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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 232/2013

of 15 March 2013

fixing the Union withdrawal and selling prices for the fishery products listed in Annex I to Council Regulation (EC) No 104/2000 for the 2013 fishing year

THE EUROPEAN COMMISSION,

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Regulation (EC) No 104/2000,

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

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 20(3) and Article 22 thereof,

Article 1

The conversion factors used for calculating the Union withdrawal and selling prices, as referred to in Articles 20 and 22 of Regulation (EC) No 104/2000, for the 2013 fishing year for the products listed in Annex I to that Regulation, are set out in Annex I to this Regulation.

Whereas:

Article 2

- (1) Regulation (EC) No 104/2000 provides that the Union withdrawal and selling prices for each of the products listed in Annex I thereto are to be fixed on the basis of the freshness, size or weight and presentation of the product by applying the conversion factor for the product category concerned to an amount not more than 90 % of the relevant guide price.

The Union withdrawal and selling prices applicable for the 2013 fishing year and the products to which they relate are set out in Annex II.

Article 3

- (2) The withdrawal prices may be multiplied by adjustment factors in landing areas which are very distant from the main centres of consumption in the Union. The guide prices for the 2013 fishing year were fixed for all the products concerned by Council Regulation (EU) No 1242/2012 ⁽²⁾.

The withdrawal prices applicable for the 2013 fishing year in landing areas which are very distant from the main centres of consumption in the Union, the adjustment factors used for calculating those prices and the products to which those prices relate are set out in Annex III.

Article 4

- (3) In order not to hinder the operation of the intervention system in the year 2013, this Regulation should apply retroactively from 1 January 2013.

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

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 352, 21.12.2012, p. 6.

It shall apply from 1 January 2013.

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

Done at Brussels, 15 March 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Conversion factors for the products listed in Parts A, B and C of Annex I to Regulation (EC) No 104/2000

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	1	0,00	0,47
	2	0,00	0,72
	3	0,00	0,68
	4a	0,00	0,43
	4b	0,00	0,43
	4c	0,00	0,90
	5	0,00	0,80
	6	0,00	0,40
	7a	0,00	0,40
	7b	0,00	0,36
	8	0,00	0,30
Sardines of the species <i>Sardina pilchardus</i>	1	0,00	0,51
	2	0,00	0,64
	3	0,00	0,72
	4	0,00	0,47
Dogfish <i>Squalus acanthias</i>	1	0,60	0,60
	2	0,51	0,51
	3	0,28	0,28
Dogfish <i>Scyliorhinus</i> spp.	1	0,64	0,60
	2	0,64	0,56
	3	0,44	0,36
Redfish <i>Sebastes</i> spp.	1	0,00	0,81
	2	0,00	0,81
	3	0,00	0,68
Cod of the species <i>Gadus morhua</i>	1	0,72	0,52
	2	0,72	0,52
	3	0,68	0,40
	4	0,54	0,30
	5	0,38	0,22

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Coalfish <i>Pollachius virens</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,71	0,55
	4	0,61	0,30
Haddock <i>Melanogrammus aeglefinus</i>	1	0,72	0,56
	2	0,72	0,56
	3	0,62	0,43
	4	0,52	0,36
Whiting <i>Merlangius merlangus</i>	1	0,66	0,50
	2	0,64	0,48
	3	0,60	0,44
	4	0,41	0,30
Ling <i>Molva</i> spp.	1	0,68	0,56
	2	0,66	0,54
	3	0,60	0,48
Mackerel of the species <i>Scomber scombrus</i>	1	0,00	0,72
	2	0,00	0,71
	3	0,00	0,69
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0,00	0,77
	2	0,00	0,77
	3	0,00	0,63
	4	0,00	0,47
Anchovies <i>Engraulis</i> spp.	1	0,00	0,68
	2	0,00	0,72
	3	0,00	0,60
	4	0,00	0,25
Plaice <i>Pleuronectes platessa</i>	1	0,75	0,41
	2	0,75	0,41
	3	0,72	0,41
	4	0,52	0,34

Species	Size (*)	Conversion factors	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Hake of the species <i>Merluccius merluccius</i>	1	0,90	0,71
	2	0,68	0,53
	3	0,68	0,52
	4	0,56	0,43
	5	0,52	0,41
Megrims <i>Lepidorhombus</i> spp.	1	0,68	0,64
	2	0,60	0,56
	3	0,54	0,49
	4	0,34	0,29
Dab <i>Limanda limanda</i>	1	0,71	0,58
	2	0,54	0,42
Flounder <i>Platichthys flesus</i>	1	0,66	0,58
	2	0,50	0,42
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	0,90	0,81
	2	0,90	0,77
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0,00	0,64
	2	0,00	0,64
	3	0,00	0,40

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

Species	Size (*)	Conversion factor	
		Whole fish	Fish without head (*)
		Gutted fish, with head (*)	
		Extra, A (*)	Extra, A (*)
Monkfish <i>Lophius</i> spp.	1	0,61	0,77
	2	0,78	0,72
	3	0,78	0,68
	4	0,65	0,60
	5	0,36	0,43
		All presentations	
		Extra, A (*)	
Shrimps of the species <i>Crangon crangon</i>	1	0,59	
	2	0,27	

Species	Size (*)	Conversion factor		
		Whole fish	Fish without head (*)	
		Gutted fish, with head (*)		
		Extra, A (*)	Extra, A (*)	
		Cooked in water	Fresh or chilled	
		Extra, A (*)	Extra, A (*)	
Deep-water prawns <i>Pandalus borealis</i>	1	0,77	0,68	
	2	0,27	—	
		Whole (*)		
Edible crabs <i>Cancer pagurus</i>	1	0,72		
	2	0,54		
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	0,86	0,86	0,81
	2	0,86	0,59	0,68
	3	0,77	0,59	0,50
	4	0,50	0,41	0,41
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea</i> spp.	1	0,75	0,58	
	2	0,75	0,58	
	3	0,71	0,54	
	4	0,58	0,42	
	5	0,50	0,33	

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

ANNEX II

Withdrawal and selling prices in the Union of the products listed in Parts A, B and C of Annex I to Regulation (EC) No 104/2000

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Herring of the species <i>Clupea harengus</i>	1	0	136
	2	0	208
	3	0	197
	4a	0	124
	4b	0	124
	4c	0	260
	5	0	231
	6	0	116
	7a	0	116
	7b	0	104
	8	0	87
Sardines of the species <i>Sardina pilchardus</i>	1	0	300
	2	0	376
	3	0	423
	4	0	276
Dogfish <i>Squalus acanthias</i>	1	694	694
	2	590	590
	3	324	324
Dogfish <i>Scyliorhinus</i> spp.	1	451	422
	2	451	394
	3	310	253
Redfish <i>Sebastes</i> spp.	1	0	996
	2	0	996
	3	0	836
Cod of the species <i>Gadus morhua</i>	1	1 161	839
	2	1 161	839
	3	1 097	645
	4	871	484
	5	613	355

