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Price: EUR 3

⁽¹⁾ Text with EEA relevance

EN

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

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

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 15/2013

of 10 January 2013

establishing a prohibition of fishing for haddock in area IV; EU waters of IIa by vessels flying the flag of the Netherlands

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 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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 2012.

*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 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, 10 January 2013.

*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 25, 27.1.2012, p. 55.

ANNEX

No	81/TQ44
Member State	The Netherlands
Stock	Haddock (<i>Melanogrammus aeglefinus</i>)
Species	HAD/2AC4
Zone	IV; EU waters of IIa
Date	7.12.2012

COMMISSION REGULATION (EU) No 16/2013**of 10 January 2013****establishing a prohibition of fishing for Greenland Halibut in NAFO 3LMNO by vessels flying the flag of Lithuania**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

This Regulation shall enter into force on the day following 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, 10 January 2013.

*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 25, 27.01.2012, p. 55.

ANNEX

No	82/TQ44
Member State	Lithuania
Stock	GHL/N3LMNO
Species	Greenland Halibut (<i>Reinhardtius hippoglossoides</i>)
Zone	NAFO 3LMNO
Date	7.12.2012

COMMISSION IMPLEMENTING REGULATION (EU) No 17/2013

of 14 January 2013

approving the active substance *Trichoderma atroviride* strain I-1237, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to 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 Articles 13(2) and 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(a) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC⁽²⁾ is to apply, with respect to the procedure and the conditions for approval, to active substances for which a decision has been adopted in accordance with Article 6(3) of that Directive before 14 June 2011. For *Trichoderma atroviride* strain I-1237 the conditions of Article 80(1)(a) of Regulation (EC) No 1107/2009 are fulfilled by Commission Decision 2008/565/EC⁽³⁾.
- (2) In accordance with Article 6(2) of Directive 91/414/EEC France received on 28 August 2007 an application from Agrauxine SA for the inclusion of the active substance *Trichoderma atroviride* strain I-1237 in Annex I to Directive 91/414/EEC. Decision 2008/565/EC confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.
- (3) For that active substance, the effects on human and animal health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicant. The designated rapporteur Member State submitted a draft assessment report on 19 April 2011.
- (4) The draft assessment report was reviewed by the Member States and the European Food Safety Authority (hereinafter 'the Authority'). The Authority presented to the Commission its conclusion on the review of the pesticide risk assessment of the active substance *Trichoderma atroviride* strain I-1237⁽⁴⁾ on 15 May 2012. The draft assessment report and the conclusion of the Authority were reviewed by the Member States and the

Commission within the Standing Committee on the Food Chain and Animal Health and was finalised on 20 November 2012 in the format of the Commission review report for *Trichoderma atroviride* strain I-1237.

- (5) It has appeared from the various examinations made that plant protection products containing *Trichoderma atroviride* strain I-1237 may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve *Trichoderma atroviride* strain I-1237.
- (6) A reasonable period should be allowed to elapse before approval in order to permit Member States and the interested parties to prepare themselves to meet the new requirements resulting from the approval.
- (7) Without prejudice to the obligations provided for in Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009, the following should, however, apply. Member States should be allowed a period of six months after approval to review authorisations of plant protection products containing *Trichoderma atroviride* strain I-1237. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the update of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (8) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market⁽⁵⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ OJ L 181, 10.7.2008, p. 49.

⁽⁴⁾ EFSA Journal 2012; 10(6):2706. Available online: www.efsa.europa.eu

⁽⁵⁾ OJ L 366, 15.12.1992, p. 10.

obligations on Member States or holders of authorisations compared to the Directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.

- (9) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances⁽¹⁾ should be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Approval of active substance

The active substance *Trichoderma atroviride* strain I-1237, as specified in Annex I, is approved subject to the conditions laid down in that Annex.

Article 2

Re-evaluation of plant protection products

1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing *Trichoderma atroviride* strain I-1237 as an active substance by 30 November 2013.

