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## II

*(Non-legislative acts)*

## REGULATIONS

## COUNCIL REGULATION (EU) No 153/2014

of 17 February 2014

**amending Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe and repealing Regulation (EU) No 298/2013**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) Council Regulation (EC) No 314/2004 <sup>(1)</sup> implements several measures provided for by Council Decision 2011/101/CFSP <sup>(2)</sup>, including the freezing of funds and economic resources of certain natural or legal persons, entities and bodies.
- (2) The suspension of the travel restrictions and asset freeze measures applying to the majority of the individuals and entities set out in Annex I to Decision 2011/101/CFSP should be renewed, and further extended to cover eight more individuals.
- (3) Some of those measures fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.
- (4) An updated Annex should be added to Regulation (EC) No 314/2004 to include eight more individuals who are to benefit from the suspension of the prohibitions laid down in Article 6(1) and (2) thereof, in addition to the

81 persons and eight entities, who already benefit from the suspension of the application of Article 6 provided for in Council Regulation (EU) No 298/2013 <sup>(3)</sup>.

- (5) Regulation (EC) No 314/2004 should therefore be amended accordingly.
- (6) The extension of the suspension provided for in Regulation (EU) No 298/2013 is due to expire on 20 February 2014 and that extension is to be provided for in this Regulation. In the interests of legal clarity, therefore, Regulation (EU) No 298/2013 should be repealed.
- (7) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 314/2004 is amended as follows:

- (1) in Article 6, the following paragraph is added:

‘4. The measures in paragraphs 1 and 2 shall be suspended in so far as they concern persons and entities listed in Annex IV.’;

- (2) the Annex to this Regulation is added as Annex IV.

*Article 2*

Regulation (EU) No 298/2013 is repealed.

<sup>(1)</sup> Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe (OJ L 55, 24.2.2004, p. 1).

<sup>(2)</sup> Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures against Zimbabwe (OJ L 42, 16.2.2011, p. 6).

<sup>(3)</sup> Council Regulation (EU) No 298/2013 of 27 March 2013 amending Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe (OJ L 90, 28.3.2013, p. 48).

*Article 3*

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, 17 February 2014.

*For the Council*  
*The President*  
A. TSAFTARIS

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## ANNEX

## ‘ANNEX IV

**List of persons and entities referred to in Article 6(4)****I. Persons**

|     | Name (and any aliases)             |
|-----|------------------------------------|
| 1.  | Abu Basutu, Titus Mehliwa Johna    |
| 2.  | Bonyongwe, Happyton Mabhuya        |
| 3.  | Buka (a.k.a. Bhuka), Flora         |
| 4.  | Bvudzijena, Wayne                  |
| 5.  | Charamba, George                   |
| 6.  | Chidarikire, Faber Edmund          |
| 7.  | Chigwedere, Aeneas Soko            |
| 8.  | Chihota, Phineas                   |
| 9.  | Chihuri, Augustine                 |
| 10. | Chinamasa, Patrick Anthony         |
| 11. | Chindori-Chininga, Edward Takaruza |
| 12. | Chinotimba, Joseph                 |
| 13. | Chipwere Augustine                 |
| 14. | Chiwenga, Constantine              |
| 15. | Chombo, Ignatius Morgan Chiminya   |
| 16. | Dinha, Martin                      |
| 17. | Goche, Nicholas Tasunungurwa       |
| 18. | Gono, Gideon                       |
| 19. | Gurira, Cephas T.                  |
| 20. | Gwekwerere, Stephen (alias Steven) |
| 21. | Kachepe, Newton                    |
| 22. | Karakadzai, Mike Tichafa           |
| 23. | Kasukuwere, Saviour                |
| 24. | Kazangarare, Jawet                 |
| 25. | Khumalo, Sibangumuzi               |
| 26. | Kunonga, Nolbert (a.k.a. Nobert)   |

|     | Name (and any aliases)                     |
|-----|--------------------------------------------|
| 27. | Kwainona, Martin                           |
| 28. | Langa, Andrew                              |
| 29. | Mabunda, Musarashana                       |
| 30. | Machaya, Jason (a.k.a. Jaison) Max Kokerai |
| 31. | Made, Joseph Mtakwese                      |
| 32. | Madzongwe, Edna (a.k.a. Edina)             |
| 33. | Maluleke, Titus                            |
| 34. | Mangwana, Paul Munyaradzi                  |
| 35. | Marumahoko, Reuben                         |
| 36. | Masuku, Angeline                           |
| 37. | Mathema, Cain Ginyilitshe Ndabazekhaya     |
| 38. | Mathuthu, Thokozile (alias Sithokozile)    |
| 39. | Matibiri, Innocent Tonderai                |
| 40. | Matiza, Joel Biggie                        |
| 41. | Matonga, Brighton (a.k.a Bright)           |
| 42. | Mhandu, Cairo (a.k.a. Kairo)               |
| 43. | Mhonda, Fidellis                           |
| 44. | Midzi, Amos Bernard (Mugenva)              |
| 45. | Mnangagwa, Emmerson Dambudzo               |
| 46. | Mohadi, Kembo Campbell Dugishi             |
| 47. | Moyo, Jonathan Nathaniel                   |
| 48. | Moyo, Sibusio Bussie                       |
| 49. | Moyo, Simon Khaya                          |
| 50. | Mpofu, Obert Moses                         |
| 51. | Muchena, Henry                             |
| 52. | Muchena, Olivia Nyembesi (a.k.a. Nyembezi) |
| 53. | Muchinguri, Oppah Chamu Zvipange           |
| 54. | Mudedede, Tobaiwa (a.k.a. Tonneth)         |
| 55. | Mujuru, Joyce Teurai Ropa                  |
| 56. | Mumbengegwi, Simbarashe Simbanenduku       |
| 57. | Murerwa, Herbert Muchemwa                  |

|     | Name (and any aliases)                          |
|-----|-------------------------------------------------|
| 58. | Musariri, Munyaradzi                            |
| 59. | Mushohwe, Christopher Chindoti                  |
| 60. | Mutasa, Didymus Noel Edwin                      |
| 61. | Mutezo, Munacho Thomas Alvar                    |
| 62. | Mutinhiri, Ambros (a.k.a. Ambrose)              |
| 63. | Mzembi, Walter                                  |
| 64. | Mzilikazi, Morgan S.                            |
| 65. | Nguni, Sylvester Robert                         |
| 66. | Nhema, Francis Chenayimoyo Dunstan              |
| 67. | Nyanhongo, Magadzire Hubert                     |
| 68. | Nyikayaramba, Douglas                           |
| 69. | Nyoni, Sithembiso Gile Glad                     |
| 70. | Rugeje, Engelbert Abel                          |
| 71. | Rungani, Victor Tapiwa Chashe                   |
| 72. | Sakupwanya, StanleyUrayayi                      |
| 73. | Savanhu, Tendai                                 |
| 74. | Sekeramayi, Sydney (a.k.a. Sidney) Tigere       |
| 75. | Sekeremayi, Lovemore                            |
| 76. | Shamu, Webster Kotiwani                         |
| 77. | Shamuyarira, Nathan Marwirakuwa                 |
| 78. | Shiri, Perence (a.k.a. Bigboy) Samson Chikerema |
| 79. | Shungu, Etherton                                |
| 80. | Sibanda, Chris                                  |
| 81. | Sibanda, Jabulani                               |
| 82. | Sibanda, Misheck Julius Mpande                  |
| 83. | Sibanda, Phillip Valerio (a.k.a. Valentine)     |
| 84. | Sigauke, David                                  |
| 85. | Sikosana, (a.k.a. Sikhosana), Absolom           |

|     | Name (and any aliases)      |
|-----|-----------------------------|
| 86. | Tarumbwa, Nathaniel Charles |
| 87. | Tomana, Johannes            |
| 88. | Veterai, Edmore             |
| 89. | Zimondi, Paradzai Willings  |

