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Legislation

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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 1102/2014**of 20 October 2014****amending Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya**

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 Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EU) No 204/2011 ⁽²⁾ gives effect to certain measures provided for in Decision 2011/137/CFSP.
- (2) On 27 August 2014, the United Nations Security Council adopted Resolution ('UNSCR') 2174 (2014) extending the application of the travel ban and asset freeze measures as set out in paragraph 22 of UNSCR 1970 (2011) and paragraph 23 of UNSCR 1973 (2011) and amending the scope of the arms embargo imposed by paragraph 9 of UNSCR 1970 (2011), paragraph 13 of UNSCR 2009 (2011) and paragraphs 9 and 10 of UNSCR 2095 (2013).
- (3) On 20 October 2014, the Council adopted Decision 2014/727/CFSP ⁽³⁾ in accordance with UNSCR 2174 (2014).
- (4) Certain of these amendments fall within the scope of the Treaty and, therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary in order to implement them.
- (5) Regulation (EU) No 204/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 204/2011 is hereby amended as follows:

- (1) in Article 3(2), point (c) is replaced by the following:

'(c) the provision of technical assistance, financing or financial assistance related to non-lethal military equipment intended solely for security or disarmament assistance to the Libyan government;';

⁽¹⁾ OJ L 58, 3.3.2011, p. 53.

⁽²⁾ Council Regulation (EU) No 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya (OJ L 58, 3.3.2011, p. 1).

⁽³⁾ Council Decision 2014/727/CFSP of 20 October 2014 amending Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya (see page 30 of this Official Journal).

(2) in Article 6, paragraph 1 is replaced by the following:

‘1. Annex II shall include the natural or legal persons, entities and bodies designated by the United Nations Security Council or by the Sanctions Committee in accordance with paragraph 22 of UNSCR 1970 (2011), paragraphs 19, 22 or 23 of UNSCR 1973 (2011) or paragraph 4 of UNSCR 2174 (2014).’.

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 Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

COUNCIL IMPLEMENTING REGULATION (EU) No 1103/2014
of 20 October 2014
implementing Article 16(1) of Regulation (EU) No 204/2011 concerning restrictive measures in
view of the situation in Libya

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 204/2011 of 2 March 2011 concerning restrictive measures in view of the situation in Libya ⁽¹⁾, and in particular Article 16(1) thereof,

Whereas:

- (1) On 2 March 2011, the Council adopted Regulation (EU) No 204/2011.
- (2) On 27 June 2014, the Sanctions Committee established pursuant to United Nations Security Council Resolution 1970 (2011) concerning Libya updated the list of individuals and entities subject to restrictive measures.
- (3) Annex II to Regulation (EU) No 204/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 204/2011 shall be amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 58, 3.3.2011, p. 1.

ANNEX

The entries set out in Annex II to Regulation (EU) No 204/2011 concerning the persons listed below are replaced by the following entries:

DORDA, Abu Zayd Umar

Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.

Believed status/location: in custody in Libya.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011).

AL-SENUSSI, Colonel Abdullah

Title: Colonel

DOB: 1949

POB: Sudan

a.k.a.: Ould Ahmed, Abdoullah

Passport number: B0515260

DOB: 1948

POB: Anefif (Kidal), Mali

Date of issue: 10 Jan 2012

Place of issue: Bamako, Mali

Date of expiration: 10 Jan 2017

a.k.a.: Ould Ahmed, Abdoullah

Mali ID number: 073/SPICRE

POB: Anefif, Mali

Date of issue: 6 Dec 2011

Place of issue: Essouck, Mali

Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-in-law of Muammar QADHAFI.

Believed status/location: in custody in Libya

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011).

**COUNCIL IMPLEMENTING REGULATION (EU) No 1104/2014
of 20 October 2014**

implementing Article 12(1) of Regulation (EU) No 356/2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 356/2010 of 26 April 2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia ⁽¹⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) On 26 April 2010, the Council adopted Regulation (EU) No 356/2010.
- (2) On 23 and 24 September 2014, the United Nations Security Council Committee, established pursuant to United Nations Security Council Resolutions 751 (1992) and 1907 (2009), approved the addition of two individuals to the list of natural and legal persons, entities or bodies subject to restrictive measures.
- (3) Annex I to Regulation (EU) No 356/2010 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 356/2010 is hereby amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 105, 27.4.2010, p. 1.

ANNEX

- I. The entries below shall be added to the list set out in Annex I to Regulation (EU) No 356/2010.

LIST OF NATURAL AND LEGAL PERSONS, ENTITIES OR BODIES REFERRED TO IN ARTICLES 2 AND 8**I. Persons**

14. Maalim Salman (a.k.a. (a) Mu'alim Salman, (b) Mualem Suleiman, (c) Ameer Salman, (d) Ma'alim Suleiman, (e) Maalim Salman Ali, (f) Maalim Selman Ali, (g) Ma'alim Selman, (h) Ma'alim Sulayman)

Date of birth: circa 1979. Place of birth: Nairobi, Kenya. Location: Somalia. Date of UN designation: 23 September 2014.

Maalim Salman was chosen by al-Shabaab leader Ahmed Abdi aw-Mohamed a.k.a Godane to be the head of African foreign fighters for al-Shabaab. He has trained foreign nationals who were seeking to join al-Shabaab as African foreign fighters, and has been involved in operations in Africa targeting tourists, entertainment establishments, and churches.

Although focused mainly on operations outside of Somalia, Salman is known to reside in Somalia and train foreign fighters in Somalia before dispatching them elsewhere. Some of al-Shabaab's foreign fighters also have a presence in Somalia. For example, Salman ordered al-Shabaab foreign fighters to southern Somalia in response to an African Union Mission in Somalia (AMISOM) offensive.

Among other terrorist attacks, al-Shabaab was responsible for the attack on the Westgate shopping mall in Nairobi, Kenya in September 2013, which resulted in the deaths of at least 67 people. More recently, al-Shabaab claimed the August 31, 2014 attack on the National Intelligence and Security Agency prison in Mogadishu, killing three security guards and two civilians, and injuring 15 others.

15. Ahmed Diriye (a.k.a. (a) Sheikh Ahmed Umar Abu Ubaidah, (b) Sheikh Omar Abu Ubaidah, (c) Sheikh Ahmed Umar, (d) Sheikh Mahad Omar Abdikarim, (e) Abu Ubaidah, (f) Abu Diriye)

Date of birth: circa 1972. Place of birth: Somalia. Location: Somalia. Date of UN designation: 24 September 2014.

