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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 15 November 2013

on the signing, on behalf of the European Union, of the Agreement between the European Union and the French Republic concerning the application to the collectivity of Saint-Barthélemy of Union legislation on the taxation of savings and administrative cooperation in the field of taxation

(2013/671/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 113 and 115, in conjunction with Article 218(5) and the second paragraph of Article 218(8) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with the provisions of European Council Decision 2010/718/EU ⁽¹⁾, the island of Saint-Barthélemy ceased to be an outermost region of the European Union with effect from 1 January 2012 and gained the status of overseas country or territory referred to in Part Four of the Treaty on the Functioning of the European Union (TFEU). The French Republic had undertaken to conclude the agreements necessary to ensure that the interests of the Union were preserved when the change took place, to ensure, *inter alia*, that the mechanisms of Council Directive 2011/16/EU ⁽²⁾ and of Council Directive 2003/48/EC ⁽³⁾ would also apply to Saint-Barthélemy following its change of status.
- (2) Acting on the authorisation conferred on it by the Council on 20 October 2011, the Commission negotiated an Agreement between the European Union

and the French Republic concerning the application to the collectivity of Saint-Barthélemy of Union legislation on taxation of savings and administrative cooperation in the field of taxation (hereinafter 'the Agreement').

- (3) The purpose of the Agreement is to ensure that the mechanisms of Directives 2011/16/EU and 2003/48/EC, designed in particular to combat fraud and cross-border tax evasion, continue to apply to Saint-Barthélemy despite its changed status.
- (4) The Agreement should be signed on behalf of the Union, subject to its conclusion at a later date,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement between the European Union and the French Republic concerning the application to the collectivity of Saint-Barthélemy of the Union legislation on the taxation of savings and administrative cooperation in the field of taxation is hereby authorised, subject to the conclusion of the Agreement.

The text of the Agreement is attached to this Decision ⁽⁴⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

⁽¹⁾ European Council Decision 2010/718/EU of 29 October 2010 amending the status with regard to the European Union of the island of Saint-Barthélemy (OJ L 325, 9.12.2010, p. 4).

⁽²⁾ Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC (OJ L 64, 11.3.2011, p. 1).

⁽³⁾ Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments (OJ L 157, 26.6.2003, p. 38).

⁽⁴⁾ The text of the Agreement will be published together with the Decision on its conclusion.

Article 3

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

Done at Brussels, 15 November 2013.

For the Council
The President
R. ŠADŽIUS

COUNCIL DECISION

of 15 November 2013

on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania for a period of two years

(2013/672/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with point (a) of Article 218(6), thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 30 November 2006, the Council adopted Regulation (EC) No 1801/2006 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania ⁽¹⁾ ('the Partnership Agreement').
- (2) The Union has negotiated a new Protocol with the Islamic Republic of Mauritania ('the new Protocol') granting EU vessels fishing opportunities in waters in which Mauritania exercises its sovereignty or its jurisdiction as regards fishing.
- (3) The new Protocol was signed on the basis of Council Decision 2012/827/EU ⁽²⁾ and has been applied provisionally from the date of its signature.
- (4) The new Protocol should be approved,

Article 1

The Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Union and the Islamic Republic of Mauritania for a period of two years ('the Protocol') ⁽³⁾ is hereby approved on behalf of the Union.

Article 2

The President of the Council shall proceed, on behalf of the Union, to the notification provided for in Article 11 of the Protocol ⁽⁴⁾.

Article 3

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

Done at Brussels, 15 November 2013.

For the Council

The President

R. ŠADŽIUS

⁽¹⁾ OJ L 343, 8.12.2006, p. 1.

⁽²⁾ OJ L 361, 31.12.2012, p. 43.

⁽³⁾ The text of the Protocol has been published in OJ L 361, 31.12.2012, p. 44 together with the decision on the signature.

⁽⁴⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

REGULATIONS

COUNCIL REGULATION (EU) No 1180/2013

of 19 November 2013

fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EC) No 2371/2002 ⁽¹⁾ requires that measures governing access to waters and resources and the sustainable pursuit of fishing activities be established taking into account the scientific, technical and economic advice available and, in particular, the report drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF) as well as in the light of any advice received from regional advisory councils.
- (2) It is incumbent upon the Council to adopt measures on the fixing and allocation of fishing opportunities by fishery or group of fisheries, including certain conditions functionally linked thereto, as appropriate. Fishing opportunities should be distributed among Member States in such a way as to assure each Member State relative stability of fishing activities for each stock or fishery with due regard to the objectives of the Common Fisheries Policy established in Regulation (EC) No 2371/2002.
- (3) The total allowable catches (TACs) should be established on the basis of the scientific advice available, taking into account biological and socioeconomic aspects whilst ensuring fair treatment between fishing sectors, as well as in the light of opinions expressed during the consultation of stakeholders, in particular at meetings with the regional advisory councils concerned.
- (4) For stocks subject to specific multiannual plans, the fishing opportunities should be established in accordance

with the rules laid down in those plans. Consequently, catch limits and fishing effort limits for the cod stocks in the Baltic Sea should be established in accordance with the rules laid down in Council Regulation (EC) No 1098/2007 ⁽²⁾ ('the Baltic Sea Cod Plan').

- (5) In the light of the scientific advice, flexibility in the management of the fishing effort for cod stocks in the Baltic Sea can be introduced without jeopardising the objectives of the Baltic Sea Cod Plan and without causing an increase in fishing mortality. Such flexibility would allow for more efficient management of the fishing effort where quotas are not allocated equally among the fleet of a Member State and would facilitate swift reactions to quota exchanges. A Member State should, therefore, be allowed to allocate to vessels flying its flag additional days absent from port where an equal amount of days absent from port is withdrawn from other vessels flying its flag.
- (6) The use of fishing opportunities as set out in this Regulation should be subject to Council Regulation (EC) No 1224/2009 ⁽³⁾, and in particular provisions concerning the recording of catches and fishing effort and the information on data on the exhaustion of fishing opportunities. It is therefore necessary to specify the codes relating to landings of stocks subject to this Regulation which are to be used by the Member States when sending data to the Commission.
- (7) In accordance with Council Regulation (EC) No 847/96 ⁽⁴⁾, the stocks that are subject to the various measures referred to therein must be identified.

⁽²⁾ Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 779/97 (OJ L 248, 22.9.2007, p. 1).

⁽³⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

⁽⁴⁾ Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

⁽¹⁾ Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy (OJ L 358, 31.12.2002, p. 59).

- (8) In order to avoid interruption of fishing activities and to ensure the livelihood of Union fishermen, it is important to open the fisheries covered by this Regulation as from 1 January 2014. For reasons of urgency, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation fixes the fishing opportunities for certain fish stocks and groups of fish stocks in the Baltic Sea for 2014.

Article 2

Scope

This Regulation applies to Union vessels operating in the Baltic Sea.

Article 3

Definitions

For the purposes of this Regulation the following definitions apply:

- (a) 'International Council for the Exploration of the Sea (ICES) zones' means the geographical areas specified in Annex I to Council Regulation (EC) No 2187/2005 ⁽¹⁾;
- (b) 'Baltic Sea' means ICES Subdivisions 22-32;
- (c) 'Union vessel' means a fishing vessel flying the flag of a Member State and registered in the Union;
- (d) 'total allowable catch' (TAC) means the quantity that can be taken from each stock each year;
- (e) 'quota' means a proportion of the TAC allocated to the Union, a Member State or a third country;
- (f) 'day absent from port' means any continuous period of 24 hours or part thereof during which a vessel is not present in a port.

CHAPTER II

FISHING OPPORTUNITIES

Article 4

TACs and allocations

The TACs, the quotas and the conditions functionally linked thereto, where appropriate, are set out in Annex I.

⁽¹⁾ Council Regulation (EC) No 2187/2005 of 21 December 2005 for the conservation of fishery resources through technical measures in the Baltic Sea, the Belts and the Sound, amending Regulation (EC) No 1434/98 and repealing Regulation (EC) No 88/98 (OJ L 349, 31.12.2005, p. 1).

Article 5

Special provisions on allocations

1. The allocation of fishing opportunities among Member States, as set out in this Regulation, shall be without prejudice to:
 - (a) exchanges made pursuant to Article 20(5) of Regulation (EC) No 2371/2002;
 - (b) reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
 - (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96;
 - (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96;
 - (e) deductions made pursuant to Articles 37, 105, 106 and 107 of Regulation (EC) No 1224/2009.
2. Except where otherwise specified in Annex I to this Regulation, Article 3 of Regulation (EC) No 847/96 shall apply to stocks subject to a precautionary TAC and Article 3(2) and (3) and Article 4 of that Regulation shall apply to stocks subject to an analytical TAC.

Article 6

Conditions for landing catches and by-catches

Fish from stocks for which catch limits are established shall be retained on board or landed only if the catches and by-catches have been taken by vessels of a Member State having a quota and that quota is not exhausted.

Article 7

Fishing effort limits

1. Fishing effort limits are set out in Annex II.
2. The limits referred to in paragraph 1 shall also apply to ICES subdivisions 27 and 28.2, unless the Commission has taken a decision in accordance with Article 29(2) of Regulation (EC) No 1098/2007 to exclude those subdivisions from the restrictions provided for in Article 8(1)(b), Article 8(3), (4) and (5) and Article 13 of that Regulation.
3. The limits referred to in paragraph 1 shall not apply to ICES subdivision 28.1, unless the Commission has taken a decision in accordance with Article 29(4) of Regulation (EC) No 1098/2007 that the restrictions provided for in Article 8(1)(b) and Article 8(3), (4) and (5) of Regulation (EC) No 1098/2007 shall apply to that subdivision.