**II. Entities**

|    | Name                                                                                                                                        |
|----|---------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Cold Comfort Farm Trust Cooperative                                                                                                         |
| 2. | Comoil (PVT) Ltd                                                                                                                            |
| 3. | Famba Safaris                                                                                                                               |
| 4. | Jongwe Printing and Publishing Company (PVT) Ltd (a.k.a. Jongwe Printing and Publishing Co., a.k.a. Jongwe Printing and Publishing Company) |
| 5. | M & S Syndicate (PVT) Ltd                                                                                                                   |
| 6. | OSLEG Ltd (a.k.a Operation Sovereign Legitimacy)                                                                                            |
| 7. | Swift Investments (PVT) Ltd                                                                                                                 |
| 8. | Zidco Holdings (a.k.a. Zidco Holdings (PVT) Ltd)                                                                                            |

**COMMISSION IMPLEMENTING REGULATION (EU) No 154/2014****of 19 February 2014****amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance extract from tea tree****(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<sup>(1)</sup>, and in particular Article 13(2)(c) and Article 78(2) thereof,

Whereas:

- (1) The active substance extract from tea tree was included in Annex I to Council Directive 91/414/EEC<sup>(2)</sup> by Commission Directive 2008/127/EC<sup>(3)</sup> in accordance with the procedure provided for in Article 24b of Commission Regulation (EC) No 2229/2004<sup>(4)</sup>. Since the replacement of Directive 91/414/EEC by Regulation (EC) No 1107/2009, this substance is deemed to have been approved under that Regulation and is listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011<sup>(5)</sup>.
- (2) In accordance with Article 25a of Regulation (EC) No 2229/2004, the European Food Safety Authority, hereinafter 'the Authority', presented to the Commission its view on the draft review report for extract from tea tree<sup>(6)</sup> on 16 December 2011. The Authority communicated its views on extract from tea tree to the notifier. The Commission invited it to submit comments on the draft review report for extract from tea tree. The draft review report and the view 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 13 December 2013 in the format of the Commission review report for extract from tea tree.
- (3) It is confirmed that the active substance extract from tea tree is to be deemed to have been approved under Regulation (EC) No 1107/2009.
- (4) 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 necessary to amend the conditions of approval. It is, in particular, appropriate to require further confirmatory information.
- (5) The Annex to Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (6) Member States should be provided with time to amend or withdraw authorisations for plant protection products containing extract from tea tree.
- (7) For plant protection products containing extract from tea tree, where Member States grant any period of grace in accordance with Article 46 of Regulation (EC) No 1107/2009, this period should expire at the latest 18 months from the date of entry into force of this Regulation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Implementing Regulation (EU) No 540/2011**

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

*Article 2***Transitional measures**

Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary amend or withdraw existing authorisations for plant protection products containing extract from tea tree as active substance by 12 September 2014.

*Article 3***Grace period**

Any grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall be as short as possible and shall expire on 12 September 2015 at the latest.

<sup>(1)</sup> OJ L 309, 24.11.2009, p. 1.

<sup>(2)</sup> 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.)

<sup>(3)</sup> Commission Directive 2008/127/EC of 18 December 2008 amending Council Directive 91/414/EEC to include several active substances (OJ L 344, 20.12.2008, p. 89.)

<sup>(4)</sup> Commission Regulation (EC) No 2229/2004 of 3 December 2004 laying down further detailed rules for the implementation of the fourth stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC (OJ L 379, 24.12.2004, p. 13.)

<sup>(5)</sup> 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).

<sup>(6)</sup> Conclusion on the peer review of the pesticide risk assessment of the active substance extract from tea tree, EFSA Journal 2012; 10(2):2542. Available online: [www.efsa.europa.eu/efsajournal.htm](http://www.efsa.europa.eu/efsajournal.htm)

*Article 4***Entry into force**

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, 19 February 2014.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX

In Part A of the Annex to Implementing Regulation (EU) No 540/2011, row 228 on the active substance extract from tea tree is replaced by the following:

| Number | Common Name, Identification Numbers                                                                                                                                                                                                                                | IUPAC Name                                                | Purity (*)                                                                                                                                                                                                                                                                                                                                   | Date of approval | Expiration of approval | Specific provisions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| '228   | <p>Extract from tea tree</p> <p>CAS No Tea Tree Oil 68647-73-4</p> <p>Main components:</p> <p>terpinen-4-ol 562-74-3</p> <p><math>\gamma</math>-terpinene 99-85-4</p> <p><math>\alpha</math>-terpinene 99-86-5</p> <p>1,8-cineole 470-82-6</p> <p>CIPAC No 914</p> | Tea Tree Oil is a complex mixture of chemical substances. | <p>Main components:</p> <p>terpinen-4-ol <math>\geq 300</math> g/kg</p> <p><math>\gamma</math>-terpinene <math>\geq 100</math> g/kg</p> <p><math>\alpha</math>-terpinene <math>\geq 50</math> g/kg</p> <p>1,8-cineole <math>\geq 1</math> g/kg</p> <p>Relevant impurity:</p> <p>Methyl eugenol: maximum 1 g/kg of the technical material</p> | 1 September 2009 | 31 August 2019         | <p>PART A</p> <p>Only uses as fungicide in greenhouse may be authorised.</p> <p>PART B</p> <p>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 extract from tea tree (SANCO/2609/2008 final) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 13 December 2013 shall be taken into account.</p> <p>In this overall assessment Member States shall pay particular attention to</p> <ul style="list-style-type: none"> <li>— the protection of operators and workers, ensuring that conditions of use include the application of adequate personal protective equipment, where appropriate;</li> <li>— the protection of groundwater, when the substance is applied in regions with vulnerable soil and/or climatic conditions;</li> <li>— the protection of surface water and aquatic organisms;</li> <li>— the protection of honey bees, non-target arthropods, earthworms and non-target micro- and macro-organisms.</li> </ul> <p>Conditions of use shall include risk mitigation measures, where appropriate.</p> <p>The notifier shall submit confirmatory information as regards:</p> <p>(a) the plant metabolism and consumer exposure;</p> <p>(b) the toxicity of the compounds that constitute the extract and the relevance of possible impurities other than methyl eugenol;</p> |

| Number | Common Name,<br>Identification Numbers | IUPAC Name | Purity (*) | Date of approval | Expiration of approval | Specific provisions                                                                                                                                                                                                                                                                                                                                               |
|--------|----------------------------------------|------------|------------|------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                        |            |            |                  |                        | <p>(c) the groundwater exposure for the less strongly absorbed components that constitute the extract and for potential soil transformation products;</p> <p>(d) the effects on biological methods of sewage treatment.</p> <p>The notifier shall submit to the Commission, the Member States and the Authority that information by 30 April 2016 at latest.'</p> |

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

## COMMISSION REGULATION (EU) No 155/2014

of 19 February 2014

**refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health**

(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 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods <sup>(1)</sup>, and in particular Article 18(5) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 1924/2006 health claims made on foods are prohibited unless they are authorised by the Commission in accordance with that Regulation and included in a list of permitted claims.
- (2) Regulation (EC) No 1924/2006 also provides that applications for authorisations of health claims may be submitted by food business operators to the national competent authority of a Member State. The national competent authority is to forward valid applications to the European Food Safety Authority (EFSA), hereinafter referred to as 'the Authority' for a scientific assessment, as well as to the Commission and the Member States for information.
- (3) The Authority is to deliver an opinion on the health claim concerned.
- (4) The Commission is to decide on the authorisation of health claims taking into account the opinion delivered by the Authority.
- (5) Following an application from Vitabiotics Ltd, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of L-tyrosine and contribution to normal synthesis of

dopamine (Question No EFSA-Q-2011-00319) <sup>(2)</sup>. The claim proposed by the applicant was worded as follows: 'L-tyrosine is essential for the natural formation of dopamine'.