Ahmed Diriye was appointed as the new emir of Al-Shabaab following the death of the previous leader Ahmed Abdi aw-Mohamed, an individual listed by the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009). This was publicly announced in a statement by Al-Shabaab's spokesperson, Sheikh Ali Dheere, released on 6 September 2014. Diriye has been a senior member of Al-Shabaab and as the emir he exercises command responsibility for Al-Shabaab's operations. He will be directly responsible for Al-Shabaab's activities which continue to threaten the peace, security and stability of Somalia. Diriye has since adopted the Arabic name Sheikh Ahmed Umar Abu Ubaidah.

COUNCIL IMPLEMENTING REGULATION (EU) No 1105/2014
of 20 October 2014
implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation
in Syria

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 ⁽¹⁾, and in particular Article 32(1) thereof,

Whereas:

- (1) On 18 January 2012, the Council adopted Regulation (EU) No 36/2012.
- (2) In view of the gravity of the situation, 16 persons and two entities should be added on the list of persons and entities subject to restrictive measures in Annex II to Regulation (EU) No 36/2012.
- (3) The information relating to three persons and one entity set out in Annex II to Regulation (EU) No 36/2012 should also be updated.
- (4) By its judgment of 3 July 2014 in Case T-203/12 ⁽²⁾, Mohamad Nedal Alchaar v Council, the General Court annulled Council Implementing Regulation (EU) No 363/2013 ⁽³⁾ insofar as it included Dr Mohammad Nidal Al-Shaar in the list of persons and entities subject to restrictive measures, as set out in Annex II to Regulation (EU) No 36/2012.
- (5) Annex II to Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 36/2012 is amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 16, 19.1.2012, p. 1.

⁽²⁾ Not yet published.

⁽³⁾ Council Implementing Regulation (EU) No 363/2013 of 22 April 2013 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria (OJ L 111, 23.4.2013, p. 1).

ANNEX

- I. The following persons and entities are added to the list of natural and legal persons, entities or bodies set out in Annex II to Council Regulation (EU) No 36/2012.

A. Persons

	Name	Identifying information	Reasons	Date of listing
1.	Houmam Jaza'iri (a.k.a. Humam al-Jazaeri)	Date of birth: 1977	Minister of Economy and Foreign Trade since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
2.	Mohamad Amer Mardini (a.k.a. Mohammad Amer Mardini)	Date of birth: 1959. Place of birth: Damascus	Minister of Higher Education since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
3.	Mohamad Ghazi Jalali (a.k.a. Mohammad Ghazi al-Jalali)	Date of birth: 1969 Place of birth: Damascus	Minister of Communications and Technology since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
4.	Kamal Cheikha (a.k.a. Kamal al-Sheikha)	Date of birth: 1961. Place of birth: Damascus	Minister of Water Resources since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
5.	Hassan Nouri (a.k.a. Hassan al-Nouri)	Date of birth: 9.2.1960	Minister of Administrative Development since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
6.	Mohammad Walid Ghazal	Date of birth: 1951. Place of birth: Aleppo.	Minister of Housing and Urban Development since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
7.	Khalaf Souleymane Abdallah (a.k.a. Khalaf Sleiman al-Abdullah)	Date of birth: 1960. Place of birth: Deir Ezzor	Minister of Labour since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
8.	Nizar Wahbeh Yazaji (a.k.a. Nizar Wehbe Yazigi)	Date of birth: 1961 Place of birth: Damascus	Minister of Health since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014

	Name	Identifying information	Reasons	Date of listing
9.	Hassan Safiyeh (a.k.a. Hassan Safiye)	Date of birth: 1949 Place of birth: Latakia	Minister of Internal Trade and Consumer Protection since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
10.	Issam Khalil	Date of birth: 1965 Place of birth: Banias	Minister of Culture since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
11.	Mohammad Mouti' Mouayyad (a.k.a. Mohammad Muti'a Moayyad)	Date of birth: 1968 Place of birth: Ariha (Idlib)	State Minister since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
12.	Ghazwan Kheir Bek (a.k.a. Ghazqan Kheir Bek)	Date of birth: 1961. Place of birth: Latakia	Minister of transport since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
13.	Major General Ghassan Ahmed Ghannan (a.k.a. Major General Ghassan Ghannan, a.k.a. Brigadier General Ghassan Ahmad Ghanem)		As commander of the 155 Missile Brigade, he is supporting the Syrian regime and he is responsible for the violent repression against the civilian population. Responsible for firing at least 25 Scud Missiles at various civilian sites between January and March 2013. Associated with Maher al-Assad.	21.10.2014
14.	Colonel Mohammed Bilal (a.k.a. Lieutenant Colonel Muhammad Bilal)		As a senior officer in the Air Force Intelligence Service of Syria, he supports the Syrian regime and he is responsible for the violent repression against the civilian population. He is also associated with the listed Scientific Studies Research Centre (SSRC).	21.10.2014
15.	Mohamed Farahat (a.k.a. Muhammad Farahat)		Vice-President of Finance and Administration at Tri-Ocean Energy, which has been listed by the Council for benefiting from and supporting the Syrian regime, he is therefore associated with a listed entity. In view of his senior position in Tri-Ocean Energy, he is responsible for the activities of the entity in supplying oil to the regime.	21.10.2014

	Name	Identifying information	Reasons	Date of listing
16.	Abdelhamid Khamis Abdullah (a.k.a. Abdulhamid Khamis Abdullah a.k.a. Hamid Khamis a.k.a. Abdelhamid Khamis Ahmad Adballa)		Chairman of Overseas Petroleum Trading Company (OPT) which has been listed by the Council for benefiting from and supporting the Syrian regime. He coordinated shipments of oil to the Syrian regime with listed Syrian state oil company Sytrol. Therefore, he is benefitting from and providing support to the Syrian regime. In view of his position as the most senior person in the entity he is responsible for its activities	21.10.2014

B. Entities

	Name	Identifying information	Reasons	Date of listing
1.	Pangates International Corp Ltd (a.k.a. Pangates)	PO Box 8177 Sharjah Airport International Free Zone United Arab Emirates	Pangates acts as an intermediary in the supply of oil to the Syrian regime. Therefore, it is providing support to and benefiting from the Syrian regime. It is also associated with listed Syrian oil company Sytrol.	21.10.2014
2.	Abdulkarim Group (a.k.a. Al Karim for Trade and Industry/Al Karim Group)	5797 Damascus Syria	Parent company of Pangates with operational control of it. As such it is providing support to and benefiting from the Syrian regime. It is also associated with listed Syrian oil company Sytrol.	21.10.2014

II. The entries concerning the persons and entities listed below, as set out in Annex II to Council Regulation (EU) No 36/2012, are replaced by the following entries.