CHAPTER III

FINAL PROVISIONS*Article 8***Data transmission**

When Member States send the Commission data relating to landings of quantities of stocks caught, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, they shall use the stock codes set out in Annex I to this Regulation.

*Article 9***Entry into force**

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

It shall apply from 1 January 2014.

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

Done at Brussels, 19 November 2013.

For the Council

The President

L. LINKEVIČIUS

ANNEX I

TACs APPLICABLE TO UNION VESSELS IN AREAS WHERE TACs EXIST BY SPECIES AND BY AREA

The following tables set out the TACs and quotas (in tonnes live weight, except where otherwise specified) by stock, and conditions functionally linked thereto, where appropriate.

The references to fishing zones are references to ICES zones, unless otherwise specified.

The fish stocks are referred to following the alphabetical order of the Latin names of the species.

For the purposes of this Regulation, the following comparative table of Latin names and common names is provided:

Scientific name	Alpha-3 code	Common name
<i>Clupea harengus</i>	HER	Herring
<i>Gadus morhua</i>	COD	Cod
<i>Pleuronectes platessa</i>	PLE	Plaice
<i>Salmo salar</i>	SAL	Atlantic salmon
<i>Sprattus sprattus</i>	SPR	Sprat

Species: Herring <i>Clupea harengus</i>	Zone: subdivisions 30-31 HER/3D30.; HER/3D31.
Finland	112 977
Sweden	24 823
Union	137 800
TAC	137 800
Analytical TAC	

Species: Herring <i>Clupea harengus</i>	Zone: subdivisions 22-24 HER/3B23.; HER/3C22.; HER/3D24.
Denmark	2 769
Germany	10 900
Finland	1
Poland	2 570
Sweden	3 514
Union	19 754
TAC	19 754
Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.	

Species: Herring <i>Clupea harengus</i>		Zone: Union waters of subdivisions 25-27, 28.2, 29 and 32 HER/3D25.; HER/3D26.; HER/3D27.; HER/3D28.2; HER/3D29.; HER/3D32.
Denmark	2 480	
Germany	658	
Estonia	12 664	
Finland	24 721	
Latvia	3 125	
Lithuania	3 291	
Poland	28 085	
Sweden	37 701	
Union	112 725	
TAC	Not relevant	Analytical TAC
Species: Herring <i>Clupea harengus</i>		Zone: subdivision 28.1 HER/03D.RG
Estonia	14 186	
Latvia	16 534	
Union	30 720	
TAC	30 720	Analytical TAC
Species: Cod <i>Gadus morhua</i>		Zone: Union waters of subdivisions 25-32 COD/3D25.; COD/3D26.; COD/3D27.; COD/3D28.; COD/3D29.; COD/3D30.; COD/3D31.; COD/3D32.
Denmark	15 147	
Germany	6 025	
Estonia	1 476	
Finland	1 159	
Latvia	5 632	
Lithuania	3 710	
Poland	17 440	
Sweden	15 345	
Union	65 934	
TAC	Not relevant	Analytical TAC

Species: Cod <i>Gadus morhua</i>		Zone: subdivisions 22-24 COD/3B23.; COD/3C22.; COD/3D24.
Denmark	7 436	
Germany	3 636	
Estonia	165	
Finland	146	
Latvia	615	
Lithuania	399	
Poland	1 990	
Sweden	2 650	
Union	17 037	
TAC	17 037	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.
Species: Plaice <i>Pleuronectes platessa</i>		Zone: Union waters of subdivisions 22-32 PLE/3B23.; PLE/3C22.; PLE/3D24.; PLE/3D25.; PLE/3D26.; PLE/3D27.; PLE/3D28.; PLE/3D29.; PLE/3D30.; PLE/3D31.; PLE/3D32.
Denmark	2 443	
Germany	271	
Poland	511	
Sweden	184	
Union	3 409	
TAC	3 409	Precautionary TAC

Species: Atlantic salmon <i>Salmo salar</i>		Zone: Union waters of subdivisions 22-31 SAL/3B23.; SAL/3C22.; SAL/3D24.; SAL/3D25.; SAL/3D26.; SAL/3D27.; SAL/3D28.; SAL/3D29.; SAL/3D30.; SAL/3D31.
Denmark	22 087 ⁽¹⁾	
Germany	2 457 ⁽¹⁾	
Estonia	2 245 ⁽¹⁾	
Finland	27 541 ⁽¹⁾	
Latvia	14 049 ⁽¹⁾	
Lithuania	1 651 ⁽¹⁾	
Poland	6 700 ⁽¹⁾	
Sweden	29 857 ⁽¹⁾	
Union	106 587 ⁽¹⁾	
TAC	Not relevant	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.

⁽¹⁾ Expressed by number of individual fish.

Species: Atlantic salmon <i>Salmo salar</i>		Zone: Union waters of subdivision 32 SAL/3D32.
Estonia	1 344 ⁽¹⁾	
Finland	11 762 ⁽¹⁾	
Union	13 106 ⁽¹⁾	
TAC	Not relevant	Precautionary TAC

⁽¹⁾ Expressed by number of individual fish.

Species: Sprat <i>Sprattus sprattus</i>		Zone: Union waters of subdivisions 22-32 SPR/3B23.; SPR/3C22.; SPR/3D24.; SPR/3D25.; SPR/3D26.; SPR/3D27.; SPR/3D28.; SPR/3D29.; SPR/3D30.; SPR/3D31.; SPR/3D32.
Denmark	23 672 ⁽¹⁾	
Germany	14 997 ⁽¹⁾	
Estonia	27 489 ⁽¹⁾	
Finland	12 392 ⁽¹⁾	
Latvia	33 200 ⁽¹⁾	
Lithuania	12 010 ⁽¹⁾	
Poland	70 456 ⁽¹⁾	
Sweden	45 763 ⁽¹⁾	
Union	239 979	
TAC	Not relevant	Analytical TAC

⁽¹⁾ At least 92 % of landings counted against the quota must be of sprat. By-catches of herring are to be counted against the remaining 8 % of the quota (HER/*3BCDC).

ANNEX II

FISHING EFFORT LIMITS

1. Member States shall allocate the right to vessels flying their flag and fishing with trawls, Danish seines or similar gear of a mesh size equal to, or larger than, 90 mm, with gillnets, entangling nets or trammel nets of a mesh size equal to, or larger than, 90 mm, with bottom set lines, longlines except drifting lines, handlines and jigging equipment, to be up to:
 - (a) 147 days absent from port in ICES subdivisions 22-24, with the exception of the period from 1 to 30 April when Article 8(1)(a) of Regulation (EC) No 1098/2007 applies; and
 - (b) 146 days absent from port in ICES subdivisions 25-28, with the exception of the period from 1 July to 31 August when Article 8(1)(b) of Regulation (EC) No 1098/2007 applies.
 2. The maximum number of days absent from port per year for which a vessel may be present within the two areas referred to in point 1(a) and (b) fishing with the gear specified in point 1 may not exceed the maximum number of days absent from port allocated for one of those two areas.
 3. By way of derogation from points 1 and 2, and where efficient management of fishing opportunities so requires, a Member State may allocate to vessels flying its flag the right to additional days absent from port where an equal amount of days absent from port is withdrawn from other vessels flying its flag that are subject to effort restriction in the same area and where the capacity, in terms of kW, of each of the donor vessels is equal to, or larger than, that of the receiving vessels. The number of receiving vessels may not exceed 15 % of the total number of vessels of the Member State concerned, as indicated in point 1.
-

COUNCIL REGULATION (EU) No 1181/2013**of 19 November 2013****fixing an adjustment rate to direct payments provided for in Council Regulation (EC) No 73/2009 in respect of calendar year 2013 and repealing Commission Implementing Regulation (EU) No 964/2013**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

and was used by the Commission as a basis for Implementing Regulation (EU) No 964/2013.

- (1) On 25 March 2013, the Commission adopted a proposal for a Regulation of the European Parliament and of the Council on fixing an adjustment rate to direct payments provided for in Council Regulation (EC) No 73/2009 ⁽¹⁾ in respect of calendar year 2013. Since the European Parliament and the Council had not determined this adjustment by 30 June, as provided for in Article 11(2) of Regulation (EC) No 73/2009 the Commission, in accordance with Article 18(4) of Council Regulation (EC) No 1290/2005 ⁽²⁾, has set itself that adjustment in Commission Implementing Regulation (EU) No 964/2013 ⁽³⁾.
- (2) The forecasts for the direct payments and market related expenditure of Commission Amending Letter No 2 to the 2014 Draft Budget show the need to adapt the amount of financial discipline which was taken into account in the Draft Budget 2014. That Amending Letter has been established taking into account an amount of financial discipline of EUR 902,9 million, including an amount for the reserve for crises in the agricultural sector.
- (3) On 16 October 2013, the Commission adopted a proposal for a Council Regulation to fix another adjustment rate for direct payments, in respect of calendar year 2013, based on Article 18(4) and (5) of Regulation (EC) No 1290/2005.
- (4) Article 18(4) of Regulation (EC) No 1290/2005 empowers the Commission to set those adjustments
- (5) Article 18(5) of Regulation (EC) No 1290/2005 provides that until 1 December, on the basis of new information in its possession, the Council is able to adapt the adjustment rate for direct payments. However, taking into account the judgment of the Court of Justice of 6 May 2008 in Case C-133/06 ⁽⁴⁾, that derived legal basis can no longer be lawfully used.
- (6) Article 43(3) TFEU enables the Council to adopt measures on fixing aid. Therefore, in the framework of the financial discipline, the adjustment rate for direct payments to be granted to a farmer for an aid application should be fixed on that legal basis.
- (7) As a general rule, farmers submitting an aid application for direct payments for one calendar year (N) are paid within a fixed payment period falling under the financial year (N + 1). However, Member States have the possibility to make late payments, within certain limits, to farmers beyond this payment period without any time limits. Such late payments may fall in a later financial year. When financial discipline is applied for a given calendar year, the adjustment rate should not be applied to payments for which aid applications have been submitted in the calendar years other than that for which the financial discipline applies. Therefore, in order to ensure equal treatment of farmers, it is appropriate to provide that the adjustment rate should only apply to payments for which aid applications have been submitted in the calendar year for which the financial discipline is applied, irrespectively of when the payments to farmers are made.
- (8) In the political agreement on the reform of Common Agricultural policy of 26 June 2013, it has been decided that financial discipline will apply to the direct payments in excess of EUR 2 000. Moreover, it has also been agreed that the reimbursement of unused appropriations (if any) at the end of a financial year would be paid to farmers the following year subject to the financial discipline. In order to ensure consistency, it is appropriate to set the same threshold over the years. The financial discipline should be applied in a similar way for calendar year 2013 to be consistent with what has been agreed to apply in the future; therefore, it is appropriate to provide for the application of the adjustment rate only for amounts in excess of EUR 2 000.
- ⁽¹⁾ Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers (OJ L 30, 31.1.2009, p. 16).
- ⁽²⁾ Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy (OJ L 209, 11.8.2005, p. 1).
- ⁽³⁾ Commission Implementing Regulation (EU) No 964/2013 of 9 October 2013 on fixing an adjustment rate to direct payments provided for in Regulation (EC) No 73/2009 in respect of calendar year 2013 (OJ L 268, 10.10.2013, p. 5).
- ⁽⁴⁾ Case C-133/06 European Parliament v Council [2008] ECR I-3189.