- (6) On 20 July 2011, the Commission and the Member States received the scientific opinion from the Authority, which noted that the role of L-tyrosine in the normal synthesis of catecholamines for the general population has already been addressed with a favourable outcome in a previous opinion <sup>(3)</sup> in the context of evaluation of claims referred to in Article 13(1) of Regulation (EC) No 1924/2006 and that L-tyrosine is the starting point for the synthesis of all catecholamines, including dopamine. Thus, the Authority concluded that a cause and effect relationship had been established between the consumption of L-tyrosine in a protein adequate diet and contribution to normal synthesis of dopamine and proposed as appropriate conditions of use that 'a food should be at least a source of protein as per Annex to Regulation (EC) No 1924/2006'.
- (7) The Commission and the Member States have considered whether the health claim reflecting those conclusions should be authorised under the proposed conditions of use, since authorisation may also legitimately be withheld if health claims do not comply with other general and specific requirements of Regulation (EC) No 1924/2006, even in the case of a favourable scientific assessment by the Authority. In the Authority's response of 9 November 2012 to the request of the Commission, *inter alia*, for clarification in relation to the evidence submitted for the health claim on L-tyrosine and the proposed conditions of use, the Authority noted that its conclusions for this claim were based on the well established biochemical role of L-tyrosine, as contained in protein. It added that, on the basis of the evidence submitted, it could not provide a quantitative indication of the necessary daily intake of L-tyrosine per se to produce the beneficial physiological effect. Therefore, it is not possible to establish specific conditions for the use of this claim to ensure that L-tyrosine is contained in the final product in a quantity that will produce the beneficial physiological effect in accordance with point (i) of Article 5(1)(b) of Regulation (EC) No 1924/2006. In the absence of such specific conditions of use, the beneficial effect of the substance to which the claim relates cannot be assured and thus this claim could be misleading to the consumer. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.

<sup>(1)</sup> OJ L 404, 30.12.2006, p. 9.

<sup>(2)</sup> EFSA Journal 2011; 9(7):2290.

<sup>(3)</sup> EFSA Journal 2011; 9(6):2270.

- (8) Following an application from Pierre Fabre Dermo-Cosmétique, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the consumption of iron and maintenance of normal hair growth (Question No EFSA-Q-2012-00059) <sup>(1)</sup>. The claim proposed by the applicant was worded as follows: 'Excessive hair loss in non-menopausal women'.
- (9) On 15 March 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the intake of iron and maintenance of normal hair growth. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (10) Following an application from Biocodex, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the consumption of citrulline-malate and faster recovery from muscle fatigue after exercise (Question No EFSA-Q-2011-00931) <sup>(2)</sup>. The claim proposed by the applicant was worded as follows: 'Maintenance of adenosine triphosphate (ATP) levels through reduction of lactates in excess for recovery from muscle fatigue'.
- (11) On 11 May 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of citrulline-malate and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (12) Following an application from Nutrilinks Sarl, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of  $\text{Eff}_{\text{EXT}}^{\text{TM}}$  and maintenance of normal joint mobility (Question No EFSA-Q-2012-00384) <sup>(3)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Contributes to support joint flexibility'.
- (13) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of  $\text{Eff}_{\text{EXT}}^{\text{TM}}$  and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (14) Following an application from Nutrilinks Sarl, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of krill oil and maintenance of joint comfort (Question No EFSA-Q-2012-00385) <sup>(4)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Helps to improve the comfort of sensitive joints'.
- (15) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of krill oil and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (16) Following an application from Nutrilinks Sarl, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of *Vitis vinifera* L. seeds extract and normal venous blood flow (Question No EFSA-Q-2012-00387) <sup>(5)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Contributes to promote venous circulation in the legs'.
- (17) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of *Vitis vinifera* L. seeds extract and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (18) Following an application from Nutrilinks Sarl, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of *Vitis vinifera* L. seeds extract and 'Helps to decrease swollen legs' (Question No EFSA-Q-2012-00388) <sup>(6)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Helps to decrease swollen legs'.
- (19) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which noted that the claim refers to the reduction of peripheral oedema in the context of chronic clinical conditions (e.g. chronic venous insufficiency) and concluded that on the basis of the data presented, such reduction of peripheral oedema in the context of chronic clinical conditions is a therapeutic target for their treatment.

<sup>(1)</sup> EFSA Journal 2012; 10(3):2602.

<sup>(2)</sup> EFSA Journal 2012; 10(5):2699.

<sup>(3)</sup> EFSA Journal 2012; 10(12):3002.

<sup>(4)</sup> EFSA Journal 2012; 10(12):3003.

<sup>(5)</sup> EFSA Journal 2012; 10(12):2996.

<sup>(6)</sup> EFSA Journal 2012; 10(12):2997.

- (20) Regulation (EC) No 1924/2006 complements the general principles of Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs<sup>(1)</sup>. Article 2(1)(b) of Directive 2000/13/EC provides that the labelling shall not attribute to any foodstuff the property of preventing, treating or curing a human disease, or refer to such properties. Accordingly, as the attribution of medicinal properties to foods is prohibited, the claim related to the effects of *Vitis vinifera* L. seeds extract and 'Helps to decrease swollen legs' should not be authorised.
- (21) Following an application from Roxlor Nutra LLC, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of Cynatine® and maintenance of normal joint mobility (Question No EFSA-Q-2012-00570)<sup>(2)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Daily consumption of 500 mg of Cynatine® helps to support joint flexibility'.
- (22) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of Cynatine® and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (23) Following an application from Actina, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of OXY 280 and reduction of body weight (Question No EFSA-Q-2012-00572)<sup>(3)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'OXY 280 helps to lose weight'.
- (24) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of OXY 280 and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (25) Following an application from Nutrilinks Sarl, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of *Vitis vinifera* L. seeds extract and 'Helps to drain the body in case of water accumulation' (Question No EFSA-Q-2012-00574)<sup>(4)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Helps to drain the body in case of water accumulation'.
- (26) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which noted that the claimed effect refers to the maintenance of normal venous blood flow. The Authority noted also that the same health relationship was already subject to its assessment in a previous opinion<sup>(5)</sup> with an unfavourable outcome and that the reference provided for the scientific substantiation of this claim was already considered in the previous opinion. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (27) Following an application from Nutrilinks Sarl, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of a combination of *Paullinia cupana* Kunth (guarana) and *Camellia sinensis* (L.) Kuntze (green tea) extracts and reduction of body weight (Question No EFSA-Q-2012-00590)<sup>(6)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Helps to burn fat'.
- (28) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which concluded that on the basis of the data presented, a cause and effect relationship had not been established between the consumption of a combination of *Paullinia cupana* Kunth (guarana) and *Camellia sinensis* (L.) Kuntze (green tea) extracts and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (29) Following an application from Nutrilinks Sarl, submitted pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of a combination of lycopene, vitamin E, lutein and selenium and 'Helps to prepare and activate tanning' (Question No EFSA-Q-2012-00593)<sup>(7)</sup>. The claim proposed by the applicant was worded, *inter alia*, as follows: 'Helps to prepare and activate tanning'.