A. Persons

	Name	Identifying information	Reasons	Date of listing
6.	Muhammad (محمد) Dib (دب) Zaytun (زيتون) (a.k.a. Mohammed Dib Zeitoun)	Date of birth: 20 May 1951; Place of birth: Damascus; diplomatic passport No D000001300	Head of General Security Directorate; involved in violence against demonstrators.	21.10.2014
33.	Ayman (أيمن) Jabir (جابر) (a.k.a. Jaber)	Place of birth: Latakia	Associate of Mahir al-Assad for the Shabiha militia. Directly involved in repression and violence against the civilian population and coordination of Shabiha militia groups. Also providing financial support to the regime.	21.10.2014

	Name	Identifying information	Reasons	Date of listing
50.	Tarif (طاريف) Akhras (الأخرس أخرس) (a.k.a. Al Akhras)	Date of birth: 2 June 1951; Place of birth: Homs, Syria; Syrian passport nr. 0000092405	Prominent businessman benefiting from and supporting the regime. Founder of the Akhras Group (commodities, trading, processing and logistics) and former Chairman of the Homs Chamber of Commerce. Close business relations with President Al-Assad's family. Member of the Board of the Federation of Syrian Chambers of Commerce. Provided logistical support for the regime (buses and tank loaders).	21.10.2014

B. Entities

	Name	Identifying information	Reasons	Date of listing
17.	Souruh Company (a.k.a. SOROH Al Cham Company)	Address: Adra Free Zone Area Damascus — Syria; Tel: +963-11-5327266; Mobile: +963-933-526812; +963-932-878282; Fax: +963-11-5316396 Email: sorohco@gmail.com Website: http://sites.google.com/site/sorohco	Majority of the shares of the company are owned directly or indirectly by Rami Makhoul.	21.10.2014

COMMISSION REGULATION (EU) No 1106/2014**of 16 October 2014****establishing a prohibition of fishing for Norway lobster in VIIIa, VIIIb, VIId and VIIE by vessels flying the flag of Belgium**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾, lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 16 October 2014.

For the Commission,

On behalf of the President,

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

ANNEX

No	51/TQ43
Member State	Belgium
Stock	NEP/8ABDE.
Species	Norway lobster (<i>Nephrops norvegicus</i>)
Zone	VIIIa, VIIIb, VIIIc and VIId
Closing date	13.9.2014

COMMISSION REGULATION (EU) No 1107/2014**of 16 October 2014****establishing a prohibition of fishing for herring in Union and international waters of Vb, VIb and VIaN by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾ lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 16 October 2014.

For the Commission,

On behalf of the President,

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

ANNEX

No	56/TQ43
Member State	France
Stock	HER/5B6ANB
Species	Herring (<i>Clupea harengus</i>)
Zone	Union and international waters of Vb, VIb and VIaN
Closing date	22.9.2014

COMMISSION IMPLEMENTING REGULATION (EU) No 1108/2014**of 20 October 2014****concerning the authorisation of a preparation of *Clostridium butyricum* (FERM BP-2789) as a feed additive for turkeys for fattening and turkeys reared for breeding (holder of authorisation Miyarisan Pharmaceutical Co. Ltd represented by Miyarisan Pharmaceutical Europe S.L.U.)****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for a new use of a preparation of *Clostridium butyricum* (FERM BP-2789). That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003, and by the relevant data to support its requests.
- (3) The application concerns the authorisation of the preparation of *Clostridium butyricum* (FERM BP-2789) as a feed additive for turkeys for fattening and turkeys reared for breeding, to be classified in the additive category 'zootechnical additives'.
- (4) The use of the preparation of *Clostridium butyricum* (FERM BP-2789), belonging to the additive category of 'zootechnical additives', was authorised for 10 years as a feed additive for use on chickens for fattening by Commission Regulation (EC) No 903/2009 ⁽²⁾ and for minor avian species (excluding laying birds) and for weaned piglets and minor porcine species (weaned) by Commission Implementing Regulation (EU) No 373/2011 ⁽³⁾.
- (5) The European Food Safety Authority ('the Authority') concluded in its opinion of 4 March 2014 ⁽⁴⁾ that, under the proposed conditions of use, the preparation of *Clostridium butyricum* (FERM BP-2789) does not have an adverse effect on animal health, human health and the environment. It also concluded that the additive has the potential to improve performance in turkeys for fattening and that this conclusion can be extended to turkeys reared for breeding. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Regulation (EC) No 903/2009 of 28 September 2009 concerning the authorisation of the preparation of *Clostridium butyricum* FERM-BP 2789 as a feed additive for chickens for fattening (holder of authorisation Miyarisan Pharmaceutical Co. Ltd, represented by Miyarisan Pharmaceutical Europe S.L.U.) (OJ L 256, 29.9.2009, p. 26).

⁽³⁾ Commission Implementing Regulation (EU) No 373/2011 of 15 April 2011 concerning the authorisation of the preparation of *Clostridium butyricum* FERM-BP 2789 as a feed additive for minor avian species except laying birds, weaned piglets and minor porcine species (weaned) and amending Regulation (EC) No 903/2009 (holder of authorisation Miyarisan Pharmaceutical Co. Ltd, represented by Miyarisan Pharmaceutical Europe S.L.U.) (OJ L 102, 16.4.2011, p. 10).

⁽⁴⁾ EFSA Journal 2013; 11(1):3040.

- (6) The assessment of the preparation of *Clostridium butyricum* (FERM BP-2789) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed.