- (9) Article 11(3) of Regulation (EC) No 73/2009 provides that, in the framework of the application of the schedule of increments provided for in Article 121 of that Regulation to all direct payments granted in the new Member States within the meaning of Article 2(g) of that Regulation, the financial discipline should not apply to the new Member States until the beginning of the calendar year in respect of which the level of direct payments applicable in the new Member States is at least equal to the then-applicable level of such payments in the other Member States. Since the direct payments are still subject to the application of the schedule of increments in calendar year 2013 in Bulgaria and Romania, the adjustment rate to be determined by this Regulation should not apply to payments to farmers in these Member States.
- (10) Regulation (EC) No 73/2009 has been amended by the Act of Accession of Croatia. Since Croatia is subject to the application of the schedule of increments provided for in Article 121 of Regulation (EC) No 73/2009 in calendar year 2013 the adjustment rate to be determined by this Regulation should not apply to payments to farmers in Croatia.
- (11) To ensure that the adapted rate is applicable as of the date provided for by Regulation (EC) No 73/2009 when the payments to the farmer should start, this Regulation should apply from 1 December 2013.
- (12) The new adjustment rate should be taken into account for the calculation of the entirety of the payments to be granted to a farmer for an aid application submitted in respect of calendar year 2013. For sake of clarity, Implementing Regulation (EU) No 964/2013 should therefore be repealed,
- HAS ADOPTED THIS REGULATION:
- Article 1*
1. The amounts of direct payments within the meaning of Article 2(d) of Regulation (EC) No 73/2009 to be granted to a farmer in excess of EUR 2 000 for an aid application submitted in respect of calendar year 2013 shall be reduced by 2,453658 %.
2. The reduction provided for in paragraph 1 shall not apply in Bulgaria, Romania and Croatia.
- Article 2*
- Implementing Regulation (EU) No 964/2013 is repealed.
- Article 3*
- This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.
- It shall apply from 1 December 2013.

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

Done at Brussels, 19 November 2013.

For the Council
The President
L. LINKEVIČIUS

COUNCIL REGULATION (EU) No 1182/2013**of 19 November 2013****amending Regulations (EC) No 754/2009, (EU) No 1262/2012, (EU) No 39/2013 and (EU) No 40/2013 as regards certain fishing opportunities**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EC) No 2371/2002⁽¹⁾ requires that Union measures governing access to waters and resources and the sustainable pursuit of fishing activities be established taking into account available scientific, technical and economic advice and in particular reports drawn up by the Scientific, Technical and Economic Committee for Fisheries (STECF), as well as advice received from Regional Advisory Councils.
- (2) By Council Regulation (EC) No 754/2009⁽²⁾, the Council excluded certain groups of vessels from the fishing effort regime laid down in Chapter III of Council Regulation (EC) No 1342/2008⁽³⁾. The allowable fishing effort for vessels subject to that regime is currently fixed by Annex IIA to Council Regulation (EU) No 39/2013⁽⁴⁾ and Annex IIA to Council Regulation (EU) No 40/2013⁽⁵⁾.
- (3) In June 2013, the International Council for the Exploration of the Sea (ICES) published its advice for Northern hake in 2014. In that advice, ICES indicates that the stock's biomass is at a record high in 2013 and, furthermore, that fishing mortality has decreased sharply in recent years. ICES advised that in 2014, the TAC may be raised by 49 % to 81 846 tonnes. Ireland and Spain requested, in light of this advice, that the TAC in force for this stock be raised in-year from 55 105 tonnes to 69 440 tonnes, to meet the level of landings that ICES estimates as corresponding with the current levels of fishing mortality, which are in turn consistent with maximum sustainable yield. The request is deemed acceptable based on the commitment by the Member States concerned to ensure, through rigorous control of the fishery, that fishing effort and therefore fishing mortality rates remain constant.
- (4) A group of vessels flying the flag of Spain and fishing in the West of Scotland is currently excluded from the application of the fishing effort regime laid down in Regulation (EC) No 1342/2008. On the basis of information provided by Spain in 2013, the STECF was not in a position to assess whether the conditions set out in Regulation (EC) No 1342/2008 remained fulfilled in the 2012 management period. It is therefore appropriate to reinclude this group of Spanish vessels in that fishing effort regime. Regulation (EC) No 754/2009 and Annex IIA to Regulation (EU) No 39/2013 should therefore be amended accordingly.
- (5) A group of vessels flying the flag of France and fishing in the North Sea is currently excluded from the application of the fishing effort regime laid down in Regulation (EC) No 1342/2008. On the basis of information provided by France in 2013, the STECF assessed that catches for those vessels exceeded the established threshold. It is therefore appropriate to reinclude that group of French vessels in that fishing effort regime. Regulation (EC) No 754/2009 and Annex IIA to Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (6) A group of vessels flying the flag of the United Kingdom and targeting queen scallops (*Aequipecten opercularis*) around the Isle of Man in the Irish Sea is currently excluded from the application of the effort regime laid down Regulation (EC) No 1342/2008. However, due to a mathematical error, the effort ceilings in Annex IIA to Regulation (EU) No 39/2013 do not reflect this exclusion. Regulation (EU) No 39/2013 should therefore be corrected accordingly.

⁽¹⁾ Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy (OJ L 358, 31.12.2002, p. 59).

⁽²⁾ Council Regulation (EC) No 754/2009 of 27 July 2009 excluding certain groups of vessels from the fishing effort regime laid down in Chapter III of Regulation (EC) No 1342/2008 (OJ L 214, 19.8.2009, p. 16).

⁽³⁾ Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004 (OJ L 348, 24.12.2008, p. 20).

⁽⁴⁾ Council Regulation (EU) No 39/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements (OJ L 23, 25.1.2013, p. 1).

⁽⁵⁾ Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 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 (OJ L 23, 25.1.2013, p. 54).

- (7) Council Regulation (EU) No 1262/2012 ⁽¹⁾ fixes catch limits for 2013 and 2014 as regards a list of deep-sea sharks. The Commission requested ICES to give it advice on whether it is appropriate to revise that list. ICES concluded that there is sufficient scientific information supporting the exclusion of blackmouth catshark (*Galeus melastomus*) and the inclusion of all species of the genus *Centrophorus* (*Centrophorus* spp.) on the list of deep-sea sharks. Regulation (EU) No 1262/2012 should therefore be amended accordingly.
- (8) In accordance with the outcome of consultations between coastal states on the management of mackerel, blue whiting, Atlanto-Scandian herring and North Sea haddock, the Union may authorise fishing by Union vessels of up to 10 % beyond the quota available to the Union, provided that any quantities used beyond the quota available to the Union would be deducted from its quota for 2014. Similarly, the Union may use in 2014 any unused quantities up to 10 % of the quota available to it in 2013. It is appropriate to enable such flexibility in the fixing of those fishing opportunities in order to ensure a level-playing field for Union vessels by allowing the Member States concerned to opt for the use of a flexibility quota. Where a Member State has not opted for the use of the flexibility quota in respect of a particular stock, it is appropriate that Articles 3 and 4 of Regulation (EC) No 847/96 continue to apply in accordance with Article 10(2) of Regulation (EU) No 40/2013.
- (9) At its Annual Meeting in 2013, the Indian Ocean Tuna Commission (IOTC) adopted a Resolution aiming at the protection of oceanic whitetip sharks and applicable to fishing vessels on the IOTC Record of Authorised Vessels by prohibiting, as an interim pilot measure, to retain on board, tranship, land or store any part or whole carcass of oceanic whitetip shark. The resolution provides for an exception for artisanal fisheries, namely fishing vessels engaged in fishing operations within the Exclusive Economic Zone (EEZ) of the Member State whose flag they fly. Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (10) At its Annual Meeting in 2010, the Western and Central Pacific Fisheries Commission (WCPFC) adopted a recommendation limiting the number of vessels actively fishing for south Pacific albacore in the Convention Area south of 20° S. Consequently, it should be ensured that Union vessels continue to operate without targeting that species in the WCPFC Convention Area south of 20° S. Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (11) Fishing opportunities for Union vessels in Norwegian waters and for Norwegian vessels in Union waters are established each year in the light of consultations on fishing rights held in accordance with the bilateral agreement on fisheries with Norway ⁽²⁾. Pending the conclusion of those consultations on the arrangements for 2013, Regulation (EU) No 40/2013 fixed provisional fishing opportunities for the stocks concerned. On 18 January 2013, the consultations with Norway were concluded, and Council Regulation (EU) No 297/2013 ⁽³⁾ amended the relevant provisions of Regulation (EU) No 40/2013. However, the stock of tusk in Norwegian waters of IV was erroneously excluded from Regulation (EU) No 297/2013. Furthermore, the amount of blue whiting that Norway can fish in Union waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W did not reflect the agreed record after consultations with that country. Annex IA to Regulation (EU) No 40/2013 should therefore be amended accordingly.
- (12) An error was identified in the number of vessels and the capacity allocated to the Union and authorised to fish for swordfish and albacore in the IOTC Convention Area. Annex VI to Regulation (EU) No 40/2013 should therefore be corrected accordingly.
- (13) Pursuant to the 2012 Act of Accession and Croatia's accession on 1 July 2013, provisions on the allocation of fishing opportunities allocated at Union level to Croatia in 2013 should be included in the relevant Union instruments. The figures concerning the Croatian bluefin tuna fishing and farming capacities added by this Regulation reflect the provisions of the International Commission for the Conservation of Atlantic Tunas (ICCAT) bluefin tuna recovery plan for Croatia until 2013. Furthermore, in accordance with Article 5 of Council Regulation (EC) No 302/2009 ⁽⁴⁾, each Member State is to ensure that its fishing capacity is commensurate with its quota.

