriaceae and aerobic colony counts, four sites of each carcass shall be sampled. Four tissue samples representing a total of 20 cm² shall be obtained by the destructive method. When using the non-destructive method for this purpose, the sampling area shall cover a minimum of 100 cm² (50 cm² for small ruminant carcasses) per sampling site.

When sampling for salmonella analyses, an abrasive sponge sampling method shall be used. Areas most likely to be contaminated shall be selected. The total sampling area shall cover a minimum of 400 cm².

When samples are taken from the different sampling sites on the carcass, they shall be pooled before examination.

Sampling rules for poultry carcasses and fresh poultry meat

Slaughterhouses shall sample whole poultry carcasses with neck skin for salmonella analyses. Other establishments processing fresh poultry meat shall take samples for salmonella analysis giving priority to whole poultry carcasses with neck skin, if available, but ensuring that also chicken portions with skin and/or chicken portions without skin or with only a small amount of skin are covered, and that choice shall be risk-based.

Slaughterhouses shall include in their sampling plans poultry carcasses from flocks with an unknown salmonella status or with a status known to be positive for *Salmonella enteritidis* or *Salmonella typhimurium*.

When testing against the process hygiene criterion set out in Row 2.1.5 of Chapter 2 for salmonella in poultry carcasses in slaughterhouses, neck skins from a minimum of 15 poultry carcasses shall be sampled at random after chilling during each sampling session. A piece of approximately 10 g from neck skin shall be obtained from each poultry carcass. On each occasion the neck skin samples from three poultry carcasses from the same flock of origin shall be pooled before examination in order to form 5 x 25 g final samples. These samples shall also be used to verify the compliance with the food safety criterion set out in Row 1.28 of Chapter 1.

For the salmonella analyses for fresh poultry meat other than poultry carcasses, five samples of at least 25 g of the same batch shall be collected. The sample taken from chicken portions with skin shall contain skin and a thin surface muscle slice in case the amount of skin is not sufficient to form a sample unit. The sample taken from chicken portions without skin or with only a small amount of skin shall contain a thin surface muscle slice or slices added to any skin present to make a sufficient sample unit. The slices of meat shall be taken in a way that includes as much as possible of the surface of the meat.

Guidelines for sampling

More detailed guidelines on the sampling of carcasses, in particular concerning the sampling sites, may be included in the guides to good practice referred to in Article 7 of Regulation (EC) No 852/2004.

Sampling frequencies for carcasses, minced meat, meat preparations, mechanically separated meat and fresh poultry meat

The food business operators of slaughterhouses or establishments producing minced meat, meat preparations, mechanically separated meat or fresh poultry meat shall take samples for microbiological analysis at least once a week. The day of sampling shall be changed each week to ensure that each day of the week is covered.

As regards the sampling of minced meat and meat preparations for *E. coli* and aerobic colony count analyses and the sampling of carcasses for Enterobacteriaceae and aerobic colony count analyses, the frequency may be reduced to fortnightly testing if satisfactory results are obtained for six consecutive weeks.

In the case of sampling for salmonella analyses of minced meat, meat preparations, carcasses and fresh poultry meat, the frequency may be reduced to fortnightly if satisfactory results have been obtained for 30 consecutive weeks. The salmonella sampling frequency may also be reduced if there is a national or regional salmonella control programme in place and if this programme includes testing that replaces the sampling laid down in this paragraph. The sampling frequency may be further reduced if the national or regional salmonella control programme demonstrates that the salmonella prevalence is low in animals purchased by the slaughterhouse.

However, when justified on the basis of a risk analysis and consequently authorised by the competent authority, small slaughterhouses and establishments producing minced meat, meat preparations and fresh poultry meat in small quantities may be exempted from these sampling frequencies.'

COMMISSION IMPLEMENTING REGULATION (EU) No 1087/2011**of 27 October 2011****amending Regulation (EU) No 185/2010 laying down detailed measures for the implementation of the common basic standards on aviation security in respect of explosive detection systems****(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 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾ and in particular Article 4(3) thereof,

Whereas:

(1) Commission Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security ⁽²⁾ lays down provision on explosive detection systems.

