

Official Journal of the European Union

L 207



English edition

Legislation

Volume 57

15 July 2014

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 757/2014 of 10 July 2014 concerning the classification of certain goods in the Combined Nomenclature** 1
- ★ **Commission Implementing Regulation (EU) No 758/2014 of 10 July 2014 concerning the classification of certain goods in the Combined Nomenclature** 4
- ★ **Commission Implementing Regulation (EU) No 759/2014 of 10 July 2014 concerning the classification of certain goods in the Combined Nomenclature** 7
- ★ **Commission Implementing Regulation (EU) No 760/2014 of 10 July 2014 concerning the classification of certain goods in the Combined Nomenclature** 10
- ★ **Commission Implementing Regulation (EU) No 761/2014 of 10 July 2014 concerning the classification of certain goods in the Combined Nomenclature** 13
- Commission Implementing Regulation (EU) No 762/2014 of 14 July 2014 establishing the standard import values for determining the entry price of certain fruit and vegetables 15

DECISIONS

- ★ **Council Decision 2014/460/CFSP of 14 July 2014 amending Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire** 17
- 2014/461/EU:
- ★ **Commission Implementing Decision of 14 July 2014 on a temporary derogation from Council Decision 2013/755/EU, as regards the rules of origin for prepared and preserved shrimps and prawns from Greenland** 20

EN

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

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

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 757/2014**of 10 July 2014****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 10 July 2014.

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

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A box of steel with dimensions of approximately 22,5 × 16,5 × 5,5 cm, with a wall thickness of more than 0,5 mm and of a capacity of less than 50 l. The box has a lid that is fixed to it by means of hinges and a closing system on the other side of the hinges. On the side of the closing system the box has a handle. There are relief-like images of biscuits and cartoon animals on the lid and the bottom of the box. The box has no internal fitting. See photographs A and B (*).	7326 90 98	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN code 7326, 7326 90 and 7326 90 98. Given its objective characteristics, including its plain interior and small size, the product is not considered to be a suitcase, an executive-case or a briefcase of heading 4202. The product is not specially shaped or internally fitted to contain particular tools with or without their accessories (see also the Harmonised System Explanatory Notes (HSEN) to heading 4202, third paragraph). Classification under heading 4202 is therefore excluded. Because of its objective characteristics, namely the absence of any elements allowing to identify it as an adequate sales packing for specific consumer goods, classification of the product as a box under heading 7310 is also excluded (see also the HSEN to heading 7310, second paragraph). The product is therefore to be classified under CN code 7326 90 98 as other articles of iron and steel.

(*) The images are purely for information.



A



B

COMMISSION IMPLEMENTING REGULATION (EU) No 758/2014
of 10 July 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 10 July 2014.

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

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A circular product made of silicone with a diameter of approximately 10 to 15 mm and a height of approximately 3 mm. The product has a cross-shaped incision in the centre. It has no mechanical components. The product is used together with a screw-on cap with a lid. It is placed inside the screw-on cap and the whole is screwed over a bottle-neck. The product prevents a semi-liquid substance, for example, mayonnaise or ketchup, flowing out of a bottle when the latter is turned upside down. When the lid is open and the bottle is turned upside down, the substance is dispensed via the cross-shaped incision if manual pressure is applied to the bottle. See image (*)	3926 90 97	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 3926, 3926 90 and 3926 90 97. As the product cannot perform the function of a stopper on its own, but only when placed inside the screw-on cap, it is considered an accessory to the cap. Therefore, classification under heading 3923 as stoppers, lids, caps and other closures is excluded. The product leads the semi-liquid substance into the screw-on cap, but does not itself control the opening and closing of the aperture, and therefore it does not regulate the flow of a liquid by opening and closing an aperture. Consequently, classification under heading 8481 as taps, cocks, valves and similar appliances is excluded. As the constituent material of the product is plastic, it is therefore to be classified under CN code 3926 90 97 as other articles of plastics.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 759/2014
of 10 July 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The Customs Code Committee has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 10 July 2014.