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

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, 20 October 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers									
4b1830	Miyarisan Pharmaceutical Co.Ltd represented by Miyarisan Pharmaceutical Europe S.L.U.	<i>Clostridium butyricum</i> FERM BP-2789	<i>Additive composition</i> Preparation of <i>Clostridium butyricum</i> FERM BP-2789 containing in solid form a minimum of 5 × 10 ⁸ CFU/g of additive. <i>Characterisation of the active substance</i> Viable spores of <i>Clostridium butyricum</i> FERM BP-2789. <i>Analytical method</i> ⁽¹⁾ Enumeration: pour plate method based on ISO 15213 standard. Identification: pulsed-field gel electrophoresis (PFGE) method.	Turkeys for fattening Turkeys reared for breeding	—	1,25 × 10 ⁸	—	1. In the directions for use of the additive and premixture, indicate the storage conditions and stability to pelleting. 2. Use is allowed in feed containing (for the animal category) the authorised coccidiostats: monensin sodium, robenidine, maduramicin ammonium, lasalocid sodium or diclazuril. 3. For safety: breathing protection and safety glasses shall be used during handling.	10 November 2024

⁽¹⁾ Details of the analytical methods are available at the following address of the European Union Reference Laboratory for Feed Additives: http://irmm.jrc.ec.europa.eu/EURLs/EURL_feed_additives/Pages/index.aspx

**COMMISSION IMPLEMENTING REGULATION (EU) No 1109/2014
of 20 October 2014**

concerning the authorisation of the preparation of *Saccharomyces cerevisiae* CBS 493.94 as a feed additive for cattle for fattening, minor ruminant species for fattening, dairy cows and minor dairy ruminant species and amending Regulations (EC) No 1288/2004 and (EC) No 1811/2005 (holder of authorisation Alltech France)

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC ⁽²⁾.
- (2) The preparation of *Saccharomyces cerevisiae* CBS 493.94 was authorised in accordance with Directive 70/524/EEC without a time limit as a feed additive for calves and cattle for fattening by Commission Regulation (EC) No 1288/2004 ⁽³⁾ and for dairy cows by Commission Regulation (EC) No 1811/2005 ⁽⁴⁾. That preparation was subsequently entered in the Register of feed additives as an existing product, in accordance with Article 10(1)(b) of Regulation (EC) No 1831/2003. That preparation was authorised for a period of 10 years for horses by Commission Regulation (EC) No 886/2009 ⁽⁵⁾.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 and in conjunction with Article 7 of the same Regulation, an application was submitted for the re-evaluation of the preparation of *Saccharomyces cerevisiae* CBS 493.94 as a feed additive for cattle for fattening, minor ruminant species for fattening, dairy cows and minor dairy ruminant species, requesting that additive to be classified in the additive category 'zootechnical additives'. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 8 April 2014 ⁽⁶⁾ that, under the proposed conditions of use, the preparation of *Saccharomyces cerevisiae* CBS 493.94 does not have an adverse effect on animal health, human health or the environment. The Authority also concluded that the use of the preparation has the potential to increase milk yield of dairy cows and that its efficacy can be extrapolated to minor dairy ruminant species. The Authority further concluded that the use of the preparation has the potential to improve the production of cattle raised for fattening and that this efficacy can be extrapolated to minor ruminant species raised for fattening. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of the preparation of *Saccharomyces cerevisiae* CBS 493.94 shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (OJ L 270, 14.12.1970, p. 1).

⁽³⁾ Commission Regulation (EC) No 1288/2004 of 14 July 2004 concerning the permanent authorisation of certain additives and the provisional authorisation of a new use of an additive already authorised in feedingstuffs (OJ L 243, 15.7.2004, p. 10).

⁽⁴⁾ Commission Regulation (EC) No 1811/2005 of 4 November 2005 concerning the provisional and permanent authorisations of certain additives in feedingstuffs and the provisional authorisation of a new use of an additive already authorised in feedingstuffs (OJ L 291, 5.11.2005, p. 12).

⁽⁵⁾ Commission Regulation (EC) No 886/2009 of 25 September 2009 concerning the authorisation of the preparation *Saccharomyces cerevisiae* CBS 493.94 as a feed additive for horses (holder of authorisation Alltech France) (OJ L 254, 26.9.2009, p. 66).

⁽⁶⁾ EFSA Journal 2014; 12(5):3666.

- (6) Regulations (EC) No 1288/2004 and (EC) No 1811/2005 should therefore be amended accordingly.
- (7) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Authorisation

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

Amendment to Regulation (EC) No 1288/2004

In Annex I to Regulation (EC) No 1288/2004 the entry on E 1704, *Saccharomyces cerevisiae* CBS 493.94 referring to cattle for fattening, is deleted.

Article 3

Amendment to Regulation (EC) No 1811/2005

In Annex III to Regulation (EC) No 1811/2005 the entry on E 1704, *Saccharomyces cerevisiae* CBS 493.94, is deleted.

Article 4

Transitional measures

The preparation specified in the Annex, and feed containing that preparation, which are produced and labelled before 10 May 2015 in accordance with the rules applicable before 10 November 2014 may continue to be placed on the market and used until the existing stocks are exhausted.

Article 5

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, 20 October 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers									
4a1704	ALLTECH France	Saccharomyces cerevisiae CBS 493.94	Additive composition Preparation of Saccharomyces cerevisiae CBS 493.94 containing a minimum of: solid form 1 × 10 ⁹ CFU/g additive.	Dairy cows and minor dairy ruminant species.	—	1 × 10 ⁷	—	1. In the directions for use of the additive and premixture, indicate the storage conditions and stability to pelleting. 2. For safety: breathing protection shall be used during handling.	10 November 2024
			Characterisation of the active substance Saccharomyces cerevisiae CBS 493.94. Analytical method ⁽¹⁾ Enumeration: pour plate method using chloramphenicol glucose yeast extract agar. Identification: polymerase chain reaction (PCR) method.	Cattle for fattening and minor ruminant species for fattening.		1 × 10 ⁸			

⁽¹⁾ Details of the analytical methods are available at the following address of the European Union Reference Laboratory for Feed Additives: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

COMMISSION IMPLEMENTING REGULATION (EU) No 1110/2014
of 20 October 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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽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, 20 October 2014.

For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽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	57,3
	MA	115,8
	MK	55,7
	XS	78,2
	ZZ	76,8
0707 00 05	AL	28,7
	TR	165,1
	ZZ	96,9
0709 93 10	TR	133,7
	ZZ	133,7
0805 50 10	AR	105,8
	CL	106,8
	TR	107,0
	UY	48,6
	ZA	96,2
	ZZ	92,9
0806 10 10	BR	219,0
	PE	323,0
	TR	148,4
	ZZ	230,1
0808 10 80	BA	34,8
	BR	52,6
	CL	82,9
	CN	117,9
	NZ	155,8
	US	192,1
	ZA	157,5
	ZZ	113,4
0808 30 90	CN	75,7
	TR	112,1
	ZZ	93,9

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

**COMMISSION IMPLEMENTING REGULATION (EU) No 1111/2014
of 20 October 2014**

fixing the allocation coefficient to be applied to the quantities on which applications for import licences and applications for import rights lodged from 1 to 7 October 2014 are based and establishing the quantities to be added to the quantity fixed for the sub-period from 1 April to 30 June 2015 under the tariff quotas opened by Regulation (EC) No 616/2007 for poultrymeat