⁽¹⁾ Council Regulation (EU) No 1262/2012 of 20 December 2012 fixing for 2013 and 2014 the fishing opportunities for EU vessels for certain deep-sea fish stocks (OJ L 356, 22.12.2012, p. 22).

⁽²⁾ Agreement on fisheries between the European Economic Community and the Kingdom of Norway (OJ L 226, 29.8.1980, p. 48).

⁽³⁾ Council Regulation (EU) No 297/2013 of 27 March 2013 amending Regulations (EU) No 44/2012, (EU) No 39/2013 and (EU) No 40/2013 as regards certain fishing opportunities (OJ L 90, 28.3.2013, p. 10).

⁽⁴⁾ Council Regulation (EC) No 302/2009 of 6 April 2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean, amending Regulation (EC) No 43/2009 and repealing Regulation (EC) No 1559/2007 (OJ L 96, 15.4.2009, p. 1).

(14) The provisions of this Regulation concerning fishing effort limits should apply from 1 February 2013. The provisions concerning catch limits and allocations should apply from 1 January 2013, except for the new provisions regarding WCPFC and IOTC, which should apply from the date of entry into force of this Regulation. The provisions included as a result of the accession of Croatia to the European Union should apply from the date of that accession. Such retroactive application will be without prejudice to the principle of legal certainty as the fishing opportunities concerned have not yet been exhausted. Since modifications of effort regimes have a direct influence on the economic activities of the fleets concerned, this Regulation should enter into force immediately upon its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 754/2009

In Article 1 of Regulation (EC) No 754/2009, points (b) and (j) are deleted.

Article 2

Amendments to Regulation (EU) No 1262/2012

The Annex to Council Regulation (EU) No 1262/2012 is amended in accordance with the text set out in Annex I to this Regulation.

Article 3

Amendments to Regulation (EU) No 39/2013

1. Annex I to Regulation (EU) No 39/2013 is amended in accordance with the text set out in Annex II to this Regulation.
2. Annex IIA to Regulation (EU) No 39/2013 is amended in accordance with the text set out in Annex III to this Regulation.

Article 4

Amendments to Regulation (EU) No 40/2013

Regulation (EU) No 40/2013 is amended as follows:

- (1) the following Article is inserted:

'Article 6a

Flexibility in the fixing of fishing opportunities of certain stocks

1. This Article shall apply to the following stocks:

- (a) haddock in zone IV, EU waters of IIa;
- (b) blue whiting in EU and international waters of I, II, III, IV, V, VI, VII, VIIla, VIIlb, VIIId, VIIle, XII and XIV;

- (c) mackerel in zones IIIa and IV; EU waters of IIa, IIIb, IIIc and IIId;
- (d) mackerel in areas VI, VII, VIIla, VIIlb, VIIId and VIIle; EU and international waters of Vb; international waters of IIa, XII and XIV;
- (e) mackerel in zones VIIlc, IX and X; EU waters of CECAF 34.1.1;
- (f) mackerel in Norwegian waters of IIa and IVa;
- (g) herring in EU, Norwegian and international waters of I and II.

2. For any of the stocks identified in paragraph 1, a Member State may opt to increase its initial set in Annex I quota by up to 10 %. The Member State concerned shall notify its decision to the Commission in writing. Upon such notification, the increased quota shall be considered as the quota allocated to that Member State for 2013.

3. Any quantities used in 2013 under such increased quota, that exceed the initial quota, shall be deducted on a tonne-for-tonne basis for the purpose of calculating the quota of the Member State concerned for the relevant stock for 2014.

4. Any quantities not used under the initial quota up to 10 % of that quota shall be added for the purpose of calculating the quota of the Member State concerned for the relevant stock for 2014.

5. Any quantities transferred to other Member States pursuant to Article 20(5) of Regulation (EC) No 2371/2002 as well as any quantities deducted pursuant to Articles 37, 105 and 107 of Regulation (EC) No 1224/2009 shall be taken into account for the purpose of establishing quantities used and quantities not used under paragraphs 3 and 4 of this Article.

6. Where a Member States has used the option in paragraph 2 of this Article in respect of a particular stock, Articles 3 and 4 of Regulation (EC) No 847/96 shall not apply to such stock in respect of that Member State.';

- (2) in Article 10(2), the words 'Annex I to' are deleted;

- (3) Article 23 is replaced by the following:

'Article 23

Sharks

1. Retaining on board, transshipping or landing any part or whole carcass of thresher sharks of all the species of the family *Alopiidae* in any fishery shall be prohibited.

2. Retaining on board, transshipping or landing any part or whole carcass of oceanic whitetip sharks (*Carcharhinus longimanus*) in any fishery shall be prohibited, except for vessels under 24 metres overall length engaged solely in fishing operations within the Exclusive Economic Zone of the Member State whose flag they fly, and provided that their catch is destined solely for local consumption.

3. When accidentally caught, species referred to in paragraph 1 and 2 shall not be harmed. Specimens shall be promptly released.’;

(4) Article 29 is replaced by the following:

‘Article 29

Conditions for bigeye tuna, yellowfin tuna, skipjack tuna and south Pacific albacore fisheries

1. Member States shall ensure that the number of fishing days allocated to purse-seine vessels fishing for bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*) and skipjack tuna (*Katsuwonus pelamis*) in the part of the WCPFC Convention Area in the high seas and located between 20° N and 20° S does not increase.

2. EU vessels shall not target south Pacific albacore (*Thunnus alalunga*) in the WCPFC Convention Area south of 20° S.’.

(5) Annex IA is amended in accordance with the text set out in Annex IV to this Regulation.

(6) Annex ID is amended in accordance with the text set out in Annex V to this Regulation.

(7) Annex IIA is amended in accordance with the text set out in Annex VI to this Regulation.

(8) Annex IV is amended in accordance with the text set out in Annex VII to this Regulation.

(9) Annex VI is amended in accordance with the text set out in Annex VIII to this Regulation.

Article 5

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*.

However, Articles 3(1), 4(1), 4(2), 4(5) and 4(9) shall apply from 1 January 2013. Article 1 and Articles 3(2) and 4(7) shall apply from 1 February 2013 and Article 4(6) and (8) shall apply from 1 July 2013.

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

Done at Brussels, 19 November 2013.

For the Council

The President

L. LINKEVIČIUS

ANNEX I

In Part 1 of the Annex to Regulation (EU) No 1262/2012, point 2 is replaced by the following:

‘2. For the purposes of this Regulation, “deep-sea sharks” means the following list of species:

Common name	Alpha-3 code	Scientific name
Deep-water catsharks	API	<i>Apristurus</i> spp.
Frilled shark	HXC	<i>Chlamydoselachus anguineus</i>
Gulper sharks	CWO	<i>Centrophorus</i> spp.
Portuguese dogfish	CYO	<i>Centroscymnus coelolepis</i>
Longnose velvet dogfish	CYP	<i>Centroscymnus crepidater</i>
Black dogfish	CFB	<i>Centrosyllium fabricii</i>
Birdbeak dogfish	DCA	<i>Deania calcea</i>
Kitefin shark	SCK	<i>Dalatias licha</i>
Greater lanternshark	ETR	<i>Etmopterus princeps</i>
Velvet belly	ETX	<i>Etmopterus spinax</i>
Mouse catshark	GAM	<i>Galeus murinus</i>
Bluntnose six-gilled shark	SBL	<i>Hexanchus griseus</i>
Sailfin roughshark (Sharpback shark)	OXN	<i>Oxynotus paradoxus</i>
Knifetooth dogfish	SYR	<i>Scymnodon ringens</i>
Greenland shark	GSK	<i>Somniosus microcephalus</i>

ANNEX II

In Part B of Annex I to Regulation (EU) No 39/2013, the four entries for the Northern component of the stock of hake are replaced by the following:

Species: Hake <i>Merluccius merluccius</i>		Zone: IIIa; EU waters of Subdivisions 22-32 (HKE/3A/BCD)
Denmark	1 929 ⁽²⁾	
Sweden	164 ⁽²⁾	
Union	2 093	
TAC	2 093 ⁽¹⁾	Analytical TAC

⁽¹⁾ Within the following overall TAC for the northern stock of hake:
69 440

⁽²⁾ Transfers of this quota may be effected to EU waters of IIa and IV. However, such transfers shall be notified in advance to the Commission.