(2) Methods and technologies for the detection of explosives develop over time. In line with the evolution of the threat to civil aviation, technological developments and operation experiences both at Union and global level, the

Commission should revise the technological and operation provisions relating to explosives detection systems.

(3) Regulation (EU) No 185/2010 should therefore be amended accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Civil Aviation Security set up by Article 19(1) of Regulation (EC) No 300/2008,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 185/2010 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 27 October 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 97, 9.4.2008, p. 72.

⁽²⁾ OJ L 55, 5.3.2010, p. 1.

ANNEX

In Chapter 12 of the Annex to Regulation (EU) No 185/2010, point 12.4.2 is replaced by the following:

‘12.4.2. Standards for EDS

- 12.4.2.1. There shall be three standards for EDS. Detailed requirements on these standards are laid down in a separate Commission Decision.
 - 12.4.2.2. All EDS shall meet standard 1.
 - 12.4.2.3. Standard 1 shall expire on 1 September 2012.
 - 12.4.2.4. The appropriate authority may permit standard 1 EDS installed between 1 January 2003 and 1 September 2006 to continue to be used until 1 January 2014 at the latest.
 - 12.4.2.5. Standard 2 shall apply to all EDS installed as from 1 January 2007, unless a contract to install EDS that meets standard 1 has been placed before 19 October 2006.
 - 12.4.2.6. All EDS shall meet standard 2 by 1 September 2012 at the latest, unless point 12.4.2.4 applies.
 - 12.4.2.7. Standard 2 shall expire on 1 September 2020.
 - 12.4.2.8. The appropriate authority may permit standard 2 EDS installed between 1 January 2011 and 1 September 2014 to continue to be used until 1 September 2022 at the latest.
 - 12.4.2.9. The appropriate authority shall inform the Commission when it grants permission to permit standard 2 EDS to continue to be used as of 1 September 2020.
 - 12.4.2.10. Standard 3 shall apply to all EDS installed as from 1 September 2014.
 - 12.4.2.11. All EDS shall meet standard 3 by 1 September 2020 at the latest, unless point 12.4.2.8 applies.’
-

COMMISSION IMPLEMENTING REGULATION (EU) No 1088/2011

of 27 October 2011

concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754) as a feed additive for weaned piglets (holder of authorisation Aveve NV)

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754). The application was accompanied by the particulars and documents required pursuant to Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of the enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754) as a feed additive for weaned piglets, to be classified in the additive category 'zootechnical additives'.
- (4) The use of that preparation was authorised for 10 years for chickens for fattening by Commission Regulation (EC) No 1091/2009⁽²⁾.
- (5) New data were submitted in support of the application for the authorisation of the enzyme preparation of endo-

1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754) for weaned piglets. The European Food Safety Authority ('the Authority') concluded in its opinion of 16 June 2011⁽³⁾ that, under the proposed conditions of use, the enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754) does not have an adverse effect on animal health, human health or the environment, and that the use of that preparation can significantly increase the body weight gain and can improve feed to gain ratio in weaned piglets. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (6) The assessment of the enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this preparation should be authorised as specified in the Annex to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'digestibility enhancers', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

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

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 299, 14.11.2009, p. 6.

⁽³⁾ EFSA Journal 2011;9(6):2278.