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188 thereof,

Whereas:

- (1) Commission Regulation (EC) No 616/2007 ⁽²⁾ opened annual tariff quotas for imports of poultrymeat products originating in Brazil, Thailand and other third countries.
- (2) The quantities on which applications for import licences lodged from 1 to 7 October 2014 for the sub-period from 1 January to 31 March 2015 are based relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (3) The quantities on which applications for import rights lodged from to 1 to 7 October 2014 for the sub-period from 1 January to 31 March 2015 are based relate, for some quotas, to quantities exceeding those available. The extent to which import rights may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 6(3) in conjunction with Article 7(2) of Commission Regulation (EC) No 1301/2006.
- (4) The quantities on which applications for import licences and import rights lodged from 1 to 7 October 2014 for the sub-period from 1 January to 31 March 2015 are based relate, for some quotas, to quantities less than those available. The quantities for which applications have not been lodged should therefore be determined, and these should be added to the quantity fixed for the following quota sub-period.
- (5) In order to ensure the efficient management of the measure, 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

1. The quantities on which applications for import licences lodged pursuant to Regulation (EC) No 616/2007 for the sub-period from 1 January to 31 March 2015 are based shall be multiplied by the allocation coefficient set out in part A of the Annex hereto.
2. The quantities for which applications for import licences have not been lodged pursuant to Regulation (EC) No 616/2007, to be added to the sub-period from 1 April to 30 June 2015, are set out in part A of the Annex hereto.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 616/2007 of 4 June 2007 opening and providing for the administration of Community tariff quotas in the sector of poultrymeat originating in Brazil, Thailand and other third countries (OJ L 142, 5.6.2007, p. 3).

⁽³⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

Article 2

1. The quantities on which applications for import rights lodged pursuant to Regulation (EC) No 616/2007 for the sub-period from 1 January to 31 March 2015 are based shall be multiplied by the allocation coefficient set out in part B of the Annex hereto.
2. The quantities for which applications for import rights have not been lodged pursuant to Regulation (EC) No 616/2007, to be added to the sub-period from 1 April to 30 June 2015, are set out in part B of the Annex hereto.

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, 20 October 2014.

For the Commission,

On behalf of the President,

Jerzy PLEWA

Director-General for Agriculture and Rural Development

ANNEX

PART A

Group No	Order No	Allocation coefficient — applications lodged for the sub-period from 1 January to 31 March 2015 (%)	Non-requested quantities to be added to the quantities available for the sub-period from 1 April to 30 June 2015 (in kg)
1	09.4211	0,401123	—
2	09.4212	1,311645	—
4A	09.4214 09.4251 09.4252	11,793242 0,716093 —	— — 7 247 253
6A	09.4216 09.4260	0,452286 1,059327	— —
7	09.4217	—	37 034 400
8	09.4218	—	9 276 800

PART B

Group No	Order No	Allocation coefficient — applications lodged for the sub-period from 1 January to 31 March 2015 (%)	Non-requested quantities to be added to the quantities available for the sub-period from 1 April to 30 June 2015 (in kg)
5A	09.4215 09.4254 09.4255 09.4256	0,60308 4,241146 4,464306 —	— — — 4 745 003

DECISIONS

COUNCIL IMPLEMENTING DECISION

of 14 October 2014

authorising Sweden to apply a reduced rate of taxation on electricity directly provided to vessels at berth in a port in accordance with Article 19 of Directive 2003/96/EC

(2014/725/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity ⁽¹⁾, and in particular Article 19 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By Council Implementing Decision 2011/384/EU ⁽²⁾, Sweden was authorised to apply a reduced rate of taxation to electricity directly provided to vessels at berth in a port ('shore-side electricity') in accordance with Article 19 of Directive 2003/96/EC until 25 June 2014.
- (2) By letter of 13 December 2013, Sweden sought the authorisation to continue to apply a reduced rate of electricity tax to shore-side electricity pursuant to Article 19 of Directive 2003/96/EC.
- (3) With the tax reduction it intends to apply, Sweden aims at continuing the promotion of a more widespread use of shore-side electricity as an environmentally less harmful way for ships to satisfy their electricity needs while lying at berth in ports as compared to the burning of bunker fuels on board the vessels.
- (4) In so far as the use of shore-side electricity avoids emissions of air pollutants associated with the burning of bunker fuels on board the vessels at berth, it contributes to an improvement of local air quality in port cities. Under the specific conditions of the electricity generation structure in the region concerned, i.e. the Nordic electricity market including Sweden, Denmark, Finland and Norway, the use of electricity from the onshore grid instead of electricity generated by burning bunker fuels on board is furthermore expected to reduce CO₂ emissions. The measure is therefore expected to contribute to the environmental, health and climate policy objectives of the Union.
- (5) Allowing Sweden to apply a reduced rate of electricity taxation to shore-side electricity does not go beyond what is necessary to increase the use of shore-side electricity, since on-board generation will remain the more competitive alternative in most cases. For the same reason, and because of the current relatively low degree of market penetration of the technology, the measure is unlikely to lead to significant distortions in competition during the time it is applied and will thus not negatively affect the proper functioning of the internal market.

⁽¹⁾ OJ L 283, 31.10.2003, p. 51.

⁽²⁾ Council Implementing Decision 2011/384/EU of 20 June 2011 authorising Sweden to apply a reduced rate of electricity tax to electricity directly provided to vessels at berth in a port ('shore-side electricity') in accordance with Article 19 of Directive 2003/96/EC (OJ L 170, 30.6.2011, p. 36).

- (6) It follows from Article 19(2) of Directive 2003/96/EC that each authorisation granted under that provision must be strictly limited in time. Given the need for a period long enough to allow for the proper evaluation of the measure, but also the need not to undermine future developments of the existing legal framework, it is appropriate to grant the authorisation requested for a period of six years.
- (7) In order to provide legal certainty to port and ship operators and to avoid a potential increase in the administrative burden for the distributors and redistributors of electricity which could result from changes to the rate of excise duty levied on shore-side electricity, it should be ensured that Sweden can apply the existing specific tax reduction to which this Decision relates without interruption. The authorisation requested should therefore be granted with effect from 26 June 2014, in order to follow seamlessly on from the prior arrangements under Council Implementing Decision 2011/384/EU.
- (8) This Decision should cease to apply on the date on which general rules on tax advantages for shore-side electricity become applicable by way of a future legislative act of the Union.
- (9) This decision is without prejudice to the application of the Union rules regarding State aid,

HAS ADOPTED THIS DECISION:

Article 1

Sweden is hereby authorised to apply a reduced rate of electricity taxation to electricity directly supplied to vessels berthed in ports ('shore-side electricity'), other than private pleasure craft, provided that the minimum levels of taxation pursuant to Article 10 of Directive 2003/96/EC are respected.