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Coalfish <i>Pollachius virens</i>	1	595	463
	2	595	463
	3	587	455
	4	504	248
Haddock <i>Melanogrammus aeglefinus</i>	1	702	546
	2	702	546
	3	605	419
	4	507	351
Whiting <i>Merlangius merlangus</i>	1	599	454
	2	580	435
	3	544	399
	4	372	272
Ling <i>Molva</i> spp.	1	800	659
	2	776	635
	3	706	564
Mackerel of the species <i>Scomber scombrus</i>	1	0	242
	2	0	239
	3	0	232
Spanish mackerel of the species <i>Scomber japonicus</i>	1	0	226
	2	0	226
	3	0	185
	4	0	138
Anchovies <i>Engraulis</i> spp.	1	0	875
	2	0	927
	3	0	772
	4	0	322
Plaice <i>Pleuronectes platessa</i> — 1 January to 30 April 2013 — 1 May to 31 December 2013	1	762	417
	2	762	417
	3	732	417
	4	528	345
	1	1 053	576
	2	1 053	576
	3	1 011	576
	4	730	477

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
Hake of the species <i>Merluccius merluccius</i>	1	2 912	2 297
	2	2 200	1 715
	3	2 200	1 682
	4	1 812	1 391
	5	1 682	1 326
Megrims <i>Lepidorhombus</i> spp.	1	1 625	1 529
	2	1 433	1 338
	3	1 290	1 171
	4	812	693
Dab <i>Limanda limanda</i>	1	564	461
	2	429	334
Flounder <i>Platichthys flesus</i>	1	333	293
	2	253	212
Albacore or longfinned tuna <i>Thunnus alalunga</i>	1	2 149	1 898
	2	2 149	1 804
Cuttlefishes <i>Sepia officinalis</i> and <i>Rossia macrosoma</i>	1	0	1 169
	2	0	1 169
	3	0	730
		Whole fish	Fish without head (*)
		Gutted fish, with head (*)	
		Extra, A (*)	Extra, A (*)
Monkfish <i>Lophius</i> spp.	1	1 765	4 632
	2	2 257	4 331
	3	2 257	4 090
	4	1 880	3 609
	5	1 041	2 586
		All presentations	
		Extra, A (*)	
Shrimps of the species <i>Crangon crangon</i>	1	1 443	
	2	660	

Species	Size (*)	Withdrawal price (EUR/t)	
		Gutted fish, with head (*)	Whole fish (*)
		Extra, A (*)	Extra, A (*)
		Cooked in water	Fresh or chilled
		Extra, A (*)	Extra, A (*)
Deep-water prawns <i>Pandalus borealis</i>	1	5 394	1 114
	2	1 891	—

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

Species	Size (*)	Selling prices (EUR/t)		
		Whole (*)		
Edible crabs <i>Cancer pagurus</i>	1	1 237		
	2	928		
		Whole (*)		Tails (*)
		E' (*)	Extra, A (*)	Extra, A (*)
Norway lobster <i>Nephrops norvegicus</i>	1	4 491	4 491	3 370
	2	4 491	3 081	2 829
	3	4 021	3 081	2 080
	4	2 611	2 141	1 706
		Gutted fish, with head (*)	Whole fish (*)	
		Extra, A (*)	Extra, A (*)	
Sole <i>Solea spp.</i>	1	5 183	4 008	
	2	5 183	4 008	
	3	4 907	3 732	
	4	4 008	2 903	
	5	3 456	2 281	

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

ANNEX III

Withdrawal prices in landing areas which are very distant from the main centres of consumption

Species	Landing area	Adjustment Factor	Size (*)	Withdrawal price (in EUR/t)		
				Gutted fish, with head (*)	Whole fish (*)	
				Extra, A (*)	Extra, A (*)	
Herring of the species <i>Clupea harengus</i>	Coastal regions and islands of Ireland	0,90	1	0	122	
			2	0	187	
			3	0	177	
			4a	0	112	
	Coastal regions of Eastern England from Berwick to Dover	0,90	1	0	122	
			Coastal regions of Scotland from Port- patrick to Eyemouth and the islands located West and North of those regions	2	0	187
				3	0	177
				4a	0	112
			Coastal regions of County Down (Northern Ireland)			
	Mackerel of the species <i>Scomber scombrus</i>	Coastal regions and islands of Ireland	0,96	1	0	232
2				0	229	
3				0	223	
Coastal regions and islands of Cornwall and Devon in the United Kingdom		0,95	1	0	230	
			2	0	227	
			3	0	220	
Hake of the species <i>Merluccius merluccius</i>		Coastal regions from Troon (in South- Western Scotland) to Wick (in North-Eastern Scotland) and the Islands located West and North of those regions	0,75	1	2 184	1 723
	2			1 650	1 286	
	3			1 650	1 262	
	4			1 359	1 043	
	5			1 262	995	
Albacore or longfinned tuna <i>Thunnus alalunga</i>	Islands of the Azores and Madeira	0,48	1	1 032	911	
			2	1 032	866	

Species	Landing area	Adjustment Factor	Size (*)	Withdrawal price (in EUR/t)	
				Gutted fish, with head (*)	Whole fish (*)
				Extra, A (*)	Extra, A (*)
Sardines of the species <i>Sardina pilchardus</i>	Canary Islands	0,48	1	0	144
			2	0	181
			3	0	203
			4	0	133
	Coastal regions and islands of Cornwall and Devon in the United Kingdom	0,74	1	0	222
			2	0	278
			3	0	313
			4	0	205
	Atlantic coastal regions of Portugal	0,93	2	0	350
		0,81	3	0	343

(*) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EC) No 104/2000.

COMMISSION IMPLEMENTING REGULATION (EU) No 233/2013**of 15 March 2013****fixing the amount of the carry-over aid and the flat-rate aid for certain fishery products for the 2013 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾,

Having regard to Commission Regulation (EC) No 2814/2000 of 21 December 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of carry-over aid for certain fishery products ⁽²⁾, and in particular Article 5 thereof,

Having regard to Commission Regulation (EC) No 939/2001 of 14 May 2001 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of flat-rate aid for certain fishery products ⁽³⁾, and in particular Article 5 thereof,

Whereas:

- (1) Regulation (EC) No 104/2000 provides that aid may be granted for quantities of certain fresh products withdrawn from the market and either processed to stabilise them and stored or preserved.
- (2) The purpose of that aid is to give suitable encouragement to producers' organisations to process or preserve products withdrawn from the market so that their destruction can be avoided.

(3) The aid level should not be such as to disturb the balance of the market for the products in question or distort competition.

(4) The aid level should not exceed the technical and financial costs associated with the operations essential to stabilising and storage recorded in the Union during the fishing year preceding the year in question.