<sup>(1)</sup> OJ L 109, 6.5.2000, p. 29.

<sup>(2)</sup> EFSA Journal 2012; 10(12):3004.

<sup>(3)</sup> EFSA Journal 2012; 10(12):2999.

<sup>(4)</sup> EFSA Journal 2012; 10(12):2998.

<sup>(5)</sup> EFSA Journal 2012; 10(12):2996.

<sup>(6)</sup> EFSA Journal 2012; 10(12):3000.

<sup>(7)</sup> EFSA Journal 2012; 10(12):3001.

- (30) On 14 December 2012, the Commission and the Member States received the scientific opinion from the Authority, which noted that the claimed effect refers to increasing the pigmentation of the skin (i.e. tanning) which may contribute to the protection of the skin against UV-induced damage. The Authority noted also that the same health relationship was already subject to its assessment in a previous opinion<sup>(1)</sup> with an unfavourable outcome and that the reference provided for the scientific substantiation of this claim was the same as in the previous opinion. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (31) The health claim related to the effects of *Vitis vinifera* L. seeds extract and 'Helps to decrease swollen legs' is a health claim that attributes medicinal properties to the food that is the subject of the claim, which is prohibited for foods.
- (32) The health claims related to OXY 280 and to the combination of *Paullinia cupana* Kunth (guarana) and *Camellia sinensis* (L.) Kuntze (green tea) extracts are health claims as referred to in point (c) of Article 13(1) of Regulation (EC) No 1924/2006 and are therefore subject to the transitional period laid down in Article 28(6) of that Regulation. However, as the applications were not made before 19 January 2008, the requirement provided for in point (b) of Article 28(6) of that Regulation is not fulfilled, and therefore those claims may not benefit from the transitional period provided for in that Article.
- (33) The other health claims subject to this Regulation, are health claims as referred to in point (a) of Article 13(1) of Regulation (EC) No 1924/2006, which are subject to the transitional period laid down in Article 28(5) of that Regulation until the adoption of the list of permitted health claims provided that they comply with that Regulation.
- (34) The list of permitted health claims has been established by Commission Regulation (EU) No 432/2012<sup>(2)</sup> and is applicable since 14 December 2012. As regards claims referred to in Article 13(5) of Regulation (EC) No 1924/2006 for which the evaluation by the Authority or consideration by the Commission has not been completed by 14 December 2012 and which by virtue of this Regulation are not included in the list of permitted health claims, it is appropriate to provide for a transitional period during which they may still be used, in order to allow both food business operators and the competent national authorities to adapt to the prohibition of such claims.
- (35) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council have opposed them,
- HAS ADOPTED THIS REGULATION:
- Article 1*
1. The health claims listed in the Annex to this Regulation shall not be included in the Union list of permitted claims as provided for in Article 13(3) of Regulation (EC) No 1924/2006.
2. However, the health claims referred to in paragraph 1 used prior to the entry into force of this Regulation may continue to be used for a maximum period of six months after the entry into force of this Regulation.
- 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, 19 February 2014.

*For the Commission*

*The President*

José Manuel BARROSO

<sup>(1)</sup> EFSA Journal 2012; 10(9):2890.

<sup>(2)</sup> OJ L 136, 25.5.2012, p. 1.

## ANNEX

## Rejected health claims

| Application — Relevant provisions of Regulation (EC) No 1924/2006                                                                         | Nutrient, substance, food or food category | Claim                                                                                                                       | EFSA opinion reference |
|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------|
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | L-tyrosine                                 | L-tyrosine is essential for the natural formation of dopamine                                                               | Q-2011-00319           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | Iron                                       | Excessive hair loss in non-menopausal women                                                                                 | Q-2012-00059           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | Citrulline-malate                          | Maintenance of adenosine triphosphate (ATP) levels through reduction of lactates in excess for recovery from muscle fatigue | Q-2011-00931           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | Eff <sub>EXT</sub> <sup>TM</sup>           | Contributes to support joint flexibility                                                                                    | Q-2012-00384           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | Krill oil                                  | Helps to improve the comfort of sensitive joints                                                                            | Q-2012-00385           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | <i>Vitis vinifera</i> L. seeds extract     | Contributes to promote venous circulation in the legs                                                                       | Q-2012-00387           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | <i>Vitis vinifera</i> L. seeds extract     | Helps to decrease swollen legs                                                                                              | Q-2012-00388           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | Cynatine®                                  | Daily consumption of 500 mg of Cynatine® helps to support joint flexibility                                                 | Q-2012-00570           |

| Application — Relevant provisions of Regulation (EC) No 1924/2006                                                                         | Nutrient, substance, food or food category                                                                             | Claim                                                 | EFSA opinion reference |
|-------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|------------------------|
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | OXY 280                                                                                                                | OXY 280 helps to lose weight                          | Q-2012-00572           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | <i>Vitis vinifera</i> L. seeds extract                                                                                 | Helps to drain the body in case of water accumulation | Q-2012-00574           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | A combination of <i>Paullinia cupana</i> Kunth (guarana) and <i>Camellia sinensis</i> (L.) Kuntze (green tea) extracts | Helps to burn fat                                     | Q-2012-00590           |
| Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data | A combination of lycopene, vitamin E, lutein and selenium                                                              | Helps to prepare and activate tanning                 | Q-2012-00593           |

**COMMISSION IMPLEMENTING REGULATION (EU) No 156/2014****of 19 February 2014****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) <sup>(1)</sup>,

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 <sup>(2)</sup>, 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, 19 February 2014.