Article 2

This Decision shall apply from 26 June 2014 until 25 June 2020.

Article 3

This Decision is addressed to the Kingdom of Sweden.

Done at Luxembourg, 14 October 2014.

For the Council
The President
P. C. PADOAN

COUNCIL DECISION 2014/726/CFSP**of 20 October 2014****amending Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 28, Article 42(4) and Article 43(2) thereof,

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

Whereas:

- (1) On 22 July 2014 the Council adopted Decision 2014/485/CFSP ⁽¹⁾ amending Decision 2012/389/CFSP ⁽²⁾ and extending the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) until 12 December 2016.
- (2) Decision 2012/389/CFSP should be amended to extend the period covered by the financial reference amount until 15 October 2015,

HAS ADOPTED THIS DECISION:

Article 1

Article 13(1) of Decision 2012/389/CFSP is replaced as follows:

‘1. The financial reference amount intended to cover the expenditure related to EUCAP NESTOR for the period from 16 July 2012 to 15 November 2013 shall be EUR 22 880 000.

The financial reference amount intended to cover the expenditure related to EUCAP NESTOR for the period from 16 November 2013 to 15 October 2014 shall be EUR 11 950 000.

The financial reference amount intended to cover the expenditure related to EUCAP NESTOR for the period from 16 October 2014 to 15 October 2015 shall be EUR 17 900 000.’

Article 2

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

It shall apply from 16 October 2014.

Done at Luxembourg, 20 October 2014.

For the Council

The President

C. ASHTON

⁽¹⁾ Council Decision 2014/485/CFSP of 22 July 2014 amending Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) (OJ L 217, 23.7.2014, p. 39).

⁽²⁾ Council Decision 2012/389/CFSP of 16 July 2012 on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) (OJ L 187, 17.7.2012, p. 40).

COUNCIL DECISION 2014/727/CFSP
of 20 October 2014
amending Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 28 February 2011, the Council adopted Decision 2011/137/CFSP ⁽¹⁾.
- (2) On 27 June 2014, the Sanctions Committee established pursuant to United Nations Security Council Resolution ('UNSCR') 1970 (2011) concerning Libya updated the list of individuals and entities subject to restrictive measures. The lists set out in Annexes I and III to Decision 2011/137/CFSP should therefore be amended accordingly.
- (3) On 27 August 2014, the United Nations Security Council adopted UNSCR 2174 (2014), extending the application of the travel ban and asset freeze measures as set out in paragraph 22 of UNSCR 1970 (2011) and paragraph 23 of UNSCR 1973 (2011).
- (4) In addition, UNSCR 2174 (2014) amends the scope of the arms embargo imposed by paragraph 9 of UNSCR 1970 (2011), paragraph 13 of UNSCR 2009 (2011) and paragraphs 9 and 10 of UNSCR 2095 (2013). It is therefore necessary to amend Decision 2011/137/CFSP in order to further clarify the scope of the arms embargo.
- (5) Decision 2011/137/CFSP should therefore be amended accordingly.
- (6) Further action by the Union is needed in order to implement certain of these amendments,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/137/CFSP is hereby amended as follows:

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

'Article 2

1. Article 1 shall not apply to:

- (a) the supply, sale or transfer of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or protective use;
- (b) the provision of technical assistance, training or other assistance, including personnel, related to such equipment;
- (c) the provision of financial assistance related to such equipment.

2. Article 1 shall not apply to:

- (a) the supply, sale or transfer of arms and related materiel;
- (b) the provision of technical assistance, training or other assistance, including personnel, related to such equipment;
- (c) the provision of financial assistance related to such equipment,

as approved in advance by the Committee established pursuant to paragraph 24 of UNSCR 1970 (2011) ("the Committee").

⁽¹⁾ Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya (OJ L 58, 3.3.2011, p. 53).

3. Article 1 shall not apply to the supply, sale or transfer of small arms, light weapons and related materiel, temporarily exported to Libya for the sole use of United Nations (UN) personnel, representatives of the media and humanitarian and development workers and associated personnel, notified to the Committee in advance and in the absence of a negative decision by the Committee within five working days of such a notification.

4. Article 1 shall not apply to the supply, sale or transfer of non-lethal military equipment intended solely for security or disarmament assistance to the Libyan government, as well as the provision of related technical assistance, training or financial assistance.

5. Article 1 shall not apply to the supply, sale or transfer of protective clothing, including flak jackets and military helmets, temporarily exported to Libya by UN personnel, personnel of the Union or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

6. Article 1 shall not apply to the supply, sale or transfer of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training.;

(2) in Article 5(1), point (a) is replaced by the following:

‘(a) persons listed in Annex I to UNSCR 1970 (2011), and additional persons designated by the Security Council or by the Committee in accordance with paragraph 22 of UNSCR 1970 (2011), paragraph 23 of UNSCR 1973 (2011), and paragraph 4 of UNSCR 2174 (2014), as listed in Annex I to this Decision.’;

(3) in Article 6(1), point (a) is replaced by the following:

‘(a) persons and entities listed in Annex II to UNSCR 1970 (2011), and additional persons and entities designated by the Security Council or by the Committee in accordance with paragraph 22 of UNSCR 1970 (2011), paragraphs 19 and 23 of UNSCR 1973 (2011), and paragraph 4 of UNSCR 2174 (2014), as listed in Annex III to this Decision.’.

Article 2

Annexes I and III to Decision 2011/137/CFSP shall be amended as set out in the Annex to this Decision.

Article 3

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

Done at Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

ANNEX

The entries set out in Annexes I and III to Decision 2011/137/CFSP concerning the persons listed below are replaced by the following entries:

DORDA, Abu Zayd Umar

Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.

Believed status/location: in custody in Libya.

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011).