(5) In order not to hinder the operation of the intervention system in the year 2013, this Regulation should apply retroactively from 1 January 2013.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Regulation (EC) No 104/2000,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2013 fishing year, the amounts of the carry-over aid referred to in Article 23 of Regulation (EC) No 104/2000, and the amounts of the flat-rate aid referred to in Article 24(4) of that Regulation, are set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2013.

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

Done at Brussels, 15 March 2013.

For the Commission
The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 326, 22.12.2000, p. 34.

⁽³⁾ OJ L 132, 15.5.2001, p. 10.

ANNEX

1. Amount of the carry-over aid for products listed in Annex I, Parts A and B and for sole (*Solea spp.*) listed in Annex I, Part C to Regulation (EC) No 104/2000

Processing methods listed in Article 23 of Regulation (EC) No 104/2000	Aid (EUR/tonne)
1	2
I. Freezing and storage of whole products, gutted and with head, or cut-up products — Sardines of the species <i>Sardina pilchardus</i> — Other species	368 298
II. Filleting, freezing and storage	410
III. Salting and/or drying and storage of whole products, gutted and with head, or cut-up or filleted products	280
IV. Marinating and storage	264

2. Amount of the carry-over aid for the other products listed in Annex I, Part C to Regulation (EC) No 104/2000

Processing and/or preservation methods listed in Article 23 of Regulation (EC) No 104/2000	Products	Aid (EUR/tonne)
1	2	3
I. Freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	327
	Norway lobster tails (<i>Nephrops norvegicus</i>)	250
II. Removing the head, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	295
III. Cooking, freezing and storage	Norway lobster (<i>Nephrops norvegicus</i>)	327
	Edible crabs (<i>Cancer pagurus</i>)	250
IV. Pasteurisation and storage	Edible crabs (<i>Cancer pagurus</i>)	392
V. Live storage in fixed tanks or cages	Edible crabs (<i>Cancer pagurus</i>)	215

3. Amount of the flat-rate aid for products listed in Annex IV to Regulation (EC) No 104/2000

Processing methods	Aid (EUR/tonne)
I. Freezing and storage of whole products, gutted and with head, or cut-up products	298
II. Filleting, freezing and storage	410

COMMISSION IMPLEMENTING REGULATION (EU) No 234/2013**of 15 March 2013****fixing the Union selling prices for the fishery products listed in Annex II to Council Regulation (EC)
No 104/2000 for the 2013 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 25(1) and (6) thereof,

Whereas:

- (1) A Union selling price is to be fixed for each of the products listed in Annex II to Regulation (EC) No 104/2000 before the beginning of the fishing year, at a level at least equal to 70 % and not exceeding 90 % of the guide price.
- (2) Council Regulation (EU) No 1242/2012 ⁽²⁾ fixes the guide prices for the 2013 fishing year for all the products concerned.
- (3) Market prices vary considerably depending on the species and how the products are presented, particularly in the case of squid and hake.
- (4) Conversion factors should therefore be fixed for the different species and presentations of frozen products

landed in the Union in order to determine the price level that trigger the intervention measure provided for in Article 25(2) of Regulation (EC) No 104/2000.

- (5) In order not to hinder the operation of the intervention system in the year 2013, this Regulation should apply retroactively from 1 January 2013.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Regulation (EC) No 104/2000,

HAS ADOPTED THIS REGULATION:

Article 1

The Union selling prices, as referred to in Article 25(1) of Regulation (EC) No 104/2000, applicable during the 2013 fishing year for the products listed in Annex II to that Regulation and the presentations and conversion factors to which they relate are set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2013.

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

Done at Brussels, 15 March 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 352, 21.12.2012, p. 6.

ANNEX

Selling prices and conversion factors

Species	Presentation	Conversion factor	Intervention level	Selling price (EUR/tonne)
Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Whole or gutted, with or without head	1,0	0,85	1 678
Hake (<i>Merluccius</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 080
	Individual fillets			
	— with skin	1,0	0,85	1 286
	— skinless	1,1	0,85	1 415
Sea-bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	Whole or gutted, with or without head	1,0	0,85	1 242
Swordfish (<i>Xiphias gladius</i>)	Whole or gutted, with or without head	1,0	0,85	3 483
Shrimps and prawns <i>Penaeidae</i>	Frozen			
(a) <i>Parapenaeus longirostris</i>		1,0	0,85	3 460
(b) Other <i>Penaeidae</i>		1,0	0,85	6 641
Cuttlefishes (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i> and <i>Sepiola rondeletti</i>)	Frozen	1,0	0,85	1 702
Squid (<i>Loligo</i> spp.)				
(a) <i>Loligo patagonica</i>	— whole, not cleaned	1,00	0,85	1 023
	— cleaned	1,20	0,85	1 227
(b) <i>Loligo vulgaris</i>	— whole, not cleaned	2,50	0,85	2 556
	— cleaned	2,90	0,85	2 965
Octopus (<i>Octopus</i> spp.)	Frozen	1,00	0,85	1 949
<i>Illex argentinus</i>	— whole, not cleaned	1,00	0,80	709
	— tube	1,70	0,80	1 205

Forms of commercial presentation:

whole, not cleaned: product which has not undergone any treatment

cleaned: product which has at least been gutted

tube: squid body which has at least been gutted and had the head removed

COMMISSION IMPLEMENTING REGULATION (EU) No 235/2013**of 15 March 2013****fixing the standard values to be used in calculating the financial compensation and the advance pertaining thereto in respect of fishery products withdrawn from the market during the 2013 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 21(5) and (8) thereof,

Whereas:

- (1) Regulation (EC) No 104/2000 provides for financial compensation to be paid to producer organisations which withdraw on certain conditions the products listed in parts A and B of Annex I to that Regulation. The amount of such financial compensation should be reduced by standard values in the case of products intended for purposes other than human consumption.
- (2) Commission Regulation (EC) No 2493/2001 of 19 December 2001 on the disposal of certain fishery products which have been withdrawn from the market ⁽²⁾ specifies the ways of disposing of the products withdrawn from the market. The value of such products should be fixed at a standard level for each of these modes of disposal, taking into account the average revenues which may be obtained from such disposal in the various Member States.
- (3) Under Article 7 of Commission Regulation (EC) No 2509/2000 of 15 November 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards granting financial compensation for withdrawals of certain fishery products ⁽³⁾, special rules provide that, where a producer organisation or one of its members puts its products up for sale in a Member State other than the country in which it is recognised, that body responsible for granting the financial compensation must be informed. This body is

the one in the Member State in which the producer organisation is recognised. The standard value deductible should therefore be the value applied in that Member State.