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

Done at Brussels, 27 October 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Units of activity/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: digestibility enhancers.									
4a9	Aveve NV	Endo-1,4-beta-xylanase EC 3.2.1.8 Endo-1,3(4)-beta-glucanase EC 3.2.1.6	<i>Additive composition</i> Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma reesei</i> (MULC 49755) and endo-1,3(4)-beta-glucanase produced by <i>Trichoderma reesei</i> (MULC 49754) having a minimum activity of: 40 000 XU ⁽¹⁾ and 9 000 BGU ⁽²⁾ /g <i>Characterisation of the active substance</i> endo-1,4-beta-xylanase produced by <i>Trichoderma reesei</i> (MULC 49755) and endo-1,3(4)-beta-glucanase produced by <i>Trichoderma reesei</i> (MULC 49754) <i>Analytical method ⁽³⁾</i> Characterisation of the active substance in the additive: — colorimetric method based on reaction of dinitrosalicylic acid on reducing sugar produced by action of endo-1,4-β-xylanase on a xylan containing substrate, — colorimetric method based on reaction of dinitrosalicylic acid on reducing sugar produced by action of endo-1,3(4)-β-glucanase on a β-glucan containing substrate. Characterisation of the active substances in the feedingstuffs: — colorimetric method measuring water-soluble dye released by action of endo-1,4-beta-xylanase from dye cross-linked wheat arabinoxylan substrate,	Piglets (weaned)	—	4 000 XU 900 BGU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. For use in weaned piglets up to approximately 35 kg. 3. For safety: breathing protection, glasses and gloves shall be used during handling.	17.11.2021

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Units of activity/kg of complete feedingstuff with a moisture content of 12 %			
			— colorimetric method measuring water-soluble dye released by action of endo-1,3(4)-beta-glucanase from dye cross-linked barley betaglucan substrate.						

(¹) 1 XU is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) per minute from xylan of oat spelt at pH 4,8 and 50 °C.

(²) 1 BGU is the amount of enzyme which liberates 1 micromole of reducing sugars (cellobiose equivalents) per minute from β-glucan of barley at pH 5,0 and 50 °C.

(³) Details of the analytical methods are available at the following address of the Reference Laboratory: http://irmm.jrc.ec.europa.eu/EURLs/EURL_feed_additives/Pages/index.aspx

COMMISSION IMPLEMENTING REGULATION (EU) No 1089/2011**of 27 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 28 October 2011.

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

Done at Brussels, 27 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	57,4
	MA	49,1
	MK	73,2
	ZZ	59,9
0707 00 05	AL	45,6
	EG	151,1
	JO	191,6
	MK	62,2
	TR	134,6
	ZZ	117,0
0709 90 70	AR	33,4
	TR	134,1
	ZZ	83,8
0805 50 10	AR	59,8
	TR	70,4
	ZA	63,0
	ZZ	64,4
0806 10 10	BR	217,0
	CL	71,4
	TR	128,6
	ZA	67,9
	ZZ	121,2
0808 10 80	AR	48,0
	BR	86,4
	CA	106,1
	CL	90,0
	CN	82,6
	NZ	129,3
	US	99,9
	ZA	104,7
	ZZ	93,4
0808 20 50	CN	52,9
	TR	127,5
	ZZ	90,2

⁽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 1090/2011**of 27 October 2011****on the issue of licences for importing rice under the tariff quotas opened for the October 2011 subperiod by Regulation (EC) No 327/98**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽³⁾ opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several subperiods in accordance with Annex IX to that Regulation.
- (2) October is the only subperiod for the quota with order number 09.4138 laid down in Article 1(1)(a) of Regulation (EC) No 327/98. This quota comprises the balance of the unused quantities from the quotas with order numbers 09.4127-09.4128-09.4129-09.4130 in the previous subperiod. October is the last subperiod for the quotas with order numbers 09.4148 and 09.4168 laid down in Article 1(1)(b) and (e) of Regulation (EC) No 327/98, which comprise the balance of the unused quantities from the previous subperiod.

- (3) The notifications presented under Article 8(a) of Regulation (EC) No 327/98 show that, for the quota with order number 09.4138 the applications lodged in the first 10 working days of October 2011 under Article 4(1) of that Regulation cover a quantity greater than that available. The extent to which licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested under the quota concerned.
- (4) The final percentage take-up for 2011 of each quota provided for by Regulation (EC) No 327/98 should also be made known.
- (5) In order to ensure sound management of the procedure of issuing import licences, the present Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

Article 1

1. For import licence applications for rice under the quota with order number 09.4138 as referred to in Regulation (EC) No 327/98 lodged in the first 10 working days of October 2011, licences shall be issued for the quantities requested, multiplied by the allocation coefficient set out in the Annex to this Regulation.