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

2. By way of derogation from paragraph 1, for each authorised plant protection product containing *Trichoderma atroviride*

strain I-1237 as either the only active substance or as one of several active substances, all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 31 May 2013 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the requirements of Annex III to Directive 91/414/EEC and taking into account the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.

Following that determination Member States shall:

- (a) in the case of a product containing *Trichoderma atroviride* strain I-1237 as the only active substance, where necessary, amend or withdraw the authorisation by 30 November 2014 at the latest; or
- (b) in the case of a product containing *Trichoderma atroviride* strain I-1237 as one of several active substances, where necessary, amend or withdraw the authorisation by 30 November 2014 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or those substances, whichever is the latest.

Article 3

Amendments to Implementing Regulation (EU) No 540/2011

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

Article 4

Entry into force and date of application

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

It shall apply from 1 June 2013.

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

Done at Brussels, 14 January 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 153, 11.6.2011, p. 1.

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
<i>Trichoderma atroviride</i> strain I-1237 CNCM number: I-1237	Not applicable	1×10^9 cfu/g (1×10^{10} spores/g)	1 June 2013	31 May 2023	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on <i>Trichoderma atroviride</i> strain I-1237, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 20 November 2012, shall be taken into account. In this overall assessment Member States shall pay particular attention to the protection of operators and workers, taking into account that <i>Trichoderma atroviride</i> strain I-1237 is to be considered a potential sensitiser. Conditions of use shall include risk mitigation measures where appropriate.

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

ANNEX II

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

Number	Common Name, Identification Numbers	IUPAC Name	Purity (*)	Date of approval	Expiration of approval	Specific provisions
'32	<i>Trichoderma atroviride</i> strain I-1237 CNCM number: I-1237	Not applicable	1×10^9 cfu/g (1×10^{10} spores/g)	1 June 2013	31 May 2023	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on <i>Trichoderma atroviride</i> strain I-1237, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 20 November 2012, shall be taken into account. In this overall assessment Member States shall pay particular attention to the protection of operators and workers, taking into account that <i>Trichoderma atroviride</i> strain I-1237 is to be considered a potential sensitizer. Conditions of use shall include risk mitigation measures where appropriate.'

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

COMMISSION IMPLEMENTING REGULATION (EU) No 18/2013**of 14 January 2013****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:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

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 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 January 2013.

*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	MA	62,7
	TN	108,2
	TR	117,9
	ZZ	96,3
0707 00 05	EG	194,1
	TR	131,5
	ZZ	162,8
0709 91 00	EG	158,2
	ZZ	158,2
0709 93 10	MA	104,9
	TR	127,7
	ZZ	116,3
0805 10 20	EG	61,1
	MA	57,7
	TR	59,5
	ZA	103,6
	ZZ	70,5
0805 20 10	MA	108,1
	ZZ	108,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	100,1
	KR	142,0
	TR	95,2
	ZZ	112,4
0805 50 10	TR	76,4
	ZZ	76,4
0808 10 80	BA	47,0
	CN	99,8
	MK	38,5
	US	83,3
	ZZ	67,2
0808 30 90	CN	60,7
	US	134,8
	ZZ	97,8

⁽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'.

DECISIONS

DECISION OF THE EUROPEAN CENTRAL BANK

of 7 December 2012

amending Decision ECB/2009/4 concerning derogations that may be granted under Regulation (EC) No 958/2007 concerning statistics on the assets and liabilities of investment funds (ECB/2007/8)

(ECB/2012/28)

(2013/20/EU)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to Regulation (EC) No 958/2007 of the European Central Bank of 27 July 2007 concerning statistics on the assets and liabilities of investment funds (ECB/2007/8) ⁽¹⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) The investment fund (IF) categories for which the national central banks (NCBs) have the discretion to grant derogations pursuant to Article 3(2) of Regulation (EC) No 958/2007 are laid down in the Annex to Decision ECB/2009/4 of 6 March 2009 concerning derogations that may be granted under Regulation (EC) No 958/2007 concerning statistics on the assets and liabilities of investment funds (ECB/2007/8) ⁽²⁾.
- (2) While the IF categories laid down in the Annex to Decision ECB/2009/4 remain unchanged, the Annex should be amended to update certain references to national legislation,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision ECB/2009/4 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the NCBs of the Member States whose currency is the euro.