- (4) The same method of calculation should be applied to advances on financial compensation as provided for in Article 6 of Regulation (EC) No 2509/2000.
- (5) In order not to hinder the operation of the intervention system in the year 2013, this Regulation should apply retroactively from 1 January 2013.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Regulation (EC) No 104/2000,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2013 fishing year, the standard values to be used in calculating financial compensation and associated advances for fishery products withdrawn from the market by producer organisations and intended for purposes other than human consumption, as referred to in Article 21(5) of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

Article 2

The standard value to be deducted from financial compensation and associated advances shall be that applied in the Member State in which the producer organisation is recognised.

Article 3

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

It shall apply from 1 January 2013.

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

Done at Brussels, 15 March 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 337, 20.12.2001, p. 20.

⁽³⁾ OJ L 289, 16.11.2000, p. 11.

ANNEX

Standard values

Use of products withdrawn from the market	EUR/tonne
1. Use following processing into meal (animal feed):	
(a) Herring of the species <i>Clupea harengus</i> and mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> :	
— Denmark and Sweden.	50
— United Kingdom.	50
— other Member States.	15
— France.	2
(b) Shrimps of the species <i>Crangon crangon</i> and deep-water prawns (<i>Pandalus borealis</i>):	
— Denmark and Sweden.	0
— other Member States.	10
(c) Other products:	
— Denmark.	40
— Sweden, Portugal and Ireland.	15
— United Kingdom.	15
— other Member States.	1
2. Use fresh or preserved (animal feed)	
(a) Sardines of the species <i>Sardina pilchardus</i> and anchovies (<i>Engraulis</i> spp.):	
— all Member States.	5
(b) Other products:	
— Sweden.	0
— France.	20
— other Member States.	30
3. Use as bait	
— France.	55
— other Member States.	15
4. Use for purposes other than animal feed	0

COMMISSION IMPLEMENTING REGULATION (EU) No 236/2013**of 15 March 2013****fixing the amount of private storage aid for certain fishery products in the 2013 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾,

Having regard to Commission Regulation (EC) No 2813/2000 of 21 December 2000 laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards the grant of private storage aid for certain fishery products ⁽²⁾, and in particular Article 1 thereof,

Whereas:

- (1) Private storage aid should not exceed the sum of technical and financial costs recorded in the Union during the fishing year preceding the year in question.
- (2) To discourage long-term storage, to shorten payment times and to reduce the burden of controls, private storage aid should be paid in one single instalment.

- (3) In order not to hinder the operation of the intervention system in the year 2013, this Regulation should apply retroactively from 1 January 2013.

- (4) The measures provided for in this Regulation are in accordance with the Committee established by Regulation (EC) No 104/2000,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2013 fishing year the amount of private storage aid, referred to in Article 25 of Regulation (EC) No 104/2000, for the products listed in Annex II to that Regulation shall be as follows:

— first month: EUR 224 per tonne;

— second month: EUR 0 per tonne.

Article 2

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

It shall apply from 1 January 2013.

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

Done at Brussels, 15 March 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 326, 22.12.2000, p. 30.

COMMISSION IMPLEMENTING REGULATION (EU) No 237/2013**of 15 March 2013****fixing the reference prices for certain fishery products for the 2013 fishing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, and in particular Article 29(1) and (5) thereof,

Whereas:

- (1) Regulation (EC) No 104/2000 provides that reference prices valid for the Union may be fixed each year, by product category, for products that are the subject of a tariff suspension under Article 28(1). The same holds for products which, by virtue of being either the subject of a binding tariff reduction under the WTO or some other preferential arrangements, must comply with a reference price.
- (2) Pursuant to Article 29(3)(a) of Regulation (EC) No 104/2000, the reference price for the products listed in Annex I, Parts A and B to that Regulation, is to be the same as the withdrawal price fixed in accordance with Article 20(1) of that Regulation.
- (3) The Union withdrawal prices for the products concerned are fixed for the 2013 fishing year by Commission Implementing Regulation (EU) No 232/2013 ⁽²⁾.
- (4) Pursuant to Article 29(3)(d) of Regulation (EC) No 104/2000, the reference price for products other than

those listed in Annexes I and II to that Regulation is to be established in particular on the basis of the weighted average of customs values recorded on the import markets or in the ports of import in the three years immediately preceding the date on which the reference price is fixed.

- (5) There is no need to fix reference prices for those products falling under the criteria laid down in Article 29(1) of Regulation (EC) No 104/2000 which are imported from third countries in insignificant volumes.
- (6) In order to allow a swift application of the reference prices in the year 2013, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Regulation (EC) No 104/2000,

HAS ADOPTED THIS REGULATION:

Article 1

The reference prices for the 2013 fishing year of fishery products, as referred to in Article 29 of Regulation (EC) No 104/2000, are set out in the Annex to this Regulation.

Article 2

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, 15 March 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ See page 1 of this Official Journal.

ANNEX

1. Reference prices for fishery products referred to in Article 29(3)(a) of Regulation (EC) No 104/2000

Species	Size ⁽¹⁾	Reference price (EUR/tonne)			
		Gutted with head ⁽¹⁾		Whole fish ⁽¹⁾	
		Additional Taric code	Extra, A ⁽¹⁾	Additional Taric code	Extra, A ⁽¹⁾
Herring of the species <i>Clupea harengus</i> ex 0302 41 00	1		—	F011	136
	2		—	F012	208
	3		—	F013	197
	4a		—	F016	124
	4b		—	F017	124
	4c		—	F018	260
	5		—	F015	231
	6		—	F019	116
	7a		—	F025	116
	7b		—	F026	104
	8		—	F027	87
Redfish (<i>Sebastes</i> spp.) ex 0302 89 31 and ex 0302 89 39	1		—	F067	996
	2		—	F068	996
	3		—	F069	836
Cod of the species <i>Gadus morhua</i> ex 0302 51 10	1	F073	1 161	F083	839
	2	F074	1 161	F084	839
	3	F075	1 097	F085	645
	4	F076	871	F086	484
	5	F077	613	F087	355
		Boiled in water		Fresh or refrigerated	
		Additional Taric code	Extra, A ⁽¹⁾	Additional Taric code	Extra, A ⁽¹⁾
Deepwater prawns (<i>Pandalus borealis</i>) ex 0306 26 90	1	F317	5 394	F321	1 114
	2	F318	1 891	—	—

⁽¹⁾ The freshness, size and presentation categories are those laid down under Article 2 of Regulation (EC) No 104/2000.