2. The final percentage take-up for 2011 of each quota provided for by Regulation (EC) No 327/98 is given 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*.

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

Done at Brussels, 27 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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 37, 11.2.1998, p. 5.

ANNEX

Quantities to be allocated for the October 2011 subperiod under Regulation (EC) No 327/98 and final percentage take-ups for 2011:

- (a) Quota for wholly milled or semi-milled rice falling within CN code 1006 30 provided for in Article 1(1)(a) of Regulation (EC) No 327/98:

Origin	Order number	Allocation coefficient for October 2011 subperiod	Final percentage take-up of the quota for 2011
United States of America	09.4127		99,45 %
Thailand	09.4128		99,25 %
Australia	09.4129		99,97 %
Other origins	09.4130		100 %
All countries	09.4138	1,265432 %	100 %

- (b) Quota for husked rice falling within CN code 1006 20 provided for in Article 1(1)(b) of Regulation (EC) No 327/98:

Origin	Order number	Allocation coefficient for October 2011 subperiod	Final percentage take-up of the quota for 2011
All countries	09.4148	— ⁽¹⁾	6 %

⁽¹⁾ No award coefficient applied for this subperiod: no licence applications were notified to the Commission.

- (c) Quota for broken rice falling within CN code 1006 40 provided for in Article 1(1)(c) of Regulation (EC) No 327/98:

Origin	Order number	Final percentage take-up of the quota for 2011
Thailand	09.4149	35,38 %
Australia	09.4150	0 %
Guyana	09.4152	0 %
United States of America	09.4153	100 %
Other origins	09.4154	100 %

- (d) Quota for wholly milled or semi-milled rice falling within CN code 1006 30 provided for in Article 1(1)(d) of Regulation (EC) No 327/98:

Origin	Order number	Final percentage take-up of the quota for 2011
Thailand	09.4112	100 %
United States of America	09.4116	100 %
India	09.4117	100 %
Pakistan	09.4118	100 %
Other origins	09.4119	100 %
All countries	09.4166	100 %

- (e) Quota for broken rice falling within CN code 1006 40 provided for in Article 1(1)(e) of Regulation (EC) No 327/98:

Origin	Order number	Allocation coefficient for October 2011 subperiod	Final percentage take-up of the quota for 2011
All countries	09.4168	— ⁽¹⁾	100 %

⁽¹⁾ No quantity remaining available for this subperiod.

COMMISSION IMPLEMENTING REGULATION (EU) No 1091/2011**of 27 October 2011****fixing the maximum amount of aid granted for the private storage of olive oil under the tendering procedure opened by Implementing Regulation (EU) No 1023/2011**

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

Whereas:

- (1) Commission Implementing Regulation (EU) No 1023/2011 of 14 October 2011 opening the tendering procedure for aid for private storage of olive oil ⁽²⁾ provides for two tendering sub-periods.
- (2) In accordance with Article 13(1) 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 ⁽³⁾, on the basis of tenders notified by the Member States, the Commission either fixes a maximum amount of the aid or does not fix a maximum amount of the aid.

(3) On the basis of the tenders submitted in response to the first partial invitation to tender, it is appropriate to fix a maximum amount of the aid for private storage of olive oil for the tendering sub-period ending on 25 October 2011.

(4) In order to give a rapid signal to the market and to ensure efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.

(5) 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

For the tendering sub-period ending on 25 October 2011 within the tendering procedure opened by Implementing Regulation (EU) No 1023/2011, the maximum amount of aid for olive oil shall be as 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*.

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

Done at Brussels, 27 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 270, 15.10.2011, p. 22.

⁽³⁾ OJ L 223, 21.8.2008, p. 3.