Done at Frankfurt am Main, 7 December 2012.

The President of the ECB
Mario DRAGHI

⁽¹⁾ OJ L 211, 11.8.2007, p. 8.

⁽²⁾ OJ L 72, 18.3.2009, p. 21.

Investment fund categories for which derogations may be granted under article 3(2) of Regulation (EC) No 958/2007

Member State	Name of IF category	Legal act relating to the category			Legal act determining the frequency of valuation			Frequency of valuation under national legislation
		Title of legal act	Number/date of legal act	Relevant provisions	Title of legal act	Number/date of legal act	Relevant provisions	
Greece	Εταιρίες επενδύσεων σε ακίνητη περιουσία (Real estate investment companies)	Αμοιβαία Κεφάλαια Ακίνητης Περιουσίας – Εταιρίες Επενδύσεων σε Ακίνητη Περιουσία και άλλες διατάξεις (Law on real estate mutual funds – real estate investment companies and other legal provisions)	No 2778 of 30 December 1999	Article 21	Αμοιβαία Κεφάλαια Ακίνητης Περιουσίας – Εταιρίες Επενδύσεων σε Ακίνητη Περιουσία και άλλες διατάξεις (Law on real estate mutual funds – real estate investment companies and other legal provisions)	No 2778 of 30 December 1999	Articles 22(7) and 27(3) and (4)	Annual
France	Fonds commun de placement à risque (Venture capital mutual funds)	Code monétaire et financier (Monetary and Financial Code)		Chapter IV, Section 1, sub-section 2, L214-28 to L214-32	Règlement général de l'Autorité des Marchés Financiers (General regulation of the Financial Markets Authority)		Book IV, Article 412-42	Biannual
France	Sociétés civiles de placement immobilier (Real estate investment companies)	Code monétaire et financier		Chapter IV, Section 3 L214-50 to L214-84	Règlement général de l'Autorité des Marchés Financiers		Book IV, Article 422-44	Annual
France	Organismes de placement collectif immobilier (Real estate collective investment undertakings)	Code monétaire et financier		Chapter IV, Section 5, L214-89 to L214-146	Règlement général de l'Autorité des Marchés Financiers		Book IV, Article 424-66	Biannual

Member State	Name of IF category	Legal act relating to the category			Legal act determining the frequency of valuation			Frequency of valuation under national legislation
		Title of legal act	Number/date of legal act	Relevant provisions	Title of legal act	Number/date of legal act	Relevant provisions	
Italy	Fondi chiusi (Closed funds)	<i>Decreto legislativo – Testo unico delle disposizioni in materia di intermediazione finanziaria</i> (Legislative decree – all provisions in the field of financial intermediation)	No 58 of 24 February 1998	Part I, Article 1 Part II, Articles 36, 37 and 39	<i>Provvedimento della Banca d'Italia – Regolamento sulla gestione collettiva del risparmio</i> (Act of the Banca d'Italia – Regulation on the collective management of savings)	8 May 2012	Title V, Chapter 1, Section II, paragraph 4.6	Biannual
		<i>Decreto ministeriale – Regolamento attuativo dell'articolo 37 del Decreto legislativo di 24 febbraio 1998, nr. 58</i> (Ministerial decree – Regulation implementing Article 37 of Legislative decree No 58 of 24 February 1998)		Chapter II, Article 12				
Portugal	<i>Fundos de capital de risco</i> (Risk capital funds)	<i>Decreto-Lei</i> (Decree Law)	No 375/2007 of 8 November 2007	Article 18	<i>Regulamento da Comissão do Mercado de Valores Mobiliários</i> (Securities Market Commission Regulation)	No 1/2008 of 14 February 2008	Articles 4 and 11	Biannual'

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