2. Reference prices for fishery products referred to in Article 29(3)(d) of Regulation (EC) No 104/2000

Product	Additional Taric code	Presentation	Reference price (EUR/tonne)
1. Redfish (<i>Sebastes</i> spp.)		Whole:	
ex 0303 89 31 ex 0303 89 39	F411	— with or without head	998
ex 0304 89 21 ex 0304 89 29	F412	Fillets: — with bones ('standard')	2 011
	F413	— without bones	2 136
	F414	— blocks in immediate packing weighing not more than 4 kg	2 239
2. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i>			
ex 0303 63 10, ex 0303 63 30, ex 0303 63 90, ex 0303 69 10	F416	Whole, with or without head	1 095
ex 0304 71 90 ex 0304 79 10	F417	Fillets: — interleaved or in industrial blocks, with bones ('standard')	2 451
	F418	— interleaved or in industrial blocks, without bones	2 716
	F419	— individual or fully interleaved fillets, with skin	2 574
	F420	— individual or fully interleaved fillets, without skin	2 972
	F421	— blocks in immediate packing weighing not more than 4 kg	2 990
ex 0304 95 25	F422	Pieces and other meat, except minced blocks	1 448
3. Coalfish (<i>Pollachius virens</i>)			
ex 0304 73 00	F424	Fillets: — interleaved or in industrial blocks, with bones ('standard')	1 611
	F425	— interleaved or in industrial blocks, without bones	1 739
	F426	— individual or fully interleaved fillets, with skin	1 476
	F427	— individual or fully interleaved fillets, without skin	1 764
	F428	— blocks in immediate packing weighing not more than 4 kg	1 933
ex 0304 95 40	F429	Pieces and other meat, except minced blocks	976

Product	Additional Taric code	Presentation	Reference price (EUR/tonne)
4. Haddock (<i>Melanogrammus aeglefinus</i>)		Fillets:	
ex 0304 72 00	F431	— interleaved or in industrial blocks, with bones ('standard')	2 241
	F432	— interleaved or in industrial blocks, without bones	2 606
	F433	— individual or fully interleaved fillets, with skin	2 537
	F434	— individual or fully interleaved fillets, without skin	2 682
	F435	— blocks in immediate packing weighing not more than 4 kg	2 988
5. Alaska pollack (<i>Theragra chalcogramma</i>)		Fillets:	
ex 0304 75 00	F441	— interleaved or in industrial blocks, with bones ('standard')	1 170
	F442	— interleaved or in industrial blocks, without bones	1 311
6. Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)		Herring flaps	
ex 0304 59 50	F450	— exceeding 80 g a piece	510
ex 0304 99 23	F450	— exceeding 80 g a piece	464

COMMISSION IMPLEMENTING REGULATION (EU) No 238/2013

of 15 March 2013

amending Implementing Regulation (EU) No 481/2012 as regards the validity of certificates of authenticity for high-quality beef

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾ and in particular Article 144(1) and Article 148 in conjunction with Article 4 thereof,

Whereas:

(1) Commission Implementing Regulation (EU) No 481/2012 of 7 June 2012 laying down rules for the management of a tariff quota for high-quality beef ⁽²⁾ changed the management method of the quota opened by Council Regulation (EC) No 617/2009 ⁽³⁾ from the simultaneous examination method to the first-come, first-served management method. As in the framework of the first-come, first-served management method of that quota there are no longer import licences with validity limited to 30 June of each importing year, it is therefore opportune to drop the validity limit of 30 June for the certificates of authenticity. Instead, a period of three months from the date of issue of those certificates should be established which is in line with other high-quality beef tariff quotas.

(2) For reasons of clarity, it is necessary to indicate, in the requirements for goods to benefit from the preferential tariff quota concerned, as set out in Annex II to Implementing Regulation (EU) No 481/2012, the bovine animals covered by the Union carcass classification and thus eligible for producing 'high quality beef'.

(3) Implementing Regulation (EU) No 481/2012 should therefore be amended accordingly.

(4) For reasons of legal certainty, the new period of validity of certificates of authenticity should not apply to certificates of authenticity issued before the date of entry into force of this Regulation.

(5) 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

Implementing Regulation (EU) No 481/2012 is amended as follows:

(1) in Article 3, paragraph 7 is replaced by the following:

'7. The validity of a certificate of authenticity shall be three months from the date of its issue;'

(2) in Annex II, footnote 1 is replaced by the following:

'⁽¹⁾ For the purposes of these requirements, heifers and steers are "bovine animals", as defined in point 1 of Part IV of Annex III to Regulation (EC) No 1234/2007, which correspond, respectively, to categories E and C, as defined in Part A of Annex V to that Regulation.'

Article 2

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

It shall apply to certificates of authenticity issued from the date of entry into force of this Regulation.

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

Done at Brussels, 15 March 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 148, 8.6.2012, p. 9.

⁽³⁾ OJ L 182, 15.7.2009, p. 1.

COMMISSION IMPLEMENTING REGULATION (EU) No 239/2013**of 15 March 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, 15 March 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	IL	107,2
	MA	73,5
	TN	94,1
	TR	118,3
	ZZ	98,3
0707 00 05	JO	194,1
	MA	152,2
	TR	169,8
	ZZ	172,0
0709 91 00	EG	76,0
	ZZ	76,0
0709 93 10	MA	45,3
	TR	107,3
	ZZ	76,3
0805 10 20	EG	54,9
	IL	72,2
	MA	57,6
	TN	61,0
	TR	64,0
	ZZ	61,9
0805 50 10	TR	73,9
	ZZ	73,9
0808 10 80	AR	115,9
	BR	96,0
	CL	138,6
	CN	93,7
	MK	29,8
	US	189,3
0808 30 90	ZZ	110,6
	AR	107,0
	BR	113,7
	CL	130,9
	CN	84,8
	TR	171,6
	US	194,3
	ZA	103,5
	ZZ	129,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) No 240/2013**of 15 March 2013****fixing the import duties in the cereals sector applicable from 16 March 2013**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

(1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

(2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, in order to calculate the import duty

referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

(4) Import duties should be fixed for the period from 16 March 2013 and should apply until new import duties are fixed and enter into force.

(5) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 March 2013, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 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, 15 March 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 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 16 March 2013

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 19 00	Durum wheat, high quality	0,00
1001 11 00	medium quality	0,00
	low quality	0,00
ex 1001 91 20	Common wheat seed	0,00
ex 1001 99 00	High quality common wheat other than for sowing	0,00
1002 10 00	Rye	0,00
1002 90 00		
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize other than seed ⁽²⁾	0,00
1007 10 90	Grain sorghum other than hybrids for sowing	0,00
1007 90 00		

⁽¹⁾ The importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- EUR 3/t, where the port of unloading is located on the Mediterranean Sea (beyond the Strait of Gibraltar) or on the Black Sea, for goods arriving in the Union via the Atlantic Ocean or the Suez Canal,
- EUR 2/t, where the port of unloading is located in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or on the Atlantic coast of the Iberian Peninsula, for goods arriving in the Union via the Atlantic Ocean.