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

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A non-self-propelled machine (so-called 'beach rake machine') for cleaning sand beaches with dimensions of approximately 4 × 2,3 × 2,3 m. It is used for sifting and cleaning sand of impurities, such as glass, plastic, cigarette butts, straws, cans, stones, sea grass, seaweed, small pieces of wood. The machine levels the sand surface by means of a mouldboard deflector plate. The sand is then sifted through hundreds of stainless steel spring-loaded tines. Finally, the impurities are separated from the sand and carried on a conveyor into a hopper.	8479 10 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8479 and 8479 10 00. As the machine only sorts or separates rubbish from the sand and not the sand itself, classification under heading 8474 as machinery for sorting or separating mineral substances is excluded (see also the Harmonised System Explanatory Notes (HSEN) to heading 8474, first paragraph, point (I)). As the machine is used for the maintenance (cleaning) of beaches, it is considered to be machinery for public works, building or the like (see also the HSEN to heading 8479, group (II), sub-group (A), fifth paragraph). The machine is therefore to be classified under CN code 8479 10 00 as machinery for public works, building or the like.

COMMISSION IMPLEMENTING REGULATION (EU) No 760/2014
of 10 July 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 10 July 2014.

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

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A cylindrical container made of plastics, approximately 8 cm high, with a diameter of 6 cm, containing 180 ml of paraffin-based lamp oil (a mixture of paraffin containing 68 % of tetradecane, 25 % of pentadecane and approximately 4 % of hexadecane) and a wick. It is covered by a metal seal with a plastic cap that prevents evaporation of the oil and holds the wick in place (so-called 'oil lamp'). The container cannot be refilled after the oil has been consumed. The product is used as a mood light. It can either be placed in a holder (for example, a glass pot) or it can be used independently. (*) See image.	9405 50 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature (GIR) and by the wording of CN codes 9405 and 9405 50 00. Classification as oil under heading 2710 is excluded as the product has a metal seal with a plastic cap and a wick and thus consists of more elements than oil and a container normally used for packing such goods as provided for under GIR 5(b). The product has the characteristics and design of an independent lighting fitting of heading 9405 as it has a self-sustaining body containing oil, a metal seal with a plastic cap and a wick. That heading covers electrical and non-electrical lamps and lighting fittings that can be constituted of any materials and use any source of light (see also the Harmonised System Explanatory Notes to heading 9405, part (I)). The product is therefore to be classified under CN code 9405 50 00 as non-electrical lamps and lighting fittings.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 761/2014
of 10 July 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

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

Done at Brussels, 10 July 2014.

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

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Surface-active preparation for washing the skin and the hair, presented in the form of a gel. The product contains in similar proportions specific components for washing the skin and for washing the hair. The product is presented in a plastic bottle containing 300 ml, put up for retail sale.	3401 30 00	Classification is determined by general rules 1, 3(c) and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 3401 and 3401 30 00. The product is a preparation for washing both the hair (heading 3305) and the skin (heading 3401). Given its objective characteristics, it is not possible to determine which component gives the product its essential character. Consequently, by virtue of general rule 3(c), the product has to be classified under the heading occurring last in numerical order, i.e. under heading 3401, as a preparation for washing the skin, put up for retail sale.

COMMISSION IMPLEMENTING REGULATION (EU) No 762/2014**of 14 July 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) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 14 July 2014.

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

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	53,5
	MK	97,3
	TR	59,3
	ZZ	70,0
0707 00 05	AL	74,4
	MK	27,7
	TR	76,3
	ZZ	59,5
0709 93 10	TR	99,0
	ZZ	99,0
0805 50 10	AR	106,0
	TR	148,4
	UY	119,0
	ZA	128,3
	ZZ	125,4
0808 10 80	AR	122,5
	BR	84,6
	CL	116,1
	NZ	129,0
	US	142,6
	ZA	139,7
	ZZ	122,4
0808 30 90	AR	80,4
	CL	146,7
	NZ	191,9
	ZA	121,6
	ZZ	135,2
0809 10 00	BA	82,8
	MK	85,8
	TR	238,6
	XS	85,6
	ZZ	123,2
0809 29 00	TR	326,6
	ZZ	326,6
0809 30	MK	57,0
	TR	139,2
	XS	50,2
	ZZ	82,1
0809 40 05	BA	61,9
	ZZ	61,9

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

DECISIONS

COUNCIL DECISION 2014/460/CFSP

of 14 July 2014

amending Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 29 October 2010, the Council adopted Decision 2010/656/CFSP ⁽¹⁾.
- (2) On 29 April 2014, the United Nations Security Council adopted Resolution 2153 (2014), renewing and modifying the arms embargo against Côte d'Ivoire, in particular by no longer including related non-lethal materiel in the prohibition on the supply, sale or transfer to Côte d'Ivoire of arms and any related materiel. In addition, the ban on the import of rough diamonds from Côte d'Ivoire has been lifted.
- (3) Decision 2010/656/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/656/CFSP is hereby amended as follows:

- (1) Articles 1 and 2 are replaced by the following:

'Article 1

The sale, supply, transfer or export of arms and related lethal materiel, as well as equipment which might be used for internal repression, to Côte d'Ivoire by nationals of Member States or from the territories of Member States or using the flag vessels or aircraft of Member States, shall be prohibited, regardless of whether such arms, related materiel and equipment originate in the territories of the Member States.