Species: Hake <i>Merluccius merluccius</i>		Zone: EU waters of IIa and IV (HKE/2AC4-C)
Belgium	35	
Denmark	1 409	
Germany	162	
France	312	
Netherlands	81	
United Kingdom	439	
Union	2 438	
TAC	2 438 ⁽¹⁾	Analytical TAC

⁽¹⁾ Within the following overall TAC for the northern stock of hake:
69 440

Species: Hake <i>Merluccius merluccius</i>	Zone: VI and VII; EU and international waters of Vb; international waters of XII and XIV (HKE/571214)
Belgium	358 ⁽¹⁾ ⁽³⁾
Spain	11 478 ⁽³⁾
France	17 726 ⁽¹⁾ ⁽³⁾
Ireland	2 148 ⁽³⁾
Netherlands	231 ⁽¹⁾ ⁽³⁾
United Kingdom	6 998 ⁽¹⁾ ⁽³⁾
Union	38 939
TAC	38 939 ⁽²⁾

Analytical TAC
 Article 11 of this Regulation applies

⁽¹⁾ Transfers of this quota may be effected to EU waters of IIa and IV. However, such transfers must be notified in advance to the Commission.

⁽²⁾ Within the following overall TAC for the northern stock of hake:
69 440

⁽³⁾ In addition to this quota, a Member State may grant to vessels flying its flag and participating in trials on fully documented fisheries an additional allocation within an overall limit of 1 % of the quota allocated to that Member State, pursuant to Chapter II of Title II of this Regulation.

Special condition:

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

	VIIIa, VIIIb, VIId and VIIE (HKE/*8ABDE)
Belgium	46
Spain	1 852
France	1 852
Ireland	231
Netherlands	23
United Kingdom	1 042
Union	5 046

Species: Hake <i>Merluccius merluccius</i>		Zone: VIIIa, VIIIb, VIIIc and VIIIe (HKE/SABDE.)
Belgium	12 ⁽¹⁾	
Spain	7 991	
France	17 944	
Netherlands	23 ⁽¹⁾	
Union	25 970	
TAC	25 970 ⁽²⁾	Analytical TAC

⁽¹⁾ Transfers of this quota may be effected to IV and EU waters of IIa. However, such transfers must be notified in advance to the Commission.

⁽²⁾ Within the following overall TAC for the northern stock of hake:
69 440

Special condition:

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

	VI and VII; EU and international waters of Vb; international waters of XII and XIV (HKE/*57-14)
Belgium	2
Spain	2 315
France	4 166
Netherlands	7
Union	6 490'

ANNEX III

Annex IIA to Regulation (EU) No 39/2013 is amended as follows:

(a) the column for the United Kingdom (UK) in Table (c) of Appendix 1 is replaced by the following:

Regulated gear	UK
TR1	339 592
TR2	1 086 399
TR3	0
BT1	0
BT2	111 693
GN	5 970
GT	158
LL	70 614'

(b) the column for Spain (ES) in Table (d) of Appendix 1 is replaced by the following:

Regulated gear	ES
TR1	249 152
TR2	0
TR3	0
BT1	0
BT2	0
GN	13 836
GT	0
LL	1 402 142'

ANNEX IV

Annex IA to Regulation (EU) No 40/2013 is amended as follows:

(a) the entry for tusk in Norwegian waters of IV is replaced by the following:

Species: Tusk <i>Brosme brosme</i>		Zone: Norwegian waters of IV (USK/04-N.)
Belgium	0	
Denmark	165	
Germany	1	
France	0	
Netherlands	0	
United Kingdom	4	
Union	170	
TAC	Not relevant'	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.

(b) the entry for blue whiting in EU waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W is replaced by the following:

Species: Blue whiting <i>Micromesistius poutassou</i>		Zone: EU waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W (WHB/24A567)
Norway	99 408 ⁽¹⁾ ⁽²⁾	
TAC	643 000	Analytical TAC

⁽¹⁾ To be counted against Norway's catch limits established under the Coastal States arrangement.

⁽²⁾ Special condition: the catch in IV shall be no more than 24 852 tonnes, i.e. 25 % of Norway's access quota.'

ANNEX V

In Annex ID to Regulation (EU) No 40/2013, the entry for Bluefin tuna in the Atlantic Ocean, east of 45° W, and Mediterranean is replaced by the following:

Species: Bluefin tuna <i>Thunnus thynnus</i>		Zone: Atlantic Ocean, east of 45° W, and Mediterranean (BFT/AE45WM)
Cyprus	69,44 ⁽⁴⁾ ⁽⁷⁾	
Greece	129,07 ⁽⁷⁾	
Spain	2 504,45 ⁽²⁾ ⁽⁴⁾ ⁽⁷⁾	
France	2 471,23 ⁽²⁾ ⁽³⁾ ⁽⁴⁾	
Italy	1 950,42 ⁽⁴⁾ ⁽⁵⁾ ⁽⁷⁾	
Croatia	390,59 ⁽⁶⁾ ⁽⁷⁾	
Malta	160,02 ⁽⁴⁾ ⁽⁷⁾	
Portugal	235,50 ⁽⁷⁾	
Other Member States	27,93 ⁽¹⁾ ⁽⁷⁾	
Union	7 938,65 ⁽²⁾ ⁽³⁾ ⁽⁴⁾	
TAC	13 400	Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply. Article 4 of Regulation (EC) No 847/96 shall not apply.

⁽¹⁾ Except Cyprus, Greece, Spain, France, Croatia, Italy, Malta and Portugal, and exclusively as by-catch.

⁽²⁾ Special condition: within this TAC, the following catch limits and allocation between Member States shall apply to catches of bluefin tuna between 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 1 of Annex IV (BFT/*8301):

Spain	364,09
France	164,27
Union	528,36

⁽³⁾ Special condition: within this TAC, the following catch limits and allocation between Member States shall apply to catches of bluefin tuna weighing no less than 6,4 kg or measuring no less than 70 cm by the vessels referred to in point 1 of Annex IV (BFT/*641):

France	100
Union	100

⁽⁴⁾ Special condition: within this TAC, the following catch limits and allocations between Member States shall apply to catches of bluefin tuna between and 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 2 of Annex IV (BFT/*8302):

Spain	50,09
France	49,42
Italy	39,01
Cyprus	3,20
Malta	4,71
Union	146,43

⁽⁵⁾ Special condition: within this TAC, the following catch limits and allocations between Member States shall apply to catches of bluefin tuna between and 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 3 of Annex IV (BFT/*643):

Italy	39,01
Union	39,01

(⁶) Special Condition: within this TAC, the following catch limits and allocations between Member States shall apply to catches of bluefin tuna between 8 kg/75 cm and 30 kg/115 cm by the vessels referred to in point 3 of Annex IV for farming purposes (BFT/*8303F):

Croatia	351,53
Union	351,53

(⁷) By derogation from Article 7(2) of Regulation (EC) No 302/2009, purse seine fishing for bluefin tuna shall be authorised in the Eastern Atlantic and Mediterranean from 26 May to 24 June 2013 included.

ANNEX VI

In Annex IIA to Regulation (EU) No 40/2013, the column for France (FR) in Appendix 1 is replaced by the following:

Regulated gear	FR
TR1	1 505 354
TR2	6 496 811
TR3	101 316
BT1	0
BT2	1 202 818
GN	342 579
GT	4 338 315
LL	125 141'

ANNEX VII

Annex IV to Regulation (EU) No 40/2013 is replaced by the following:

‘ANNEX IV

ICCAT CONVENTION AREA ⁽¹⁾

1. Maximum number of EU bait boats and trolling boats authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Eastern Atlantic

Spain	60
France	8
Union	68

2. Maximum number of EU coastal artisanal fishing vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Mediterranean

Spain	119
France	87
Italy	30
Cyprus	7
Malta	28
Union	316

3. Maximum number of EU vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Adriatic Sea for farming purposes:

Croatia	9
Italy	12
Union	21

4. Maximum number and total capacity in gross tonnage of fishing vessels of each Member State that may be authorised to fish for, retain on board, tranship, transport, or land bluefin tuna in the eastern Atlantic and Mediterranean

Table A

Number of fishing vessels							
	Cyprus	Croatia	Greece	Italy	France	Spain	Malta ⁽¹⁾
Purse Seiners	1	9	1	12	17	6	1
Longliners	4	0	0	30	8	12	20
Baitboat	0	0	0	0	8	60	0
Handline	0	12	0	0	29	2	0

⁽¹⁾ The numbers shown in Sections 1, 2 and 3 may decrease in order to comply with international obligations of the Union.

Number of fishing vessels							
	Cyprus	Croatia	Greece	Italy	France	Spain	Malta ⁽¹⁾
Trawler	0	0	0	0	57	0	0
Other artisanal ⁽²⁾	0	0	16	0	87	32	0

⁽¹⁾ One medium size purse seiner may be replaced by no more than 10 longline vessels.

⁽²⁾ Polyvalent vessels, using multi-gear equipment (longline, handline, trolling line).

Table B

Total capacity in gross tonnage							
	Cyprus	Croatia	Greece	Italy	France	Spain	Malta
Purse Seiners	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Longliners	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Baitboats	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Handlines	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Trawlers	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Other artisanal	To be established	To be established	To be established	To be established	To be established	To be established	To be established

5. Maximum number of traps engaged in the eastern Atlantic and Mediterranean bluefin tuna fishery authorised by each Member State

	Number of traps
Spain	5
Italy	6
Portugal	1 ⁽¹⁾

⁽¹⁾ This number may be further increased, provided that the international obligations of the Union are complied with.