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

ANNEX II

Factors for calculating the duties laid down in Annex I

1.3.2013-14.3.2013

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

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾
Exchange	Minneapolis	Chicago	—	—	—
Quotation	238,35	213,46	—	—	—
Fob price USA	—	—	299,49	289,49	269,49
Gulf of Mexico premium	86,33	23,01	—	—	—
Great Lakes premium	—	—	—	—	—

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

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

Freight costs: Gulf of Mexico-Rotterdam: 15,74 EUR/t

Freight costs: Great Lakes-Rotterdam: — EUR/t

DECISIONS

DECISION OF THE EUROPEAN CENTRAL BANK

of 11 January 2013

laying down the framework for a public key infrastructure for the European System of Central Banks

(ECB/2013/1)

(2013/132/EU)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 127 thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank (hereinafter the 'Statute of the ESCB'), and in particular Article 12.1 in conjunction with Article 3.1, Article 5, Article 12.3 and Articles 16 to 24 thereof,

Whereas:

- (1) Pursuant to Article 12.1 of the Statute of the ESCB, the Governing Council adopts the guidelines and takes the decisions necessary to ensure the performance of the tasks entrusted to the European System of Central Banks (ESCB) and to the Eurosystem under the Treaty and the Statute of the ESCB. This includes the power to decide on the organisation of ancillary activities that are necessary for the performance of such tasks, such as the issuance and management of electronic certificates for securing information stored and processed in ESCB and Eurosystem electronic applications, systems, platforms and services, and for data communication to and from them.
- (2) Pursuant to Article 12.3 of the Statute of the ESCB, the Governing Council also has the power to determine the internal organisation of the European Central Bank (ECB) and its decision-making bodies. Accordingly, the Governing Council has the power to decide that the ECB will use electronic certificates issued by the Eurosystem's own public key infrastructure.
- (3) The number of users accessing a growing number of constantly evolving ESCB and Eurosystem electronic applications, systems, platforms and services is increasing. The Governing Council has identified a need for advanced information security services, such as strong authentication, electronic signatures and encryption, through the use of electronic certificates.
- (4) Few ESCB central banks have their own public key infrastructure and many users from third parties that work jointly with ESCB central banks do not have easy access to a certification authority accepted by the ESCB in accordance with its certificate acceptance framework.
- (5) There is a need for the Eurosystem to create its own public key infrastructure which can issue all types of electronic certificates such as personal and technical certificates for ESCB and non-ESCB users, and which is flexible enough to adapt to developments in ESCB and Eurosystem electronic applications, systems, platforms and services. This public key infrastructure (hereinafter the 'ESCB-PKI') should complement the services provided by other certification authorities accepted by the ESCB in accordance with the ESCB certificate acceptance framework or by certification authorities accepted by the ESCB for TARGET2 and TARGET2 Securities for those two applications.
- (6) On 29 September 2010 the Governing Council decided to launch the ESCB-PKI project to build and implement the ESCB-PKI and to provide the resources required for its completion. It decided that the ESCB-PKI will be developed, hosted and operated by the Banco de España.
- (7) The ESCB-PKI indirectly supports the performance of ESCB and Eurosystem tasks. It is based on three levels of governance: Level 1 consists of the Governing Council and the Executive Board, Level 2 of the Eurosystem central banks and Level 3 of the providing central bank.
- (8) At Level 1, the Governing Council is responsible for the direction, management and control of the activities and deliverables needed to develop and operate the ESCB-PKI. It is also responsible for decision-making in relation to the ESCB-PKI and decides on the allocation of tasks not specifically attributed to Levels 2 and 3.
- (9) The Eurosystem central banks are responsible for the tasks assigned to Level 2, within the general framework defined by the Governing Council. They have competences regarding the technical means of implementing the ESCB-PKI.

- (10) The ESCB Information Technology Committee (ITC) has a steering role in the development of the ESCB-PKI. It guides, assesses, controls and approves the project deliverables against the acceptance criteria in accordance with the ESCB certificate acceptance framework, the scope and the schedule approved by the Governing Council.
- (11) At Level 3, the Banco de España has been appointed as the providing central bank to carry out the tasks assigned to it within the general framework defined by the Governing Council. The providing central bank has put in place the technical infrastructure and secure devices and services required to create and use a public key infrastructure in accordance with: (a) the national law transposing Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures ⁽¹⁾, as applicable to it; (b) the national law transposing 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 ⁽²⁾, as applicable to it; and (c) 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 ⁽³⁾.
- (12) Since electronic certificates are essential elements used in electronic applications both as an authentication mechanism to implement electronic signatures, and for public key-based encryption, the ESCB-PKI will take into account existing ESCB and Eurosystem electronic applications, systems, platforms and services and current ESCB projects in order to ensure that their needs are covered.
- (13) Non-euro area national central banks (NCBs) may decide to use the certificates and services provided by the ESCB-PKI,
- certificate or electronic certificate includes a reference to the data carrier devices on which the certificate or electronic certificate is held;
2. 'ESCB and Eurosystem electronic applications, systems, platforms and services' means the electronic applications, systems, platforms and services that the ESCB and/or the Eurosystem use when carrying out the tasks entrusted to them under the Treaty and the Statute of the ESCB;
 3. 'public key infrastructure' means the set of individuals, policies, procedures, and computer systems necessary to provide authentication, encryption, integrity and non-repudiation services by way of public and private key cryptography and electronic certificates;
 4. 'user' means either a certificate subscriber or a relying party, or both;
 5. 'authentication' means the process of verifying the identity of a certificate applicant or certificate subscriber;
 6. 'ESCB central bank' means either a Eurosystem central bank or a non-euro area NCB;
 7. 'Eurosystem central bank' means either an NCB of a Member State whose currency is the euro, including the providing central bank, or the ECB;
 8. 'providing central bank' means the NCB appointed by the Governing Council to develop the ESCB-PKI and to provide ESCB-PKI services on behalf of and for the benefit of the Eurosystem central banks;
 9. 'non-euro area NCB' means an NCB of a Member State whose currency is not the euro;
 10. 'ESCB-PKI certification authority' means the entity, trusted by users, to issue, manage, revoke and renew certificates on behalf of the ESCB central banks or the Eurosystem central banks in accordance with the ESCB certificate acceptance framework;
 11. 'ESCB-PKI validation authority' means the entity, trusted by users, which provides information on the validity of certificates issued by the ESCB-PKI certification authority;
 12. 'certificate subscriber' means either an individual who is the subject of an electronic certificate and has been issued an electronic certificate, or a technical component manager who has accepted an electronic certificate issued by the ESCB-PKI certification authority for a technical component, or both;
 13. 'ESCB certificate acceptance framework' means the criteria established by the ESCB ITC to identify the certification

HAS ADOPTED THIS DECISION:

Article 1

Definitions

For the purposes of this Decision:

1. 'certificate' or 'electronic certificate' means an electronic file, issued by a certification authority, which binds a public key with a certificate subscriber's identity and is used for all or some of the following: (a) to verify that a public key belongs to a certificate subscriber; (b) to authenticate a certificate subscriber; (c) to check a certificate's subscriber signature; (d) to encrypt a message addressed to a certificate subscriber; (e) to verify a certificate subscriber's access rights to ESCB and Eurosystem electronic applications, systems, platforms and services. Any reference in this Decision to a
- ⁽¹⁾ OJ L 13, 19.1.2000, p. 12.
⁽²⁾ OJ L 281, 23.11.1995, p. 31.
⁽³⁾ OJ L 8, 12.1.2001, p. 1.

authorities, both internal and external to the ESCB, which can be trusted in relation to ESCB and Eurosystem electronic applications, systems, platforms and services;

14. 'registration authority' means an entity, trusted by users, which verifies the identity of a certificate applicant before the ESCB-PKI certification authority issues a certificate;
15. 'relying party' means an individual or an entity other than a certificate subscriber which accepts and relies on a certificate;
16. 'audit policy' means the ESCB audit policy defined by the Governing Council on 7 October 1998, as published on the ECB's website ⁽¹⁾;
17. 'certificate applicant' means an individual who requests the issuance of a certificate for themselves or for a technical component;
18. 'technical component' means any software or any hardware equipment that can be identified by using electronic certificates.