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

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

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<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> 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 <sup>(1)</sup> | Standard import value |
| 0702 00 00                                        | MA                                | 57,6                  |
|                                                   | TN                                | 78,5                  |
|                                                   | TR                                | 95,2                  |
|                                                   | ZZ                                | 77,1                  |
| 0707 00 05                                        | EG                                | 174,9                 |
|                                                   | JO                                | 206,0                 |
|                                                   | MA                                | 158,2                 |
|                                                   | TR                                | 160,5                 |
|                                                   | ZZ                                | 174,9                 |
| 0709 91 00                                        | EG                                | 107,0                 |
|                                                   | ZZ                                | 107,0                 |
| 0709 93 10                                        | MA                                | 32,4                  |
|                                                   | TR                                | 92,3                  |
|                                                   | ZZ                                | 62,4                  |
| 0805 10 20                                        | EG                                | 43,5                  |
|                                                   | IL                                | 67,0                  |
|                                                   | MA                                | 49,6                  |
|                                                   | TN                                | 52,0                  |
|                                                   | TR                                | 74,8                  |
|                                                   | ZA                                | 64,0                  |
|                                                   | ZZ                                | 58,5                  |
| 0805 20 10                                        | IL                                | 116,1                 |
|                                                   | MA                                | 96,0                  |
|                                                   | ZZ                                | 106,1                 |
| 0805 20 30, 0805 20 50, 0805 20 70,<br>0805 20 90 | EG                                | 29,2                  |
|                                                   | IL                                | 127,5                 |
|                                                   | JM                                | 106,9                 |
|                                                   | MA                                | 133,1                 |
|                                                   | TR                                | 110,2                 |
|                                                   | US                                | 134,0                 |
|                                                   | ZZ                                | 106,8                 |
| 0805 50 10                                        | AL                                | 39,1                  |
|                                                   | MA                                | 71,7                  |
|                                                   | TR                                | 69,1                  |
|                                                   | ZZ                                | 60,0                  |
| 0808 10 80                                        | CN                                | 129,5                 |
|                                                   | MK                                | 32,3                  |
|                                                   | US                                | 150,5                 |
|                                                   | ZZ                                | 104,1                 |
| 0808 30 90                                        | AR                                | 146,2                 |
|                                                   | CL                                | 158,6                 |
|                                                   | CN                                | 68,5                  |
|                                                   | TR                                | 146,4                 |
|                                                   | US                                | 124,6                 |
|                                                   | ZA                                | 109,8                 |
|                                                   | ZZ                                | 125,7                 |

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

# DECISIONS

## DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 20 November 2013

on the mobilisation of the Flexibility Instrument

(2014/97/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020<sup>(1)</sup>, and in particular the Article 11 thereof,

Having regard to the proposal from the European Commission,

Whereas, after having examined all possibilities for re-allocating appropriations under heading 1b, it appears necessary to mobilise the flexibility instrument to complement the financing in the general budget of the European Union for the financial year 2014, beyond the ceiling of heading 1b, of EUR 89 330 000 towards the financing of the Cypriot Structural Funds programmes to grant an additional allocation from the Structural Funds to Cyprus for the year 2014 by a total amount of EUR 100 000 000,

HAVE ADOPTED THIS DECISION:

### Article 1

For the general budget of the European Union for the financial year 2014, the flexibility instrument shall be used to provide the sum of EUR 89 330 000 in commitment appropriations in heading 1b.

That amount shall be used to complement the financing of the Cypriot Structural Funds programmes under heading 1b.

### Article 2

This decision shall be published in the *Official Journal of the European Union*.

Done at Strasbourg, 20 November 2013.

*For the European Parliament*

*The President*

M. SCHULZ

*For the Council*

*The President*

V. LEŠKEVIČIUS

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<sup>(1)</sup> OJ L 347, 20.12.2013, p. 884.

**COUNCIL DECISION 2014/98/CFSP****of 17 February 2014****amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 15 February 2011, the Council adopted Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe <sup>(1)</sup>.
- (2) The Council has carried out a review of Decision 2011/101/CFSP, taking into account political developments in Zimbabwe.
- (3) The restrictive measures should be renewed until 20 February 2015.
- (4) The suspension of the travel ban and asset freeze for the majority of the individuals and entities set out in Annex I to Decision 2011/101/CFSP should also be renewed. These measures should also be suspended for certain other additional persons listed in that Annex. The application of the travel ban and asset freeze should be maintained for two persons and one entity set out in that Annex.
- (5) Decision 2011/101/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 2011/101/CFSP is amended as follows:

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

‘5. Member States may grant exemptions from the measures imposed in paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or in exceptional cases on grounds of attending intergovernmental meetings and those promoted or hosted by the European

Union, where a political dialogue is conducted that directly promotes the policy objectives of restrictive measures, including democracy, human rights and the rule of law in Zimbabwe.’;

- (2) Article 10 is replaced by the following:

*‘Article 10*

1. This Decision shall enter into force on the date of its adoption.
2. This Decision shall apply until 20 February 2015.
3. The measures referred to in Article 4(1) and Article 5(1) and (2), in so far as they apply to persons and entities listed in Annex II, shall be suspended until 20 February 2015.

The suspension shall be reviewed every three months.

4. This Decision shall be kept under constant review and shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.’.

*Article 2*

The persons set out in Annex I to Decision 2011/101/CFSP listed in the Annex to this Decision shall be added to Annex II to Decision 2011/101/CFSP.

*Article 3*

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

Done at Brussels, 17 February 2014.

*For the Council*  
*The President*  
A. TSAFTARIS

<sup>(1)</sup> OJ L 42, 16.2.2011, p. 6.

## ANNEX

|    | Name (and any aliases)                          |
|----|-------------------------------------------------|
| 1. | Bonyongwe, Happyton                             |
| 2. | Chihuri, Augustine                              |
| 3. | Chiwenga, Constantine                           |
| 4. | Mutasa, Didymus Noel Edwin                      |
| 5. | Nyikayaramba, Douglas                           |
| 6. | Shiri, Perence (a.k.a. Bigboy) Samson Chikerema |
| 7. | Sibanda, Jabulani                               |
| 8. | Sibanda, Phillip Valerio (a.k.a. Valentine)     |

## COMMISSION IMPLEMENTING DECISION

of 18 February 2014

**setting out the list of regions eligible for funding from the European Regional Development Fund and the European Social Fund and of Member States eligible for funding from the Cohesion Fund for the period 2014-2020**

(notified under document C(2014) 974)

(2014/99/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund, laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund, and repealing Regulation (EC) No 1083/2006 <sup>(1)</sup>, and in particular Article 90(4) thereof,

Whereas:

(1) The European Regional Development Fund and the European Social Fund support the 'Investment for growth and jobs' goal in all regions corresponding to level 2 of the common classification of territorial units for statistics (hereinafter referred to as 'NUTS level 2'), which was established by Regulation (EC) No 1059/2003 of the European Parliament and of the Council <sup>(2)</sup> as amended by Commission Regulation (EC) No 105/2007 <sup>(3)</sup>.

(2) Pursuant to Article 90(4) of Regulation (EU) No 1303/2013 it is necessary that the Commission sets up a list of regions fulfilling the respective criteria of each of the three categories of regions (less developed regions, transition regions and more developed regions) at NUTS level 2.

(3) Pursuant to Article 90(4) of Regulation (EU) No 1303/2013 it is also necessary that the Commission sets up the list of Member States that are eligible for

funding from the Cohesion Fund and a list of Member States that shall receive support from the Cohesion Fund on a transitional and specific basis.

(4) According to point 32 of the Conclusions on the multi-annual financial framework 2014-20 adopted by the European Council of 7/8 February 2013, at the request of a Member State, NUTS level 2 regions which have been merged by Commission Regulation (EU) No 31/2011 <sup>(4)</sup>, and where the application of the modified NUTS classification results in changes in the eligibility category status of one or more of the regions concerned, shall be part of the category determined at the level of the modified NUTS region. Consequently this Decision should be coherent with these Conclusions.

(5) For reasons of transparency, the codes and names of the NUTS level 2 regions applicable from 1 January 2012 in accordance with Regulation (EU) No 31/2011 should also be included into the annexes to this Decision.

(6) The list of eligible regions and Member States should therefore be set up accordingly,

HAS ADOPTED THIS DECISION:

## Article 1

The regions under the less-developed category eligible for funding from the European Regional Development Fund (ERDF) and European Social Fund (ESF) are listed in Annex I.