6. Maximum bluefin tuna farming capacity and fattening capacity for each Member State and maximum input of wild caught bluefin tuna that each Member State may allocate to its farms in the eastern Atlantic and Mediterranean

Table A

Maximum tuna farming capacity and fattening capacity		
	Number of farms	Capacity (in tonnes)
Spain	17	11 852
Italy	15	13 000

Maximum tuna farming capacity and fattening capacity		
	Number of farms	Capacity (in tonnes)
Greece	2	2 100
Cyprus	3	3 000
Croatia	7	7 880
Malta	8	12 300

Table B

Maximum input of wild caught bluefin tuna (in tonnes)	
Spain	5 855
Italy	3 000
Greece	785
Cyprus	2 195
Croatia	2 947
Malta	8 768'

ANNEX VIII

In Annex VI to Regulation (EU) No 40/2013, point 2 is replaced by the following:

'2. Maximum number of EU vessels authorised to fish for swordfish and albacore in the IOTC Convention Area

Member State	Maximum number of vessels	Capacity (gross tonnage)
Spain	27	11 590
France	41	5 382
Portugal	15	6 925
United Kingdom	4	1 400
Union	87	25 297'

COMMISSION IMPLEMENTING REGULATION (EU) No 1183/2013**of 12 November 2013****entering a name in the register of protected designations of origin and protected geographical indications (Slovenski med (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Slovenia's application to register the name 'Slovenski med' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth 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, 12 November 2013.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 157, 4.6.2013, p. 12.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.4. Other products of animal origin (eggs, honey, various dairy products except butter, etc.)

SLOVENIA

Slovenski med (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1184/2013**of 12 November 2013****entering a name in the register of protected designations of origin and protected geographical indications (Prés-salés du Mont-Saint-Michel (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and food-stuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, France's application to register the name 'Prés-salés du Mont-Saint-Michel' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Prés-salés du Mont-Saint-Michel' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth 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, 12 November 2013.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 57, 27.2.2013, p. 19.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.1. Fresh meat (and offal)

FRANCE

Prés-salés du Mont-Saint-Michel (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 1185/2013

of 21 November 2013

entering a name in the register of protected designations of origin and protected geographical indications (Pâté de Campagne Breton (PGI))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and food-stuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Regulation (EU) No 1151/2012 repealed and replaced Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and food-stuffs ⁽²⁾.
- (2) Pursuant to Article 6(2) of Regulation (EC) No 510/2006, France's application to register the name 'Pâté de Campagne Breton' was published in the *Official Journal of the European Union* ⁽³⁾.
- (3) The Netherlands stated its opposition to the registration under Article 7(1) of Regulation (EC) No 510/2006. That opposition was deemed admissible under Article 7(3) of the Regulation.
- (4) The statement of opposition related essentially to non-compliance with the conditions set out in Article 2(1)(b) of Regulation (EC) No 510/2006 and specifically to the fact that the raw material, i.e. pigmeat, must come from pig breeds recognised in France and is not subject to objective quality criteria.

(5) By letter of 24 October 2012 the Commission asked the interested parties to hold appropriate consultations.

(6) France and the Netherlands reached agreement within the stipulated six-month period. Under that agreement, minor amendments were made to the specification and the single document by deleting the paragraphs relating to the pigs' genetics and replacing them by objective criteria introducing a causal link between the quality of the pigmeat and that of the end product.

(7) The name 'Pâté de Campagne Breton' should therefore be entered in the register of protected designations of origin and protected geographical indications; the single document should be adapted and the amended version of it published,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in Annex I to this Regulation is hereby entered in the register.

Article 2

Annex II to this Regulation contains the consolidated Single Document setting out the main points of the specification.

Article 3

This Regulation shall enter into force on the twentieth 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, 21 November 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ C 91, 28.3.2012, p. 4.

ANNEX I

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.2. Meat products (cooked, salted, smoked, etc.)

FRANCE

Pâté de Campagne Breton (PGI)

ANNEX II

Consolidated single document

Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾

'PÂTÉ DE CAMPAGNE BRETON'

EC No: FR-PGI-0005-0879-23.5.2011

PGI (X) PDO ()**1. Name**

'Pâté de Campagne Breton'

2. Member State or third country

France

3. Description of the agricultural product or foodstuff**3.1. Type of product**

Class 1.2. Meat products (cooked, salted, smoked, etc.)

3.2. Description of the product to which the name in (1) applies

'Pâté de Campagne Breton' is a pure pork pâté made from pigmeat and pig offal. It must contain the following meat ingredients: skinned throats (≥ 25 %), liver (≥ 20 %), cooked rinds (≥ 5 %) and fresh onions (≥ 5 %). The meat ingredients and the onions must be fresh.

'Pâté de Campagne Breton' is composed of several large, coarsely minced pieces distributed uniformly throughout a slice. Its colour is darkish, its texture firm and it has a pronounced taste of meat, liver and onions.

In addition to the ingredients which must be present in 'Pâté de Campagne Breton', non-meat ingredients represent a maximum of 15 % of the total mass used, onions excluded: water (in all its forms), broth ≤ 5 %, sugars (saccharose, dextrose, lactose) ≤ 1 %, fresh whole eggs, fresh egg whites ≤ 2 % by weight of dry matter/stuffing, flour, starches ≤ 3 %, ascorbic acid and sodium ascorbate (max. 0,03 % of the total mass used), jelly and pig's G gelatin, salt: ≤ 2 %, pepper: $\leq 0,3$ %, other spices (nutmeg, garlic, shallot, parsley, thyme, laurel), ciders and apple-based spirits (eau-de-vie, lambig, etc.), Chouchen, sodium or potassium nitrite, plain caramel for the browning.

The following ingredients, taken together, must not exceed 1,7 % of the total mass used: jelly and pig's G gelatin, nutmeg, garlic, shallot, parsley, thyme, laurel, ciders and apple-based spirits (eau-de-vie, lambig, etc.), Chouchen, sodium or potassium nitrite.

During production, the diameter of the chopped pieces is varied according to the shape of the pâtés in order to achieve a satisfying appearance, whatever the size of the slice:

— For packaging sizes ≥ 200 g => diameter of pieces ≥ 8 mm,

— For packaging sizes ≥ 200 g => diameter of pieces ≥ 6 mm.

The pieces are then mixed with the fine stuffing consisting of the minced meat and non-meat ingredients. The fats may be scalded and added warm to the stuffing. The stuffing is then packed and cooked in the oven or aseptically canned (packed in a metal can, a glass bowl or a jar).

In the case of products that are presented fresh, the preparation is covered with a fresh pig's caul and cooked in the oven in order to obtain a characteristic crust. The preserved pâtés are browned in the oven until a brown crust forms and then set and sterilised.

3.3. Raw materials (for processed products only)

In order to reduce the presence of animals bearing genetically unfavourable characteristics, the pigs must be free of allele RN less.

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Replaced by Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

The meats used in the production of 'Pâté de Campagne Breton' must derive from pig carcasses weighing more than 80 kilograms. Carcasses that are too light and of low nutritional and technological quality are excluded.

In order to limit stress, which is detrimental to the quality of the meat and fat, the animals must be free of the allele making them sensitive to halothane and there must be a minimum period of two hours between the unloading of the animal at the slaughterhouse and the time of slaughter.

3.4. *Feed (for products of animal origin only)*

The specification does not refer to any specific requirements.

3.5. *Specific steps in production that must take place in the defined geographical area*

The production of 'Pâté de Campagne Breton' is carried out in the geographical area.

3.6. *Specific rules concerning slicing, grating, packaging, etc.*

'Pâté de Campagne Breton' is presented:

- either fresh and packed in a terrine, under film or a modified atmosphere or under vacuum, or
- fresh and cut at the place of production, or
- fresh, sliced and packed under film or a modified atmosphere or under vacuum for self-service sale, or
- aseptically canned and packed in a glass bowl, a metal can or a jar.

Its weight varies between 40 g and 10 kg.

3.7. *Specific rules concerning labelling*

The labelling must include the following elements: the name of the PGI, 'Pâté de Campagne Breton', the name and address of the certifying body and, if applicable, its certified collective mark pursuant to the rules governing its use, as well as the European Union PGI logo.

4. **Concise definition of the geographical area**

The geographical area is the traditional production area of this product. It comprises the total areas of the following departments: Côtes-d'Armor, Finistère, Ille-et-Vilaine, Loire-Atlantique and Morbihan.

5. **Link with the geographical area**

5.1. *Specificity of the geographical area*

Historic Brittany corresponds to the traditional production area of 'Pâté de Campagne Breton'. Brittany has a centuries-long charcuterie-making tradition. In the days of Ducal Brittany in the 16th century, Breton families slaughtered their pigs and made their own cured meats.

Bretons have turned this distinctive factor to good use in the production of a wide variety of charcuterie products, in particular 'Pâté de Campagne Breton', which made it possible to avoid wasting offal and meat leftovers from the cutting up of a pig.

5.2. *Specificity of the product*

The specificity of 'Pâté de Campagne Breton' is based on a specific quality and special know-how as well as on the product's reputation.

A. *Specific quality*

The liver, the throat, the rind and possibly the edible parts of the head or the heart went into making 'Pâté de Campagne Breton'. The liver, which was considered a fine part of the animal, gives the pâté its taste, colour, smoothness and special flavour. Throats, cooked rinds and onions are three other indispensable traditional ingredients of 'Pâté de Campagne Breton', which also contribute to the product's specific organoleptic characteristics. The onions, found in most traditional Breton recipes, are used for seasoning.

The liver, lean meat and fat used in the product must be minced coarsely. The presence of large pieces of meat has to do with the production methods used formerly. Today, in order to preserve this special feature, charcuterie producers must master the mincing method in order to obtain pieces with a large diameter.