Article 2

Scope

1. This Decision establishes the framework for the ESCB-PKI. The ESCB-PKI is the Eurosystem's own public key infrastructure developed by the providing central bank on behalf of and for the benefit of the Eurosystem central banks, which issues, manages, revokes and renews certificates in accordance with the ESCB's certificate acceptance framework.

2. As ESCB-PKI services may affect relying parties, this Decision also sets out the conditions under which such parties may rely on ESCB-PKI certificates.

Article 3

Scope and objectives of the ESCB-PKI

1. ESCB and Eurosystem electronic applications, systems, platforms and services with medium or above medium criticality shall only be accessed and used if a user has been authenticated by means of an electronic certificate issued and managed by a certification authority accepted by the ESCB in accordance with the ESCB certificate acceptance framework, including by the ESCB-PKI certification authority, or by certification authorities accepted by the ESCB for TARGET2 and TARGET2 Securities for those two applications.

2. The ESCB-PKI certification authority shall issue electronic certificates and provide other electronic certification services for certificate subscribers of the ESCB central banks and of third parties working with them to enable them to securely access and use ESCB and Eurosystem electronic applications, systems, platforms and services.

3. The ESCB-PKI shall provide the following certification services:

- (a) certificate issuance, renewal and revocation, and confirmation of a certificate's validity with regard to different certificate types;
- (b) issuance of certificates for authentication, electronic signature and encryption in relation to ESCB and non-ESCB users, and technical certificates;
- (c) private key recovery to ensure the recovery of public key-based encrypted information in the case of certificate loss;
- (d) delivery and management of cryptographic tokens to certificate subscribers when needed;
- (e) provision of information on ESCB-PKI certificate management procedures, and technical support to ESCB project managers to help them to integrate ESCB-PKI certificates into their applications.

Other services may be added in the future as required by ESCB and Eurosystem electronic applications, systems, platforms and services.

Article 4

ESCB-PKI framework

1. Subject to this Decision, the responsibilities and functions of the providing central bank and of the other Eurosystem central banks with regard to ESCB-PKI implementation, operation and use shall be set out in a Level 2 – Level 3 Agreement and further specified in ESCB-PKI certificate policies and the ESCB-PKI certification practice statement.

2. The Level 2 – Level 3 Agreement, which includes the Service Level Agreement, contains the agreement negotiated between the providing central bank and the Eurosystem central banks in relation to the responsibilities and functions of the providing central bank and the Eurosystem central banks. It shall be submitted for endorsement by the Governing Council and then signed by the providing central bank and the Eurosystem central banks.

3. The Service Level Agreement is both an agreement defining the level of services to be provided by the providing central bank to the Eurosystem, and an agreement defining the level of services to be provided by the Eurosystem to the non-euro area NCBs and third parties in relation to the ESCB-PKI.

4. The ESCB-PKI certification practice statement is a set of rules governing the life cycle of electronic certificates, from the initial request to the subscription end or revocation, as well as the relationships between the certificate applicant or subscriber, the ESCB-PKI certification authority and the relying parties. It covers electronic certificates falling under the scope of Directive 1999/93/EC, and electronic certificates falling outside its scope. It also sets out the roles and responsibilities of all parties and establishes the procedures concerning issuing and managing certificates. It is annexed to the Level 2 – Level 3 Agreement.

⁽¹⁾ www.ecb.europa.eu

5. An ESCB-PKI certificate policy is a set of rules which is applicable to each type of certificate issued. Each set provides implementation details relating to the ESCB-PKI certification practice statement for each type of certificate issued. ESCB-PKI certificate policies are annexed to the Level 2 – Level 3 Agreement.

6. The ESCB-PKI certificate policies and the ESCB-PKI certification practice statement shall be published on the ESCB-PKI website ⁽¹⁾.

7. Information concerning the ESCB-PKI certification authority, including its identity, and its technical components is set out in the Annex to this Decision.

Article 5

Responsibilities and roles of the providing central bank

1. The providing central bank shall be responsible for operating and maintaining the ESCB-PKI for the benefit of the Eurosystem central banks, including hosting, operation and management carried out in accordance with the Level 2 – Level 3 Agreement. In particular, it shall deliver certificates and ESCB-PKI services in accordance with business requirements and technical specifications, such as the ESCB certificate acceptance framework and the requirements and specifications set out in the Level 2 – Level 3 Agreement.

2. The providing central bank shall put the necessary organisational infrastructure in place for creating, issuing and managing certificates and shall ensure that the infrastructure is maintained. For that purpose, in consultation with the ITC, the providing central bank may adopt rules concerning its internal organisation and administration.

3. The providing central bank shall act as the ESCB-PKI certification authority and the ESCB-PKI validation authority.

4. The Level 2 – Level 3 Agreement shall establish the liability regime applying to the providing central bank.

Article 6

Responsibilities and roles of the Eurosystem central banks

1. Each Eurosystem central bank shall be responsible for identifying its certificate subscribers. It shall create the role of registration officer to perform this task who shall have the authority to register third party users.

2. Each Eurosystem central bank shall act as a relying party in relation to certificates for encryption and electronic signature issued by the ESCB-PKI for other Eurosystem central banks or third party users' certificate subscribers.

3. Each Eurosystem central bank using ESCB-PKI services shall act as a registration authority for its certificate applicants and ensure that its certificate applicants accept and apply the user terms and conditions set out in the ESCB-PKI certification authority's application form for its services.

Article 7

Relationships between the Eurosystem central banks, third parties and certificate subscribers

Each Eurosystem central bank shall make arrangements with regard to third party secure access and use of the ESCB and Eurosystem electronic applications, systems, platforms and services through the use of ESCB-PKI certificates. These arrangements shall exclusively govern the relationship between the relevant Eurosystem central bank and the third parties that use ESCB-PKI certificates. All third parties shall comply with the ESCB-PKI certificate policies, the ESCB-PKI certification practice statement and the user terms and conditions set out in the ESCB-PKI certification authority's application form for its services.