## Article 2

The regions under the transition category eligible for funding from the ERDF and the ESF are listed in Annex II.

## Article 3

The regions under the more-developed category eligible for funding from the ERDF and the ESF are listed in Annex III.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 320.

<sup>(2)</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

<sup>(3)</sup> Commission Regulation (EC) No 105/2007 of 1 February 2007, amending the annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council, on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 39, 10.2.2007, p. 1).

<sup>(4)</sup> Commission Regulation (EU) No 31/2011 of 17 January 2011 amending annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 13, 18.1.2011, p. 3).

*Article 4*

The Member States eligible for funding from the Cohesion Fund are listed in Annex IV.

*Article 5*

The Member States eligible for funding from the Cohesion Fund on a transitional and specific basis are listed in Annex V.

*Article 6*

This Decision is addressed to the Member States.

Done at Brussels, 18 February 2014.

*For the Commission*

Johannes HAHN

*Member of the Commission*

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## ANNEX I

## List of less developed regions pursuant to Article 1

|      |                                                          | NUTS 2010 <sup>(1)</sup> |
|------|----------------------------------------------------------|--------------------------|
| BG31 | Северозападен (Severozapaden)                            |                          |
| BG32 | Северен централен (Severen tsentralen)                   |                          |
| BG33 | Североизточен (Severoiztochen)                           |                          |
| BG34 | Югоизточен (Yugoiztochen)                                |                          |
| BG41 | Югозападен (Yugozapaden)                                 |                          |
| BG42 | Южен централен (Yuzhen tsentralen)                       |                          |
| CZ02 | Střední Čechy                                            |                          |
| CZ03 | Jihozápad                                                |                          |
| CZ04 | Severozápad                                              |                          |
| CZ05 | Severovýchod                                             |                          |
| CZ06 | Jihovýchod                                               |                          |
| CZ07 | Střední Morava                                           |                          |
| CZ08 | Moravskoslezsko                                          |                          |
| EE00 | Eesti                                                    |                          |
| GR11 | Ανατολική Μακεδονία, Θράκη (Anatoliki Makedonia, Thraki) | (new code EL11)          |
| GR12 | Κεντρική Μακεδονία (Kentriki Makedonia)                  | (new code EL12)          |
| GR14 | Θεσσαλία (Thessalia)                                     | (new code EL14)          |
| GR21 | Ήπειρος (Ipeiros)                                        | (new code EL21)          |
| GR23 | Δυτική Ελλάδα (Dytiki Ellada)                            | (new code EL23)          |
| ES43 | Extremadura                                              |                          |
| FR91 | Guadeloupe                                               |                          |
| FR92 | Martinique                                               |                          |
| FR93 | Guyane                                                   |                          |
| FR94 | Réunion                                                  |                          |
| FR–  | Mayotte                                                  |                          |
| HR03 | Jadranska Hrvatska                                       |                          |
| HR04 | Kontinentalna Hrvatska                                   |                          |
| ITF3 | Campania                                                 |                          |
| ITF4 | Puglia                                                   |                          |

|      |                            | NUTS 2010 <sup>(1)</sup> |
|------|----------------------------|--------------------------|
| ITF5 | Basilicata                 |                          |
| ITF6 | Calabria                   |                          |
| ITG1 | Sicilia                    |                          |
| LV00 | Latvija                    |                          |
| LT00 | Lietuva                    |                          |
| HU21 | Közép-Dunántúl             |                          |
| HU22 | Nyugat-Dunántúl            |                          |
| HU23 | Dél-Dunántúl               |                          |
| HU31 | Észak-Magyarország         |                          |
| HU32 | Észak-Alföld               |                          |
| HU33 | Dél-Alföld                 |                          |
| PL11 | Łódzkie                    |                          |
| PL21 | Małopolskie                |                          |
| PL22 | Śląskie                    |                          |
| PL31 | Lubelskie                  |                          |
| PL32 | Podkarpackie               |                          |
| PL33 | Świętokrzyskie             |                          |
| PL34 | Podlaskie                  |                          |
| PL41 | Wielkopolskie              |                          |
| PL42 | Zachodniopomorskie         |                          |
| PL43 | Lubuskie                   |                          |
| PL51 | Dolnośląskie               |                          |
| PL52 | Opolskie                   |                          |
| PL61 | Kujawsko-Pomorskie         |                          |
| PL62 | Warmińsko-Mazurskie        |                          |
| PL63 | Pomorskie                  |                          |
| PT11 | Norte                      |                          |
| PT16 | Centro (P)                 | (new name Centro (PT))   |
| PT18 | Alentejo                   |                          |
| PT20 | Região Autónoma dos Açores |                          |
| RO11 | Nord-Vest                  |                          |

|      |                              | NUTS 2010 <sup>(1)</sup> |
|------|------------------------------|--------------------------|
| RO12 | Centru                       |                          |
| RO21 | Nord-Est                     |                          |
| RO22 | Sud-Est                      |                          |
| RO31 | Sud — Muntenia               |                          |
| RO41 | Sud-Vest Oltenia             |                          |
| RO42 | Vest                         |                          |
| SI01 | Vzhodna Slovenija            |                          |
| SK02 | Západné Slovensko            |                          |
| SK03 | Stredné Slovensko            |                          |
| SK04 | Východné Slovensko           |                          |
| UKK3 | Cornwall and Isles of Scilly |                          |
| UKL1 | West Wales and The Valleys   |                          |

<sup>(1)</sup> Changes to the codes and names introduced by Regulation (EU) No 31/2011, applicable as of 1 January 2012.

## ANNEX II

## List of transition regions pursuant to Article 2

|      |                                     | NUTS 2010                        |
|------|-------------------------------------|----------------------------------|
| BE32 | Prov. Hainaut                       |                                  |
| BE33 | Prov. Liège                         |                                  |
| BE34 | Prov. Luxembourg (B)                | (new name Prov. Luxembourg (BE)) |
| BE35 | Prov. Namur                         |                                  |
| DK02 | Sjælland                            |                                  |
| DE41 | Brandenburg — Nordost               | (merged into DE40 Brandenburg)   |
| DE42 | Brandenburg — Südwest               | (merged into DE40 Brandenburg)   |
| DE80 | Mecklenburg-Vorpommern              |                                  |
| DE93 | Lüneburg                            |                                  |
| DED1 | Chemnitz                            | (DED1 is part of DED4Chemnitz)   |
| DED2 | Dresden                             |                                  |
| DEE0 | Sachsen-Anhalt                      |                                  |
| DEG0 | Thüringen                           |                                  |
| GR13 | Δυτική Μακεδονία (Dytiki Makedonia) | (new code EL13)                  |
| GR22 | Ιόνια Νησιά (Ionia Nisia)           | (new code EL22)                  |
| GR24 | Στερεά Ελλάδα (Sterea Ellada)       | (new code EL24)                  |
| GR25 | Πελοπόννησος (Peloponnisos)         | (new code EL25)                  |
| GR41 | Βόρειο Αιγαίο (Voreio Aigaio)       | (new code EL41)                  |
| GR43 | Κρήτη (Kriti)                       | (new code EL43)                  |
| ES42 | Castilla-La Mancha                  |                                  |
| ES61 | Andalucía                           |                                  |
| ES62 | Región de Murcia                    |                                  |
| ES64 | Ciudad Autónoma de Melilla          |                                  |
| ES70 | Canarias                            |                                  |
| FR22 | Picardie                            |                                  |
| FR25 | Basse-Normandie                     |                                  |
| FR30 | Nord — Pas-de-Calais                |                                  |
| FR41 | Lorraine                            |                                  |
| FR43 | Franche-Comté                       |                                  |
| FR53 | Poitou-Charentes                    |                                  |
| FR63 | Limousin                            |                                  |
| FR72 | Auvergne                            |                                  |