The presence of a caul on top of the pâté, formerly used to shape the filling and protect the product, is still an obligatory feature of 'Pâté de Campagne Breton' when presented fresh, in order to preserve its traditional appearance.

This makes it possible to obtain specific organoleptic characteristics: a firm and crisp texture, a pronounced taste of meat, cooked pork, liver and onions.

B. Another characteristic: special know-how

The former practice was to use the meats immediately after the pig was cut up. In the old days, the mechanical tools (meat axes, knives) used to cut up the pig and the meats resulted in large pieces and therefore in a coarsely minced pâté de campagne.

'Pâté de Campagne Breton' used to be cooked in the baker's or village's bread oven, in open dishes called 'plats sabots' or 'casse à pâté' or in receptacles. Cooking in a dry oven in open dishes causes the sugars to caramelise and provokes reactions that contribute to the brown colour of the crust. Prior to cooking, the pâté was also covered with a pig's caul intended to smoothen, shape and protect the preparation. It prevented the stuffing from running out and the product from drying. 'Pâté de Campagne Breton' owes its specificities to its production method, which has been passed on from generation to generation in the charcuterie trade and is officially recognised, as shown by the fact that a special definition of it is included in the 'Code des usages de la Charcuterie, de la Salaison et des Conserves de Viandes', under the category 'Pâté de campagne supérieur'.

C. A reputation

In line with the tradition of family-based production, the small-scale production of 'Pâté de Campagne Breton' has been maintained over the years. In olden times, this home-made dish was prepared after the 'Fest an oc'h', a feast held in connection with the sacrifice of pigs.

True to its reputation, 'Pâté de Campagne Breton' has an important place in France's culinary heritage.

For more than 30 years, Brittany's manufacturers have worked together to perpetuate the reputation and specificity of 'Pâté de Campagne Breton'. It is a charcuterie product that is appreciated by distributors and consumers alike.

Brittany's fish canning industry developed strongly at the end of the 19th century. Soon these companies started preserving other foods too by canning them aseptically. In fact, 'Pâté de Campagne Breton' was canned aseptically for the first time several decades ago. Nowadays, consumers appreciate both fresh and aseptically canned 'Pâté de Campagne Breton'.

5.3. Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)

'Pâté de Campagne Breton' derives from a long tradition of pig rearing and from the processing of pigs at their place of rearing. Very early on, Brittany's agricultural system started focusing on rearing, in particular on the rearing of pigs on each holding.

In this way producers learned to process all of the pieces of meat at their disposal. As production started immediately after the animal was cut up, the freshness of the product was guaranteed at a time when meat preservation methods were limited.

Traditionally, all the edible parts of the pig were used, which gave the product a particular texture and taste. The use of livers, considered a fine part of the pig at the beginning of the 20th century, soon became one of the principal characteristics of 'Pâté de Campagne Breton', giving it a pinkish colour and a very specific taste.

Producers made use of the extensive range of vegetables grown locally by introducing onions into 'Pâté de Campagne Breton'. The presence of onions contributes to the product's particular taste, because during cooking, the fruity taste of the onions comes to the fore and complements the meaty taste perfectly.

'Pâté de Campagne Breton' results from the know-how of the producers, who have succeeded in giving the product special characteristics. In addition to the ingredients used, the coarse mincing of the meat pieces makes it easy to identify the product when it is sliced. The brown crust is linked definitively to the product through a traditional cooking process in communal ovens.

As regards the pâté's reputation, several works classify 'Pâté de Campagne Breton' as a traditional Breton product or give its recipe. Many Breton guides, such as 'Le Finistère gourmand 1997/1998', contain references to the numerous Breton specialities and praise 'Pâté de Campagne Breton' in particular. Similarly, the 'Terroir de Bretagne' guide praises the Breton charcuterie tradition: '(...) Forty, even fifty, kilograms of "Pâté de Campagne Breton" are produced every week by a country charcuterie-maker. Each producer jealously guards his own recipe, although all adhere to the following basic proportions: 1/3 offal and 2/3 throat (...)'. 'Pâté de Campagne Breton' is referred to in numerous old and new cookbooks:

- 'Gastronomie bretonne d'hier et d'aujourd'hui' (S. Morand, 1965),
- 'Les cuisines de France — Bretagne' (M. Raffael and D. Lozambard, 1990),
- 'Tout est bon dans le cochon' (J. C. Frentz, C. Vence, 1988),
- 'L'inventaire du patrimoine culinaire de la France, Bretagne — Produits du terroir et recettes traditionnelles' (CNAC, 1994),
- 'Le bottin gourmand' 1996,
- 'La France des saveurs', Gallimard 1997,
- 'Vivre ici, hors Bretagne' 1994.

The product's reputation is thus well linked to its name and attributable to the geographical area.

These factors taken together make it very easy to distinguish 'Pâté de Campagne Breton' from other pâtés and guarantee a typical method of production rooted in the product's region of origin.

Reference to publication of the specification

[Article 5(7) of Regulation (EC) No 510/2006]

<https://www.inao.gouv.fr/fichier/CDCIGPPateDeCampagneBretonV2.pdf>

COMMISSION IMPLEMENTING REGULATION (EU) No 1186/2013**of 21 November 2013****entering a name in the register of protected designations of origin and protected geographical indications (Orkney Scottish Island Cheddar (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Regulation (EU) No 1151/2012 repealed and replaced Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽²⁾.
- (2) Pursuant to Article 6(2) of Regulation (EC) No 510/2006, the United Kingdom's application to register the name 'Orkney Scottish Island Cheddar' was published in the *Official Journal of the European Union* ⁽³⁾.
- (3) Dairy Australia, the Dairy Companies Association of New Zealand and the Consortium for Common Food Names lodged statements of objection to that registration pursuant to Article 7(3)(b) of Regulation (EC) No 510/2006. Those statements of objection were deemed admissible under Article 7(3) of that Regulation.
- (4) The abovementioned statements of objection stressed, in particular, that registering the name in question would jeopardise the existence of names, trade marks or products which had been marketed legally for at least five years before the publication date provided for in Article 6(2), and that the name proposed for registration was generic.
- (5) By letter of 20 March 2013 the Commission asked the interested parties to hold appropriate consultations.

(6) Agreement was reached between the United Kingdom and the objecting parties within the stipulated three-month period and notified to the Commission on 8 July 2013.

(7) It emerges from the abovementioned consultations that the objecting parties' main concern is the status of the one word 'Cheddar' in the composite name 'Orkney Scottish Island Cheddar'. However, the protection sought by the producer relates only to the said composite name as a whole. Pursuant to the last subparagraph of Article 13(1) of Regulation (EU) No 1151/2012, the name 'Cheddar' may continue to be used within the territory of the Union provided that the principles and rules applicable under the Union's legal system are complied with.

(8) The name 'Orkney Scottish Island Cheddar' should therefore be entered in the register of protected designations of origin and protected geographical indications,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Notwithstanding the first paragraph, the name 'Cheddar' may continue to be used within the territory of the Union provided that the principles and rules applicable under the Union's legal system are complied with.

Article 2

This Regulation shall enter into force on the twentieth 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, 21 November 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ C 239, 9.8.2012, p. 5.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3. Cheeses

UNITED KINGDOM

Orkney Scottish Island Cheddar (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1187/2013**of 21 November 2013****approving the active substance penthiopyrad, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(a) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply, with respect to the procedure and the conditions for approval, to active substances for which a decision has been adopted in accordance with Article 6(3) of that Directive before 14 June 2011. For penthiopyrad the conditions of Article 80(1)(a) of Regulation (EC) No 1107/2009 are fulfilled by Commission Decision 2010/466/EU ⁽³⁾.
- (2) In accordance with Article 6(2) of Directive 91/414/EEC the United Kingdom received on 10 December 2009 an application from LKC UK Ltd for the inclusion of the active substance penthiopyrad in Annex I to Directive 91/414/EEC. Decision 2010/466/EU 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 31 January 2012.

- (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 pesticide risk assessment of the active substance penthiopyrad ⁽⁴⁾ on 7 February 2013. 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 finalised on 3 October 2013 in the format of the Commission review report for penthiopyrad.
- (5) It has appeared from the various examinations made that plant protection products containing penthiopyrad 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 penthiopyrad.
- (6) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions and restrictions. It is, in particular, appropriate to require further confirmatory information.
- (7) 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.
- (8) 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 penthiopyrad. 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 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.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽³⁾ Commission Decision 2010/466/EU of 24 August 2010 recognising in principle the completeness of the dossier submitted for detailed examination in view of the possible inclusion of penthiopyrad in Annex I to Council Directive 91/414/EEC (OJ L 224, 26.8.2010, p. 6).

⁽⁴⁾ EFSA Journal 2013; 11(2):3111. Available online: www.efsa.europa.eu

- (9) 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 ⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the Directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (10) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽²⁾ should be amended accordingly.
- (11) 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 penthiopyrad, 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 penthiopyrad as an active substance by 31 October 2014.

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

⁽¹⁾ 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 (OJ L 366, 15.12.1992, p. 10).

⁽²⁾ 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 (OJ L 153, 11.6.2011, p. 1).

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 penthiopyrad 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 30 April 2014 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 penthiopyrad as the only active substance, where necessary, amend or withdraw the authorisation by 31 October 2015 at the latest; or
- (b) in the case of a product containing penthiopyrad as one of several active substances, where necessary, amend or withdraw the authorisation by 31 October 2015 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or 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 May 2014.