Article 2

1. Article 1 shall not apply to:

- (a) supplies intended solely for the support of or use by the United Nations Operation in Côte d'Ivoire (UNOCI) and the French forces who support them, and supplies transiting through Côte d'Ivoire intended for the support of or use by United Nations Peacekeeping operations;
- (b) the following, as notified in advance to the Committee established by paragraph 14 of UNSCR 1572 (2004) ("Sanctions Committee"):
 - (i) supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire;

⁽¹⁾ Council Decision 2010/656/CFSP of 29 October 2010 renewing the restrictive measures against Côte d'Ivoire (OJ L 285, 30.10.2010, p. 28).

- (ii) supplies of arms and related lethal materiel to the Ivorian security forces, intended solely for the support of, or use in, the Ivorian process of security sector reform, with the exception of those arms and related lethal materiel as set out in Annex III to this Decision, which must be approved in advance by the Sanctions Committee;
- (c) supplies of non-lethal equipment capable of being used for internal repression and which is intended solely to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order;
- (d) supplies of equipment capable of being used for internal repression to the Ivorian security forces, intended solely for support of, or use in, the Ivorian process of security sector reform.

2. Primary responsibility for notification or requests for approval to the Sanctions Committee, in advance of the shipment of any supplies of arms and related lethal materiel to the Ivorian security forces as referred to in point (b)(ii) of paragraph 1, rests with the Government of Côte d'Ivoire. In the alternative, a Member State delivering assistance may make this notification or approval request after informing the Government of Côte d'Ivoire of its intention to do so.;

(2) Article 3 is deleted.

Article 2

The Annex to this Decision shall be added as Annex III to Decision 2010/656/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, 14 July 2014.

For the Council
The President
M. MARTINA

ANNEX

'ANNEX III

List of arms and related lethal materiel referred to in Article 2(1)(b)(ii):

1. Weapons, direct and indirect fire artillery, and guns with a calibre bigger than 12,7 mm, their ammunition and components.
 2. Rocket propelled grenades, rockets, light anti-tank weapons, rifle grenades and grenade-launchers.
 3. Surface-to-air missiles, including man portable air defence systems (Manpads); surface-to-surface missiles; and air-to-surface missiles.
 4. Mortars with a calibre bigger than 82 mm.
 5. Guided anti-tank weapons, especially guided anti-tank missiles, their ammunition and components.
 6. Armed aircraft, including rotary wing or fixed wing.
 7. Military armed vehicles or military vehicles equipped with weapon mounts.
 8. Explosive charges and devices containing explosive materials, designed for military purpose, mines and related materiel.
 9. Night observation and night shooting devices.'
-

COMMISSION IMPLEMENTING DECISION**of 14 July 2014****on a temporary derogation from Council Decision 2013/755/EU, as regards the rules of origin for prepared and preserved shrimps and prawns from Greenland**

(2014/461/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) ⁽¹⁾, and in particular Article 16 of Annex VI thereof,

Whereas:

- (1) On 16 October 2009 the Commission adopted Decision 2009/776/EC ⁽²⁾ derogating from the definition of the concept of 'originating products' to take account of the special situation of Greenland with regard to shrimps and prawns of the species *Pandalus borealis*. That derogation expired on 31 December 2013.
- (2) With letter of 1 April 2014, Greenland requested a new derogation from the rules of origin set out in Article 16 of Annex VI to Decision 2013/755/EU in respect of an annual quantity of 2 500 tonnes of prepared and preserved shrimps and prawns of the species *Pandalus borealis* and *Pandalus Montagu* to be exported from Greenland for the period from 1 January 2014 to 31 December 2020.
- (3) Greenland has based its request on the fact that Greenlandic total allowable catches (TAC) have decreased over the last years and will further decrease in 2015, causing a shortfall in supplies of originating shrimps and prawns. Greenland urgently needs shrimps and prawns from neighbouring countries to maintain a minimum level of production and to secure employment.
- (4) Article 16(1)(c) of Annex VI to Decision 2013/755/EU provides that derogations from the rules of origin may be granted where justified by the development of existing industries or the creation of new industries in a country or territory.
- (5) Fisheries is the primary industry in Greenland of which the shrimps and prawn fishery sector is the most important. It is of great significance to the continued development of the Greenlandic industry that the possibility to use shrimps and prawns from third countries, in particular from Canada, remains possible in the future to develop the industry on land and to maintain competitiveness of the Greenlandic industry on the world market.
- (6) Greenland is a geographically isolated territory with limited infrastructure and rising unemployment. When there is a shortage of supplies, factories have to close down causing unemployment for longer periods. The socio-economic impact of such a close-down on a small community that is dependent on the economic activity of such factories is therefore significant. The processing of 2 500 tons of shrimps and prawns provides work for approximately 10 workers. Greenland has indicated in its request that the derogation is vital for the survival of one of its factories.
- (7) The requested derogation is justified under Article 16(1)(c) of Annex VI to Decision 2013/755/EU, as regards the continued development of an existing industry in Greenland. Moreover, the derogation will secure employment in vulnerable communities and is essential for the survival of one of Greenland's factories.
- (8) Since the use of the derogation granted in 2001 was very low, this derogation should be granted only for 500 tons, which corresponds to the maximum utilisation level in 2002 increased by a 25 % tolerance.

⁽¹⁾ OJ L 344, 19.12.2013, p. 1.

⁽²⁾ Commission Decision 2009/776/EC of 16 October 2009 on a derogation from Council Decision 2001/822/EC, as regards the rules of origin for prepared and preserved shrimps and prawns from Greenland (OJ L 278, 23.10.2009, p. 51).

- (9) Subject to compliance with certain conditions relating to quantities, surveillance and duration, the derogation would not cause serious injury to an economic sector or an established industry of the Union or of one or more Member States.
- (10) Commission Regulation (EEC) No 2454/93 ⁽¹⁾ lays down rules for the management of tariff quotas. Those rules should be applied to the management of the quantity in respect of which the derogation is granted by this decision.
- (11) The derogation is requested for a period starting on 1 January 2014 and ending on 31 December 2020. Since it is necessary to ensure continuity of exports from Greenland to the Union and predictability for economic operators, the derogation should be granted retroactively.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Annex VI to Decision 2013/755/EU, prepared and preserved shrimps and prawns of the species *Pandalus borealis* and *Pandalus Montagu* of CN codes ex 1605 21 and ex 1605 29, processed in Greenland from non-originating shrimps and prawns of CN code 0306 16 99 shall be regarded as originating in Greenland in accordance with the terms set out in Articles 2 to 5 of this Decision.

Article 2

The derogation provided for in Article 1 shall apply to the quantities set out in the Annex which are imported into the Union from Greenland during the period from 1 January 2014 to 31 December 2020.

Article 3

The quantities set out in the Annex to this Decision shall be managed in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 4

The customs authorities of Greenland shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1.

All the movement certificates EUR.1 they issue in relation to those products shall bear a reference to this Decision.

Before the end of the month following each quarter, the competent authorities of Greenland shall forward to the Commission a quarterly statement of the quantities in respect of which movement certificates EUR.1 have been issued pursuant to this Decision and the serial numbers of those certificates.

Article 5

Box 7 of the movement certificates EUR.1 issued under this Decision shall contain one of the following entries:

- 'Derogation — Commission Implementing Decision 2014/461/EU'
- 'Dérégation — Décision d'exécution 2014/461/UE de la Commission'

⁽¹⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

Article 6

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

It shall apply from 1 January 2014 until 31 December 2020.

Done at Brussels, 14 July 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

Order No	CN code	Description of goods	Periods	Quantities
09.xxxx	ex 1605 21	Prepared or preserved shrimps and prawns of the species <i>Pandalus borealis</i> and <i>Pandalus Montaguï</i>	1.1.2014 to 31.12.2014	500 tonnes
	ex 1605 29		1.1.2015 to 31.12.2015	500 tonnes
			1.1.2016 to 31.12.2016	500 tonnes
			1.1.2017 to 31.12.2017	500 tonnes
			1.1.2018 to 31.12.2018	500 tonnes
			1.1.2019 to 31.12.2019	500 tonnes
			1.1.2020 to 31.12.2020	500 tonnes