AL-SENUSSI, Colonel Abdullah

Title: Colonel

DOB: 1949

POB: Sudan

a.k.a.: Ould Ahmed, Abdoullah

Passport number: B0515260

DOB: 1948

POB: Anefif (Kidal), Mali

Date of issue: 10 Jan 2012

Place of issue: Bamako, Mali

Date of expiration: 10 Jan 2017

a.k.a.: Ould Ahmed, Abdoullah

Mali ID number: 073/SPICRE

POB: Anefif, Mali

Date of issue: 6 Dec 2011

Place of issue: Essouck, Mali

Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-in-law of Muammar QADHAFI.

Believed status/location: in custody in Libya

Date of UN designation: 17.3.2011 (EU designation: 28.2.2011).

COUNCIL DECISION 2014/728/CFSP
of 20 October 2014
amending Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 25 October 2010, the Council adopted Decision 2010/638/CFSP ⁽¹⁾.
- (2) On the basis of a review of Decision 2010/638/CFSP, the restrictive measures should be extended until 27 October 2015.
- (3) Decision 2010/638/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/638/CFSP is amended as follows:

In Article 8, paragraph 2 is replaced by the following:

‘2. This Decision shall apply until 27 October 2015. It shall be kept under constant review. It shall be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.’.

Article 2

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

Done at Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

⁽¹⁾ Council Decision 2010/638/CFSP of 25 October 2010 concerning restrictive measures against the Republic of Guinea (OJ L 280, 26.10.2010, p. 10).

COUNCIL IMPLEMENTING DECISION 2014/729/CFSP
of 20 October 2014
implementing Decision 2010/231/CFSP concerning restrictive measures against Somalia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2010/231/CFSP of 26 April 2010 concerning restrictive measures against Somalia and repealing Common Position 2009/138/CFSP ⁽¹⁾, and in particular Articles 7 and 8 thereof,

Whereas:

- (1) On 26 April 2010, the Council adopted Decision 2010/231/CFSP.
- (2) On 23 and 24 September 2014, the United Nations Security Council Committee, established pursuant to United Nations Security Council Resolutions 751 (1992) and 1907 (2009), approved the addition of two individuals to the list of persons and entities subject to restrictive measures.
- (3) Annex I to Decision 2010/231/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2010/231/CFSP is hereby amended as set out in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 105, 27.4.2010, p. 17.

ANNEX

- I. The entries below shall be added to the list set out in Annex I to Decision 2010/231/CFSP.

LIST OF PERSONS AND ENTITIES REFERRED TO IN ARTICLE 2**I. Persons**

14. Maalim Salman (aka (a) Mu'alim Salman, (b) Muallem Suleiman, (c) Ameer Salman, (d) Ma'alim Suleiman, (e) Maalim Salman Ali, (f) Maalim Selman Ali, (g) Ma'alim Selman, (h) Ma'alim Sulayman)

Date of birth: circa 1979. Place of birth: Nairobi, Kenya. Location: Somalia. Date of UN designation: 23 September 2014.

Maalim Salman was chosen by al-Shabaab leader Ahmed Abdi aw-Mohamed aka Godane to be the head of African foreign fighters for al-Shabaab. He has trained foreign nationals who were seeking to join al-Shabaab as African foreign fighters, and has been involved in operations in Africa targeting tourists, entertainment establishments, and churches.

Although focused mainly on operations outside of Somalia, Salman is known to reside in Somalia and train foreign fighters in Somalia before dispatching them elsewhere. Some of al-Shabaab's foreign fighters also have a presence in Somalia. For example, Salman ordered al-Shabaab foreign fighters to southern Somalia in response to an African Union Mission in Somalia (AMISOM) offensive.

Among other terrorist attacks, al-Shabaab was responsible for the attack on the Westgate shopping mall in Nairobi, Kenya in September 2013, which resulted in the deaths of at least 67 people. More recently, al-Shabaab claimed the August 31, 2014 attack on the National Intelligence and Security Agency prison in Mogadishu, killing three security guards and two civilians, and injuring 15 others.

15. Ahmed Diriye (aka (a) Sheikh Ahmed Umar Abu Ubaidah, (b) Sheikh Omar Abu Ubaidah, (c) Sheikh Ahmed Umar, (d) Sheikh Mahad Omar Abdikarim, (e) Abu Ubaidah, (f) Abu Diriye)

Date of birth: circa 1972. Place of birth: Somalia. Location: Somalia. Date of UN designation: 24 September 2014.

Ahmed Diriye was appointed as the new emir of Al-Shabaab following the death of the previous leader Ahmed Abdi aw-Mohamed, an individual listed by the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009). This was publicly announced in a statement by Al-Shabaab's spokesperson, Sheikh Ali Dheere, released on 6 September 2014. Diriye has been a senior member of Al-Shabaab and as the emir he exercises command responsibility for Al-Shabaab's operations. He will be directly responsible for Al-Shabaab's activities which continue to threaten the peace, security and stability of Somalia. Diriye has since adopted the Arabic name Sheikh Ahmed Umar Abu Ubaidah.

COUNCIL IMPLEMENTING DECISION 2014/730/CFSP
of 20 October 2014
implementing Decision 2013/255/CFSP concerning restrictive measures against Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria ⁽¹⁾ and in particular Article 30(1) thereof,

Whereas:

- (1) On 31 May 2013, the Council adopted Decision 2013/255/CFSP.
- (2) In view of the gravity of the situation, 16 persons and two entities should be added to the list of persons and entities subject to restrictive measures in Annex I to Decision 2013/255/CFSP.
- (3) The information relating to three persons and one entity set out in Annex I to Decision 2013/255/CFSP should also be updated.
- (4) Following the judgment of 3 July 2014 of the General Court in Case T-203/12 ⁽²⁾, Mohamad Nedal Alchaar v Council, Dr Mohammad Nidal Al-Shaar should be removed from the list of persons and entities subject to restrictive measures in Annex I to Decision 2013/255/CFSP.
- (5) Annex I to Decision 2013/255/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2013/255/CFSP is amended as set out in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 20 October 2014.

For the Council
The President
C. ASHTON

⁽¹⁾ OJ L 147, 1.6.2013, p. 14.

⁽²⁾ Not yet published.

ANNEX

- I. The following persons and entities are added to the list of natural and legal persons, entities or bodies set out in Annex I to Decision 2013/255/CFSP.