ANNEX

<i>(EUR/tonne/day)</i>	
Product	Maximum amount of aid
Virgin olive oil	1,3

COMMISSION IMPLEMENTING REGULATION (EU) No 1092/2011**of 27 October 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

for the 2011/12 marketing year are fixed by Commission Implementing Regulation (EU) No 971/2011 ⁽³⁾. These prices and duties have been last amended by Commission Implementing Regulation (EU) No 1076/2011 ⁽⁴⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 October 2011.

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

Done at Brussels, 27 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 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 254, 30.9.2011, p. 12.

⁽⁴⁾ OJ L 278, 25.10.2011, p. 9.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 28 October 2011

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	46,76	0,00
1701 11 90 ⁽¹⁾	46,76	0,88
1701 12 10 ⁽¹⁾	46,76	0,00
1701 12 90 ⁽¹⁾	46,76	0,58
1701 91 00 ⁽²⁾	51,25	2,09
1701 99 10 ⁽²⁾	51,25	0,00
1701 99 90 ⁽²⁾	51,25	0,00
1702 90 95 ⁽³⁾	0,51	0,21

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

DECISIONS

COUNCIL DECISION 2011/705/CFSP

of 27 October 2011

repealing Decision 2010/145/CFSP renewing measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

(1) On 8 March 2010, the Council adopted Decision 2010/145/CFSP ⁽¹⁾ renewing measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY). That Decision expires on 16 March 2012.

(2) The aim of Decision 2010/145/CFSP is to prevent the entry into, or the transit through the territories of the Member States by persons who are engaged in activities which help persons at large to continue to evade justice for crimes for which the ICTY has indicted them or are otherwise acting in a manner which could obstruct the ICTY's effective implementation of its mandate.

(3) On 22 July 2011, Goran HADZIC was transferred into the custody of the ICTY. He was the last ICTY indictee still at large.

(4) Decision 2010/145/CFSP should therefore be repealed,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/145/CFSP is hereby repealed.

Article 2

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

Done at Luxembourg, 27 October 2011.

For the Council
The President
J. MILLER

⁽¹⁾ OJ L 58, 9.3.2010, p. 8.

COUNCIL DECISION 2011/706/CFSP**of 27 October 2011****amending Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 25 October 2010, the Council adopted Decision 2010/638/CFSP ⁽¹⁾, renewing the restrictive measures against the Republic of Guinea until 27 October 2011 and repealing Common Position 2009/788/CFSP ⁽²⁾.
- (2) On 21 March 2011, the Council adopted Decision 2011/169/CFSP ⁽³⁾, amending Decision 2010/638/CFSP in the light of the political situation and of the Report of the International Commission of Inquiry mandated to establish the facts and circumstances of the events of 28 September 2009 in Guinea.
- (3) On the basis of a review of Decision 2010/638/CFSP, those restrictive measures should be extended until 27 October 2012.
- (4) Furthermore, it is necessary to amend the measures provided for in Decision 2010/638/CFSP regarding military equipment and equipment which might be used for internal repression.
- (5) Decision 2010/638/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/638/CFSP is hereby amended as follows:

- (1) Article 2(1) is replaced by the following:

‘1. Article 1 shall not apply to the:

- (a) sale, supply, transfer or export of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or

protective use, or for institution building programmes of the United Nations (UN) and of the Union, or for Union and UN crisis management operations;

- (b) sale, supply, transfer or export of non-lethal military equipment or of non-lethal equipment which might be used for internal repression, intended solely to enable the police and gendarmerie of the Republic of Guinea to use only appropriate and proportionate force while maintaining public order;
- (c) sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for the protective use of the personnel of the Union and its Member States in the Republic of Guinea;
- (d) provision of technical assistance, brokering services and other services related to the items referred to in (a) to (c) or to the programmes and operations referred to in (a);
- (e) provision of financing and financial assistance related to the items referred to in (a) to (c) or to the programmes and operations referred to in (a);

on condition that such exports and assistance have been approved in advance by the relevant competent authority;’

- (2) Article 8(2) is replaced by the following:

‘2. This Decision shall apply until 27 October 2012. It shall be kept under constant review. It may be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.’