|      |                                          | NUTS 2010                  |
|------|------------------------------------------|----------------------------|
| FR81 | Languedoc-Roussillon                     | (new name Burgenland (AT)) |
| FR83 | Corse                                    |                            |
| ITF1 | Abruzzo                                  |                            |
| ITF2 | Molise                                   |                            |
| ITG2 | Sardegna                                 |                            |
| MT00 | Malta                                    |                            |
| AT11 | Burgenland (A)                           |                            |
| PT15 | Algarve                                  |                            |
| UKC1 | Tees Valley and Durham                   |                            |
| UKD1 | Cumbria                                  |                            |
| UKD4 | Lancashire                               |                            |
| UKD5 | Merseyside                               |                            |
| UKE1 | East Yorkshire and Northern Lincolnshire |                            |
| UKE3 | South Yorkshire                          |                            |
| UKF3 | Lincolnshire                             |                            |
| UKG2 | Shropshire and Staffordshire             |                            |
| UKK4 | Devon                                    |                            |
| UKM6 | Highlands and Islands                    |                            |
| UKN0 | Northern Ireland                         |                            |

## ANNEX III

## List of more developed regions pursuant to Article 3

|      |                                                             | NUTS 2010                     |
|------|-------------------------------------------------------------|-------------------------------|
| BE10 | Région de Bruxelles-Capitale/Brussels Hoofdstedelijk Gewest |                               |
| BE21 | Prov. Antwerpen                                             |                               |
| BE22 | Prov. Limburg (B)                                           | (new name Prov. Limburg (BE)) |
| BE23 | Prov. Oost-Vlaanderen                                       |                               |
| BE24 | Prov. Vlaams-Brabant                                        |                               |
| BE25 | Prov. West-Vlaanderen                                       |                               |
| BE31 | Prov. Brabant Wallon                                        |                               |
| CZ01 | Praha                                                       |                               |
| DK01 | Hovedstaden                                                 |                               |
| DK03 | Syddanmark                                                  |                               |
| DK04 | Midtjylland                                                 |                               |
| DK05 | Nordjylland                                                 |                               |
| DE11 | Stuttgart                                                   |                               |
| DE12 | Karlsruhe                                                   |                               |
| DE13 | Freiburg                                                    |                               |
| DE14 | Tübingen                                                    |                               |
| DE21 | Oberbayern                                                  |                               |
| DE22 | Niederbayern                                                |                               |
| DE23 | Oberpfalz                                                   |                               |
| DE24 | Oberfranken                                                 |                               |
| DE25 | Mittelfranken                                               |                               |
| DE26 | Unterfranken                                                |                               |
| DE27 | Schwaben                                                    |                               |
| DE30 | Berlin                                                      |                               |
| DE50 | Bremen                                                      |                               |
| DE60 | Hamburg                                                     |                               |
| DE71 | Darmstadt                                                   |                               |

|      |                             | NUTS 2010                                              |
|------|-----------------------------|--------------------------------------------------------|
| DE72 | Gießen                      |                                                        |
| DE73 | Kassel                      |                                                        |
| DE91 | Braunschweig                |                                                        |
| DE92 | Hannover                    |                                                        |
| DE94 | Weser-Ems                   |                                                        |
| DEA1 | Düsseldorf                  |                                                        |
| DEA2 | Köln                        |                                                        |
| DEA3 | Münster                     |                                                        |
| DEA4 | Detmold                     |                                                        |
| DEA5 | Arnsberg                    |                                                        |
| DEB1 | Koblenz                     |                                                        |
| DEB2 | Trier                       |                                                        |
| DEB3 | Rheinhessen-Pfalz           |                                                        |
| DEC0 | Saarland                    |                                                        |
| DED3 | Leipzig                     | (DED3 contains DED5 Leipzig and part of DED4 Chemnitz) |
| DEF0 | Schleswig-Holstein          |                                                        |
| IE01 | Border, Midland and Western |                                                        |
| IE02 | Southern and Eastern        |                                                        |
| GR30 | Αττική (Attiki)             | (new code EL30)                                        |
| GR42 | Νότιο Αιγαίο (Notio Aigaio) | (new code EL42)                                        |
| ES11 | Galicia                     |                                                        |
| ES12 | Principado de Asturias      |                                                        |
| ES13 | Cantabria                   |                                                        |
| ES21 | País Vasco                  |                                                        |
| ES22 | Comunidad Foral de Navarra  |                                                        |
| ES23 | La Rioja                    |                                                        |
| ES24 | Aragón                      |                                                        |
| ES30 | Comunidad de Madrid         |                                                        |
| ES41 | Castilla y León             |                                                        |
| ES51 | Cataluña                    |                                                        |
| ES52 | Comunidad Valenciana        |                                                        |
| ES53 | Illes Balears               |                                                        |

|      |                                  | NUTS 2010                                                    |
|------|----------------------------------|--------------------------------------------------------------|
| ES63 | Ciudad Autónoma de Ceuta         |                                                              |
| FR10 | Île de France                    |                                                              |
| FR21 | Champagne-Ardenne                |                                                              |
| FR23 | Haute-Normandie                  |                                                              |
| FR24 | Centre                           |                                                              |
| FR26 | Bourgogne                        |                                                              |
| FR42 | Alsace                           |                                                              |
| FR51 | Pays de la Loire                 |                                                              |
| FR52 | Bretagne                         |                                                              |
| FR61 | Aquitaine                        |                                                              |
| FR62 | Midi-Pyrénées                    |                                                              |
| FR71 | Rhône-Alpes                      |                                                              |
| FR82 | Provence-Alpes-Côte d'Azur       |                                                              |
| ITC1 | Piemonte                         |                                                              |
| ITC2 | Valle d'Aosta/Vallée d'Aoste     |                                                              |
| ITC3 | Liguria                          |                                                              |
| ITC4 | Lombardia                        |                                                              |
| ITD1 | Provincia Autonoma Bolzano/Bozen | (new code and name ITH1 Provincia Autonoma di Bolzano/Bozen) |
| ITD2 | Provincia Autonoma Trento        | (new code and name ITH2 Provincia Autonoma di Trento)        |
| ITD3 | Veneto                           | (new code ITH3)                                              |
| ITD4 | Friuli-Venezia Giulia            | (new code ITH4)                                              |
| ITD5 | Emilia-Romagna                   |                                                              |
| ITE1 | Toscana                          | (new code ITI1)                                              |
| ITE2 | Umbria                           | (new code ITI2)                                              |
| ITE3 | Marche                           |                                                              |
| ITE4 | Lazio                            | (new code ITI4)                                              |
| CY00 | Κύπρος/Kıbrıs (Kýpros/Kıbrıs)    | (new name Κύπρος (Kýpros))                                   |
| LU00 | Luxembourg (Grand-Duché)         | (new name Luxembourg)                                        |
| HU10 | Közép-Magyarország               |                                                              |
| NL11 | Groningen                        |                                                              |
| NL12 | Friesland (NL)                   |                                                              |
| NL13 | Drenthe                          |                                                              |
| NL21 | Overijssel                       |                                                              |