A. Persons

	Name	Identifying information	Reasons	Date of listing
1.	Houmam Jaza'iri (a.k.a. Humam al-Jazaeri)	Date of birth: 1977	Minister of Economy and Foreign Trade since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
2.	Mohamad Amer Mardini (a.k.a. Mohammad Amer Mardini)	Date of birth: 1959. Place of birth: Damascus	Minister of Higher Education since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
3.	Mohamad Ghazi Jalali (a.k.a. Mohammad Ghazi al-Jalali)	Date of birth: 1969 Place of birth: Damascus	Minister of Communications and Technology since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
4.	Kamal Cheikha (a.k.a. Kamal al-Sheikha)	Date of birth: 1961. Place of birth: Damascus	Minister of Water Resources since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
5.	Hassan Nouri (a.k.a. Hassan al-Nouri)	Date of birth: 9.2.1960	Minister of Administrative Development since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
6.	Mohammad Walid Ghazal	Date of birth: 1951. Place of birth: Aleppo.	Minister of Housing and Urban Development since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
7.	Khalaf Souleymane Abdallah (a.k.a. Khalaf Sleiman al-Abdullah)	Date of birth: 1960. Place of birth: Deir Ezzor	Minister of Labour since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
8.	Nizar Wahbeh Yazaji (a.k.a. Nizar Wehbe Yazigi)	Date of birth: 1961 Place of birth: Damascus	Minister of Health since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014

	Name	Identifying information	Reasons	Date of listing
9.	Hassan Safiyeh (a.k.a. Hassan Safiye)	Date of birth: 1949 Place of birth: Latakia	Minister of Internal Trade and Consumer Protection since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
10.	Issam Khalil	Date of birth: 1965 Place of birth: Banias	Minister of Culture since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
11.	Mohammad Mouti' Mouayyad (a.k.a. Mohammad Muti'a Moayyad)	Date of birth: 1968 Place of birth: Ariha (Idlib)	State Minister since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
12.	Ghazwan Kheir Bek (a.k.a. Ghazqan Kheir Bek)	Date of birth: 1961. Place of birth: Latakia	Minister of transport since 27.8.2014. As Government Minister shares responsibility for the regime's violent repression against the civilian population.	21.10.2014
13.	Major General Ghassan Ahmed Ghannan (a.k.a. Major General Ghassan Ghannan, a.k.a. Brigadier General Ghassan Ahmad Ghanem)		As commander of the 155 Missile Brigade, he is supporting the Syrian regime and he is responsible for the violent repression against the civilian population. Responsible for firing at least 25 Scud Missiles at various civilian sites between January and March 2013. Associated with Maher al-Assad.	21.10.2014
14.	Colonel Mohammed Bilal (a.k.a. Lieutenant Colonel Muhammad Bilal)		As a senior officer in the Air Force Intelligence Service of Syria, he supports the Syrian regime and he is responsible for the violent repression against the civilian population. He is also associated with the listed Scientific Studies Research Centre (SSRC).	21.10.2014
15.	Mohamed Farahat (a.k.a. Muhammad Farahat)		Vice-President of Finance and Administration at Tri-Ocean Energy, which has been listed by the Council for benefiting from and supporting the Syrian regime, he is therefore associated with a listed entity. In view of his senior position in Tri-Ocean Energy, he is responsible for the activities of the entity in supplying oil to the regime.	21.10.2014

	Name	Identifying information	Reasons	Date of listing
16.	Abdelhamid Khamis Abdullah (a.k.a. Abdulhamid Khamis Abdullah a.k.a. Hamid Khamis a.k.a. Abdelhamid Khamis Ahmad Adballa)		Chairman of Overseas Petroleum Trading Company (OPT) which has been listed by the Council for benefiting from and supporting the Syrian regime. He coordinated shipments of oil to the Syrian regime with listed Syrian state oil company Sytrol. Therefore, he is benefitting from and providing support to the Syrian regime. In view of his position as the most senior person in the entity he is responsible for its activities	21.10.2014

B. Entities

	Name	Identifying information	Reasons	Date of listing
1.	Pangates International Corp Ltd (a.k.a. Pangates)	PO Box 8177 Sharjah Airport International Free Zone United Arab Emirates	Pangates acts as an intermediary in the supply of oil to the Syrian regime. Therefore, it is providing support to and benefiting from the Syrian regime. It is also associated with listed Syrian oil company Sytrol.	21.10.2014
2.	Abdulkarim Group (a.k.a. Al Karim for Trade and Industry/Al Karim Group)	5797 Damascus Syria	Parent company of Pangates with operational control of it. As such it is providing support to and benefiting from the Syrian regime. It is also associated with listed Syrian oil company Sytrol.	21.10.2014

- II. The entries concerning the persons listed below, as set out in Annex I to Decision 2013/255/CFSP, are replaced by the following entries.

A. Persons

	Name	Identifying information	Reasons	Date of listing
6.	Muhammad (محمد) Dib (دب) Zaytun (زيتون) (a.k.a. Mohammed Dib Zeitoun)	Date of birth: 20 May 1951; Place of birth: Damascus; diplomatic passport No D000001300	Head of General Security Directorate; involved in violence against demonstrators.	21.10.2014
33.	Ayman (أيمن) Jabir (جابر) (a.k.a. Jaber)	Place of birth: Latakia	Associate of Mahir al-Assad for the Shabiha militia. Directly involved in repression and violence against the civilian population and coordination of Shabiha militia groups. Also providing financial support to the regime.	21.10.2014

	Name	Identifying information	Reasons	Date of listing
50.	Tarif (طاريف) Akhras (الأخرس أخرس) (a.k.a. Al Akhras)	Date of birth: 2 June 1951; Place of birth: Homs, Syria; Syrian passport nr. 0000092405	Prominent businessman benefiting from and supporting the regime. Founder of the Akhras Group (commodities, trading, processing and logistics) and former Chairman of the Homs Chamber of Commerce. Close business relations with President Al-Assad's family. Member of the Board of the Federation of Syrian Chambers of Commerce. Provided logistical support for the regime (buses and tank loaders).	21.10.2014

B. Entities

	Name	Identifying information	Reasons	Date of listing
17.	Souruh Company (a.k.a. SOROH Al Cham Company)	Address: Adra Free Zone Area Damascus — Syria; Tel: +963-11-5327266; Mobile: +963-933-526812; +963-932-878282; Fax: +963-11-5316396 Email: sorohco@gmail.com Website: http://sites.google.com/site/sorohco	Majority of the shares of the company are owned directly or indirectly by Rami Makhoul.	21.10.2014

III. The person listed below is deleted from the list set out in Section A of Annex I to Decision 2013/255/CFSP.

118. Dr. Mohammad (محمد) (a.k.a. Mohamed, Muhammad, Mohammed) Nidal (نضال) Al-Shaar (الشعار) (a.k.a. Al-Chaar, Al-Sha'ar, Al-Cha'ar).