Article 8

Relationships with relying parties

An electronic certificate issued under this Decision may be relied upon provided that a relying party:

- (a) verifies the validity, suspension or revocation of the certificate using current revocation status information;
- (b) takes account of any limitations on use specified in the certificate; and
- (c) accepts the ESCB-PKI certification practice statement and the applicable ESCB-PKI certificate policies.

Article 9

Rights to the ESCB-PKI

1. The ESCB-PKI shall be fully owned by the Eurosystem central banks.

2. In view thereof, the providing central bank shall grant to the Eurosystem central banks, to the extent feasible under applicable legislation, all licenses regarding the intellectual property rights required to enable the Eurosystem central banks to use the ESCB-PKI and its components and the full range of ESCB-PKI services and also provide ESCB-PKI services to third parties under the ESCB-PKI certification practice statement and the ESCB-PKI certificate policies. The providing central bank shall indemnify the Eurosystem central banks against any infringement claims raised by third parties in relation to such intellectual property rights.

3. The details regarding the Eurosystem central banks' rights to the ESCB-PKI shall be agreed between Level 2 and Level 3 in the Level 2 – Level 3 Agreement.

Article 10

Liability of Eurosystem central banks towards users

1. Unless they prove that they have not acted negligently, the Eurosystem central banks shall be liable in accordance with

⁽¹⁾ <http://pki.escb.eu>

their functions and responsibilities in the ESCB-PKI for any damage caused to a user who reasonably relies on a qualified certificate, as defined in Directive 1999/93/EC, as regards:

- (a) the accuracy at the time of issuance of all the information contained in a qualified certificate, and the question of whether the certificate contains all the details prescribed for a qualified certificate, as defined in Directive 1999/93/EC;
- (b) any assurance that at the time of issuance of a qualified certificate, the certificate subscriber identified therein held the signature-creation data corresponding to the signature-verification data given or identified in the certificate;
- (c) any assurance that the signature-creation device and the signature-verification device function together in a complementary manner, in cases where the ESCB-PKI generates both;
- (d) any failure to register revocation of a qualified certificate.

2. The Eurosystem central banks assume no commitments, give no guarantees and accept no liability towards users unless expressly stated in this Decision and in the ESCB-PKI certification practice statement.

Article 11

Participation of non-euro area NCBs in the ESCB-PKI

1. A non-euro area NCB may act as a registration authority for its internal users as well as for third party users, and may create the role of a registration officer to perform this task.
2. Subject to the approval of the Governing Council, a non-euro area NCB may also decide to use ESCB-PKI services under the same conditions as those applying to Eurosystem central banks. For that purpose, the non-euro area NCB shall submit a declaration to the Governing Council in which it confirms that it will comply with the obligations laid down in this Decision and in the Level 2 – Level 3 Agreement. A non-euro area NCB shall not become co-owner of the ESCB-PKI and shall not be obliged to contribute to the ESCB-PKI financial envelope.

Article 12

Data protection

Eurosystem central banks shall comply with the data protection legislation applicable to their processing of personal data in the performance of their functions related to the ESCB-PKI.

Article 13

Audit

Audits of the ESCB-PKI shall be performed in accordance with the principles and arrangements set out in the audit policy. They shall be without prejudice to the internal controls and audit rules that apply to or are adopted by the Eurosystem central banks.

Article 14

Financial arrangements

The Eurosystem central banks shall bear the costs of developing and operating the ESCB-PKI as further specified in the ESCB-PKI financial envelope.

Article 15

Role of the Executive Board

1. In accordance with Article 17.3 of Decision ECB/2004/2 of 19 February 2004 adopting the Rules of Procedure of the European Central Bank ⁽¹⁾, the Governing Council delegates its normative powers to the Executive Board to take any measures to implement this Decision that are necessary for the efficiency and security of the ESCB-PKI, and to adopt amendments **relating** to the technical aspects of the ESCB-PKI and ESCB-PKI services provided for in the annexes to the Level 2 – Level 3 Agreement after taking into consideration the advice of the ITC and, if applicable, of the Eurosystem IT Steering Committee.
2. The Executive Board shall notify the Governing Council of any measure that it takes pursuant to paragraph 1 without undue delay and shall abide by any decision adopted by the Governing Council on the matter.

Done at Frankfurt am Main, 11 January 2013.

The President of the ECB
Mario DRAGHI

⁽¹⁾ OJ L 80, 18.3.2004, p. 33.

ANNEX

Information concerning the ESCB-PKI certification authority, including its identity, and its technical components

The ESCB-PKI certification authority is identified in its certificate as the issuer and its private key is used to sign certificates. The ESCB-PKI certification authority is in charge of:

- (i) issuing private and public key certificates;
- (ii) issuing revocation lists;
- (iii) generating key pairs associated with specific certificates, e.g. those that require key recovery;
- (iv) maintaining overall responsibility for the ESCB-PKI and ensuring that all the requirements necessary to operate it are met.

The ESCB-PKI certification authority includes all individuals, policies, procedures and computer systems entrusted with issuing electronic certificates and assigning them to the certificate subscribers.

The ESCB-PKI certification authority includes two technical components:

- **The Root ESCB-PKI certification authority:** This certification authority, at the first level, only issues certificates for itself and its subordinate certification authorities. It is only in operation when carrying out its own narrowly-defined responsibilities. Its most significant data are:

Distinguished name	CN=ESCB-PKI ROOT CA, O=EUROPEAN SYSTEM OF CENTRAL BANKS, C=EU
Serial number	596F AC4C 218C 21BC 4E00 6B42 A164 46DD
Distinguished name of issuer	CN=ESCB-PKI ROOT CA, O=EUROPEAN SYSTEM OF CENTRAL BANKS, C=EU
Validity period	From 21-06-2011 11:58:26 to 21-06-2041 11:58:26
Message digest (SHA-1)	CEFE 6C32 E850 994A 09EA 1A77 0C60 3D90 ADC9 9192

- **The Online ESCB-PKI certification authority:** This certification authority, at the second level, is subordinate to the Root ESCB-PKI certification authority. It is responsible for issuing ESCB-PKI certificates for users. Its most significant data are:

Distinguished name	CN=ESCB-PKI ONLINE CA, O=EUROPEAN SYSTEM OF CENTRAL BANKS, C=EU
Serial number	2C13 E18F FDB5 91CE 4E29 550B B5A3 F59C
Distinguished name of issuer	CN=ESCB-PKI ROOT CA, O=EUROPEAN SYSTEM OF CENTRAL BANKS, C=EU
Validity period	From 22-07-2011 12:46:35 to 22-07-2026 12:46:35
Message digest (SHA-1)	D316 026C D2CF 1A8C 4AA3 8C29 EE3D 591E 4286 AD08

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