|      |                            | NUTS 2010                                             |
|------|----------------------------|-------------------------------------------------------|
| NL22 | Gelderland                 |                                                       |
| NL23 | Flevoland                  |                                                       |
| NL31 | Utrecht                    |                                                       |
| NL32 | Noord-Holland              |                                                       |
| NL33 | Zuid-Holland               |                                                       |
| NL34 | Zeeland                    |                                                       |
| NL41 | Noord-Brabant              |                                                       |
| NL42 | Limburg (NL)               |                                                       |
| AT12 | Niederösterreich           |                                                       |
| AT13 | Wien                       |                                                       |
| AT21 | Kärnten                    |                                                       |
| AT22 | Steiermark                 |                                                       |
| AT31 | Oberösterreich             |                                                       |
| AT32 | Salzburg                   |                                                       |
| AT33 | Tirol                      |                                                       |
| AT34 | Vorarlberg                 |                                                       |
| PL12 | Mazowieckie                |                                                       |
| PT17 | Lisboa                     |                                                       |
| PT30 | Região Autónoma da Madeira |                                                       |
| RO32 | București — Ilfov          |                                                       |
| SI02 | Zahodna Slovenija          |                                                       |
| SK01 | Bratislavský kraj          |                                                       |
| FI13 | Itä-Suomi                  | (merged into FI1D Pohjois- ja Itä-Suomi)              |
| FI1A | Pohjois-Suomi              | (merged into FI1D Pohjois- ja Itä-Suomi)              |
| FI18 | Etelä-Suomi                | (split in FI1B Helsinki-Uusimaa and FI1C Etelä-Suomi) |
| FI19 | Länsi-Suomi                |                                                       |
| FI20 | Åland                      |                                                       |
| SE11 | Stockholm                  |                                                       |
| SE12 | Östra Mellansverige        |                                                       |
| SE21 | Småland med öarna          |                                                       |
| SE22 | Sydsverige                 |                                                       |

|      | NUTS 2010                                        |
|------|--------------------------------------------------|
| SE23 | Västsverige                                      |
| SE31 | Norra Mellansverige                              |
| SE32 | Mellersta Norrland                               |
| SE33 | Övre Norrland                                    |
| UKC2 | Northumberland and Tyne and Wear                 |
| UKD2 | Cheshire                                         |
| UKD3 | Greater Manchester                               |
| UKE2 | North Yorkshire                                  |
| UKE4 | West Yorkshire                                   |
| UKF1 | Derbyshire and Nottinghamshire                   |
| UKF2 | Leicestershire, Rutland and Northamptonshire     |
| UKG1 | Herefordshire, Worcestershire and Warwickshire   |
| UKG3 | West Midlands                                    |
| UKH1 | East Anglia                                      |
| UKH2 | Bedfordshire and Hertfordshire                   |
| UKH3 | Essex                                            |
| UKI1 | Inner London                                     |
| UKI2 | Outer London                                     |
| UKJ1 | Berkshire, Buckinghamshire and Oxfordshire       |
| UKJ2 | Surrey, East and West Sussex                     |
| UKJ3 | Hampshire and Isle of Wight                      |
| UKJ4 | Kent                                             |
| UKK1 | Gloucestershire, Wiltshire and Bristol/Bath area |
| UKK2 | Dorset and Somerset                              |
| UKL2 | East Wales                                       |
| UKM2 | Eastern Scotland                                 |
| UKM3 | South Western Scotland                           |
| UKM5 | North Eastern Scotland                           |

*ANNEX IV***List of Member States eligible for funding from the Cohesion Fund pursuant to Article 4**

Bulgaria  
Czech Republic  
Estonia  
Greece  
Croatia  
Latvia  
Lithuania  
Hungary  
Malta  
Poland  
Portugal  
Romania  
Slovenia  
Slovakia

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*ANNEX V***List of Member States eligible for funding from the Cohesion Fund on a transitional and specific basis pursuant to Article 5**

Cyprus

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**COMMISSION IMPLEMENTING DECISION****of 18 February 2014****concerning certain interim protective measures relating to African swine fever in Poland***(notified under document C(2014) 1179)***(Only the Polish text is authentic)****(Text with EEA relevance)**

(2014/100/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market <sup>(1)</sup>, and in particular Article 9(3) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market <sup>(2)</sup>, and in particular Article 10(3) thereof,

Whereas:

- (1) African swine fever is an infectious viral disease affecting domestic and feral pig populations and can have a severe impact on the profitability of pig farming causing disturbance to trade within the Union and exports to third countries.
- (2) In the event of an outbreak of African swine fever, there is a risk that the disease agent might spread to other pig holdings and to feral pigs. As a result, it may spread from one Member State to another Member State and to third countries through trade in live pigs or their products.
- (3) Council Directive 2002/60/EC <sup>(3)</sup> lays down minimum measures to be applied within the Union for the control of African swine fever. Article 15 of Directive 2002/60/EC provides for the establishment of an infected area following the confirmation of one or more cases of African swine fever in feral pigs.
- (4) Poland has informed the Commission of the current African swine fever situation on its territory, and in accordance with Article 15 of Directive 2002/60/EC, it

has established an infected area where the measures referred to in Articles 15 and 16 of that Directive are applied.

- (5) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade by third countries, it is necessary to establish in collaboration with the Member State concerned a Union list of the infected territories for African swine fever in Poland.
- (6) Accordingly, pending the next meeting of the Standing Committee on the Food Chain and Animal Health, the infected territories in Poland should be listed in the Annex to this Decision and the duration of that regionalisation established in accordance with Article 15 of Directive 2002/60/EC.
- (7) This Decision is to be reviewed at the next meeting of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Poland shall ensure that the infected area established in accordance with Article 15 of Directive 2002/60/EC comprise at least the territories listed in the Annex to this Decision.

*Article 2*

This Decision shall apply until 14 March 2014.

*Article 3*

This Decision is addressed to the Republic of Poland.

Done at Brussels, 18 February 2014.

*For the Commission*

Tonio BORG

*Member of the Commission*

<sup>(1)</sup> OJ L 395, 30.12.1989, p. 13.

<sup>(2)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(3)</sup> Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever (OJ L 192, 20.7.2002, p. 27).

## ANNEX

**INFECTED AREA**

The following territories in the republic of Poland:

- in voivodship podlaskie: the powiat sejneński; in powiat augustowski, the municipalities of Płaska, Lipsk and Sztabin; the powiat sokółski; in powiat białostocki, the municipalities Czarna Białostocka, Supraśl, Zabudów, Michałowo and Gródek; and the powiats hajnowski, bielski and siemiatycki;
  - in voivodship mazowieckie: the powiat łosicki;
  - in voivodship lubelskie: the powiats bialski and włodawski.
-

**CORRIGENDA**

**Corrigendum to Council Implementing Regulation (EU) No 1241/2012 of 11 December 2012 amending Implementing Regulation (EU) No 1138/2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain fatty alcohols and their blends originating in India, Indonesia and Malaysia**

*(Official Journal of the European Union L 352 of 21 December 2012)*

On page 4, Article 1, the table, column 'Company':

*for:* 'P.T. Ecogreen Oleochemicals Batam, Kabil, Batam',

*read:* 'P.T. Ecogreen Oleochemicals, Kabil, Batam'.

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