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

Done at Brussels, 21 November 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Penthiopyrad CAS No 183675-82-3 CIPAC No 824	(RS)-N-[2-(1,3-dimethylbutyl)-3-thienyl]-1-methyl-3-(trifluoromethyl)pyrazole-4-carboxamide	≥ 980 g/kg (50:50 racemic mixture)	1 May 2014	30 April 2024	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 penthiopyrad, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 3 October 2013 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (a) the protection of operators and workers; (b) the risk to aquatic and soil organisms; (c) the protection of groundwater, when the substance is applied in regions with vulnerable soil and/or climatic conditions; (d) the level of residues in rotational crops following consecutive application of the active substance over several years. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit confirmatory information as regards: (1) the non-relevance of metabolite M11 (3-methyl-1-{3-[(1-methyl-3-trifluoromethyl-1H-pyrazole-4-carbonyl)amino]thiophen-2-yl}pentanoic acid) for groundwater with the exception of evidence related to the risk of carcinogenicity, which is dependent on the classification of the parent and specified separately at (3) below; (2) the toxicological profile and the reference values of the metabolite PAM; (3) the relevance of the metabolites M11 (3-methyl-1-{3-[(1-methyl-3-trifluoromethyl-1H-pyrazole-4-carbonyl)amino]thiophen-2-yl}pentanoic acid), DM-PCA (3-trifluoromethyl-1H-pyrazole-4-carboxylic acid), PAM (1-methyl-3-trifluoromethyl-1H-pyrazole-4-carboxamide) and PCA (1-methyl-3-trifluoromethyl-1H-pyrazole-4-carboxylic acid) and their risk to contaminate groundwater, if penthiopyrad is classified under Regulation (EC) No 1272/2008 as carcinogenic cat. 2. The applicant shall submit to the Commission, the Member States and the Authority the relevant information set out in points (1) and (2) by 30 April 2016 and the information set out in point (3) within six months from the notification of the classification decision concerning penthiopyrad.

⁽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
'57	Penthiopyrad CAS No 183675-82-3 CIPAC No 824	(RS)-N-[2-(1,3-dimethylbutyl)-3-thienyl]-1-methyl-3-(trifluoromethyl)pyrazole-4-carboxamide	≥ 980 g/kg (50:50 racemic mixture)	1 May 2014	30 April 2024	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 penthiopyrad, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 3 October 2013 shall be taken into account. In this overall assessment Member States shall pay particular attention to: (a) the protection of operators and workers; (b) the risk to aquatic and soil organisms; (c) the protection of groundwater, when the substance is applied in regions with vulnerable soil and/or climatic conditions; (d) the level of residues in rotational crops following consecutive application of the active substance over several years. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit confirmatory information as regards: (1) the non-relevance of metabolite M11 (3-methyl-1-{3-[(1-methyl-3-trifluoromethyl-1H-pyrazole-4-carbonyl)amino]thiophen-2-yl}pentanoic acid) for groundwater with the exception of evidence related to the risk of carcinogenicity, which is dependent on the classification of the parent and specified separately at (3) below; (2) the toxicological profile and the reference values of the metabolite PAM; (3) the relevance of the metabolites M11 (3-methyl-1-{3-[(1-methyl-3-trifluoromethyl-1H-pyrazole-4-carbonyl)amino]thiophen-2-yl}pentanoic acid), DM-PCA (3-trifluoromethyl-1H-pyrazole-4-carboxylic acid), PAM (1-methyl-3-trifluoromethyl-1H-pyrazole-4-carboxamide) and PCA (1-methyl-3-trifluoromethyl-1H-pyrazole-4-carboxylic acid) and their risk to contaminate groundwater, if penthiopyrad is classified under Regulation (EC) No 1272/2008 as carcinogenic cat. 2. The applicant shall submit to the Commission, the Member States and the Authority the relevant information set out in points (1) and (2) by 30 April 2016 and the information set out in point (3) within six months from the notification of the classification decision concerning penthiopyrad.'

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

COMMISSION IMPLEMENTING REGULATION (EU) No 1188/2013**of 21 November 2013****providing for a reduced notification period before arrival at port for Union vessels engaged in fisheries on Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula which land in Spanish ports**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ⁽¹⁾, and in particular Article 17(6) thereof,

Whereas:

- (1) Pursuant to Article 17(1) of Regulation (EC) No 1224/2009, masters of Union fishing vessels of 12 metres' length overall or more engaged in fisheries on stocks subject to a multiannual plan, which are under the obligation to record fishing logbook data electronically, are under the obligation to notify the competent authorities of their flag Member State of their intention to land at least four hours before the estimated time of arrival at port.
- (2) Pursuant to Article 17(2), when Union fishing vessels intend to enter a port in a Member State other than their flag Member State, the competent authorities of their flag Member State are under the obligation to forward, immediately upon receipt, the electronic prior notification to the competent authorities of the coastal Member State.
- (3) Pursuant to Article 17(6), the Commission may make provision for another notification period, taking into account, inter alia, the type of fisheries products, the distance between the fishing grounds, landing places and ports where the vessels are registered.
- (4) On 28 September 2012, Spain requested that the notification period provided for in Article 17(1) of Regulation (EC) No 1224/2009 be reduced to at least two hours and a half for vessels flying the flag of Spain engaged in fisheries on Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula. Of the various fleets operating under the plan, the request concerns bottom trawlers, netters, bottom long liners for fishing carried out in Cantabrian Sea and North

Western Iberian peninsula and bottom trawlers in Portuguese waters.

- (5) Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula are subject to the multiannual plan set out by Council Regulation (EC) No 2166/2005 of 20 December 2005 establishing measures for the recovery of the Southern hake and Norway lobster stocks in the Cantabrian Sea and Western Iberian peninsula and amending Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ⁽²⁾.
- (6) Spatial data provided by Spain shows that the specific fleets flying the flag of Spain mentioned in recital (4) operate, as a general rule, in fishing grounds which are less than four hours distance from their landing ports. On the other hand, those landing ports are always at a distance less than two hours and a half from the Spanish control authorities' offices. Therefore, should the vessels in question be selected for inspection, a prior notification period of at least two hours and a half would allow the concerned control authorities to carry out the corresponding inspection. Accordingly, it is appropriate to reduce the prior notification period to at least two hours and a half.
- (7) For reasons of equal treatment, the same reduced prior notification period should apply to vessels of other Member States intending to land in Spanish ports.
- (8) Spain should assess the impact of the reduced notification period on the control of landings of the vessels concerned one year after the entry into force of this Regulation and submit a report to the Commission. The Commission will monitor the application of the reduced prior notification period with regard to the effective inspection of the concerned vessels by the national control authorities. If, on the basis of the findings of the report submitted by Spain or on the basis of the verifications, inspections and audits carried out by the Commission within the framework of Title X of Regulation (EC) No 1224/2009, it appears the reduced notification period is insufficient to ensure proper control of landings by Spain, the Commission will revise that period accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.⁽²⁾ OJ L 345, 28.12.2005, p. 5.

HAS ADOPTED THIS REGULATION:

Article 1

1. For Union fishing vessels engaged in fisheries subject to the multiannual plan established by Regulation (EC) No 2166/2005, which land their catches in Spain and belong to the fleets listed in paragraph 2, the minimum notification period of four hours provided for in Article 17(1) of Regulation (EC) No 1224/2009 shall be reduced to two hours and a half.

2. Paragraph 1 shall apply only to the following fishing vessels:

(a) bottom trawlers (TR), netters (GN) and bottom long liners (LL) engaged in fisheries on Southern hake and Norway lobster stocks subject to the multiannual plan established by Regulation (EC) No 2166/2005 in the Cantabrian Sea and North Western Iberian peninsula (ICES Divisions VIIIc and IXa);

(b) bottom trawlers (TR) engaged in fisheries on Southern hake and Norway lobster stocks subject to the multiannual plan established by Regulation (EC) No 2166/2005 in Portuguese waters (ICES Division IXa).

Article 2

One year after the entry into force of this Regulation, Spain shall submit a report to the Commission concerning the impact of the reduced notification period on the control of landings of the vessels referred to in Article 1.

Article 3

This Regulation shall enter into force on the seventh 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, 21 November 2013.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 1189/2013**of 21 November 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, 21 November 2013.

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

*Jerzy PLEWA
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

		(EUR/100 kg)
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	46,6
	MA	41,5
	MK	36,9
	TR	116,2
	ZZ	60,3
0707 00 05	AL	32,3
	MK	57,9
	TR	96,7
	ZZ	62,3
0709 93 10	MA	114,0
	TR	105,7
	ZZ	109,9
0805 20 10	MA	73,6
	TR	76,1
	ZA	87,1
	ZZ	78,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	78,7
	TR	80,1
	UY	56,3
	ZA	155,9
	ZZ	92,8
0805 50 10	TR	71,2
	ZZ	71,2
0808 10 80	BA	54,0
	BR	93,9
	CL	102,3
	MK	47,7
	NZ	93,9
	US	113,5
	ZA	204,1
	ZZ	101,3
0808 30 90	CN	57,5
	TR	116,3
	ZZ	86,9

⁽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 1190/2013**of 21 November 2013****amending Regulation (EC) No 1484/95 as regards representative prices in the poultrymeat and egg sectors and for egg albumin**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 143 in conjunction with Article 4 thereof,

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

Whereas:

(1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

(2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

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

(3) Regulation (EC) No 1484/95 should be amended accordingly.

(4) 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.

(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

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

Article 2

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

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

Done at Brussels, 21 November 2013.

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

*Jerzy PLEWA
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 181, 14.7.2009, p. 8.

⁽³⁾ OJ L 145, 29.6.1995, p. 47.

ANNEX

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security pursuant to Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	128,4	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	130,3	0	AR
		157,2	0	BR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	299,9	0	AR
		228,9	21	BR
		319,9	0	CL
		253,8	14	TH
0207 27 10	Turkeys, boneless cuts, frozen	298,5	0	BR
		312,6	0	CL
0408 91 80	Eggs, not in shell, dried	488,5	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	251,3	11	BR
		312,2	0	CL

⁽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”.

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