Article 2

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

Done at Luxembourg, 27 October 2011.

For the Council
The President
J. MILLER

⁽¹⁾ OJ L 280, 26.10.2010, p. 10.

⁽²⁾ OJ L 281, 28.10.2009, p. 7.

⁽³⁾ OJ L 76, 22.3.2011, p. 59.

COMMISSION IMPLEMENTING DECISION**of 26 October 2011****amending Decision 2009/821/EC as regards the lists of border inspection posts and veterinary units in Traces***(notified under document C(2011) 7564)***(Text with EEA relevance)****(2011/707/EU)**

THE EUROPEAN COMMISSION,

packed products for human consumption. The list of entries for that Member State as set out in Annex I to Decision 2009/821/EC should be amended accordingly.

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

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, and in particular Article 20(1) and (3) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 6(4) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽³⁾, and in particular Article 6(2) thereof,

Whereas:

(1) Commission Decision 2009/821/EC of 28 September 2009 drawing up a list of approved border inspection posts, laying down certain rules on the inspections carried out by Commission veterinary experts and laying down the veterinary units in Traces ⁽⁴⁾ lays down a list of border inspection posts approved in accordance with Directives 91/496/EEC and 97/78/EC. That list is set out in Annex I to that Decision.

(2) Following communication from Belgium, in the entries for the inspection centres Avia Partner and Swiss Port of the border inspection post at the airport of Brussel-Zaventem, the approval should be extended to all

(3) Denmark has communicated that the name of the border inspection post at the port of Århus should be written 'Aarhus'. The list of border inspection posts for that Member State should be amended accordingly.

(4) Following a satisfactory inspection by the Commission inspection services, the Food and Veterinary Office, a new border inspection post at Koidula rail in Estonia should be added to the entries for that Member State in the list set out in Annex I to Decision 2009/821/EC. In addition, Estonia has communicated that the border inspection post at Luhamaa road should be also approved for certain other live animals than equidae and ungulates. The entry for that border inspection post should therefore be amended accordingly.

(5) Italy has communicated that the inspection centre, Sintemar, in the border inspection post of the port of Livorno-Pisa has been suspended. The list of border inspection posts for that Member State should be amended accordingly.

(6) Following communication of Latvia, the inspection centre 'Kravu Termināls' in the border inspection post at the port of Riga should be deleted from the list of entries for that Member State as set out in Annex I to Decision 2009/821/EC.

(7) The Netherlands has communicated that the names of the inspection centres within the border inspection post of Vlissingen have changed. The entry for that border inspection post should therefore be amended accordingly.

(8) Following communication from Portugal, the entry for the border inspection post at the port of Horta (Açores) should be deleted in the list of entries for that Member State as set out in Annex I to Decision 2009/821/EC.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 268, 24.9.1991, p. 56.

⁽³⁾ OJ L 24, 30.1.1998, p. 9.

⁽⁴⁾ OJ L 296, 12.11.2009, p. 1.

- (9) Following communication from Sweden, in the entry for the border inspection post at the port of Göteborg, the approval for live animals should be deleted in the list of entries for that Member State as set out in Annex I to Decision 2009/821/EC.
- (10) The entry for the border inspection post at Manston airport in the United Kingdom had been deleted in Commission Decision 2011/93/EU ⁽¹⁾. Following a new request from the United Kingdom and a satisfactory inspection by the Commission inspection services, the Food and Veterinary Office, Manston airport should be approved for equidae and ungulates and be added to the list of border inspection posts set out in Annex I to Decision 2009/821/EC. In addition, the United Kingdom communicated that the border inspection port of Southampton has been split into two inspection centres approved for different categories of products. The entry for that border inspection post should therefore be amended accordingly.
- (11) Annex II to Decision 2009/821/EC lays down the list of central units, regional units and local units in the integrated computerised veterinary system (Traces).
- (12) Following communications from Denmark, Germany and Poland, certain changes should be brought to the list of

central, regional and local units in Traces for those Member States laid down in Annex II to Decision 2009/821/EC.

- (13) Decision 2009/821/EC should therefore be amended accordingly.
- (14) 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

Annexes I and II to Decision 2009/821/EC are amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 October 2011.

For the Commission

John DALLI

Member of the Commission

⁽¹⁾ OJ L 37, 11.2.2011, p. 25.

ANNEX

Annexes I and II to Decision 2009/821/EC are amended as follows:

(1) Annex I is amended as follows:

(a) in the part concerning Belgium, the entry for the airport of Brussel-Zaventem is replaced by the following:

'Brussel-Zaventem Bruxelles-Zaventem	BE BRU 4	A	Flight Care	HC-T(2)	
			Flight Care 2	NHC(2)	U, E, O
			Avia Partner	HC(2)	
			WFS	HC-T(2)	
			Swiss Port	HC(2)'	

(b) in the part concerning Denmark, the entry for the port of Århus is replaced by the following:

'Aarhus	DK AAR 1	P		HC(1)(2), NHC(2)'	
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(c) the part concerning Estonia is amended as follows:

(i) the following entry for a new border inspection post at Koidula rail is added:

'Koidula	EE KLA 2	F		HC(2), NHC-NT(2), NHC-T(FR)(2)'	
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(ii) the entry for Luhamaa road is replaced by the following:

'Luhamaa	EE LHM 3	R		HC, NHC	U, E, O(14)'
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(d) in the part concerning Italy, the entry for the port of Livorno-Pisa is replaced by the following:

'Livorno-Pisa	IT LIV 1	P	Porto Commerciale	HC, NHC-NT	
			Sintermar (*)	HC (*), NHC (*)	
			Lorenzini	HC, NHC-NT	
			Terminal Darsena Toscana	HC, NHC'	

(e) in the part concerning Latvia, the entry for the port of Riga (*Riga Port*) is replaced by the following:

'Riga (<i>Riga port</i>)	LV RIX 1a	P		HC(2), NHC(2)'	
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(f) in the part concerning the Netherlands, the entry for the port of Vlissingen is replaced by the following:

'Vlissingen	NL VLI 1	P	Kloosterboer Denemarkenweg	HC-T(2), NHC-T(FR)(2)	
			Kloosterboer Finlandweg	HC(2)'	

- (g) in the part concerning Portugal, the entry for the port of Horta (Açores) is deleted;
- (h) in the part concerning Sweden, the entry for the port of Göteborg is replaced by the following:

'Göteborg	SE GOT 1	P		HC(2), NHC(2)-NT'	
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- (i) the part concerning the United Kingdom is amended as follows:

- (i) a new entry for the airport of Manston is added as follows:

'Manston	GB MSE 4	A			U, E'
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- (ii) the entry for the port of Southampton is replaced by the following:

'Southampton	GB SOU 1	P	IC1	HC-T(1)(2), HC-NT(1)(2)	
			IC2	NHC(2)'	

- (2) Annex II is amended as follows:

- (a) the part concerning Denmark is amended as follows:

- (i) the entry for the regional unit 'DK00001 REGION VEST' is replaced by the following:

'DK00001 FØDEVARESTYRELSEN, VEST';

- (ii) the entry for the regional unit 'DK00002 REGION ØST' is replaced by the following:

'DK00002 FØDEVARESTYRELSEN, ØST';

- (iii) the entry for the local unit 'DK01200 ÅRHUS' is replaced by the following:

'DK01200 AARHUS';

- (b) in the part concerning Germany, the following local unit entry is deleted:

'DE46713 WISMAR HANSESTADT';

- (c) in the part concerning Poland, the entry for the local unit 'PL30160 OBORNIKI WLKP' is replaced by the following:

'PL30160 OBORNIKI'.

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