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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 1177/2007

of 9 October 2007

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 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 the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 October 2007.

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

Done at Brussels, 9 October 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 756/2007 (OJ L 172, 30.6.2007, p. 41).

ANNEX

to Commission Regulation of 9 October 2007 establishing the 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	MA	91,4
	MK	32,1
	TR	121,7
	ZZ	81,7
0707 00 05	TR	138,6
	ZZ	138,6
0709 90 70	TR	117,9
	ZZ	117,9
0805 50 10	AR	72,0
	TR	95,1
	UY	81,5
	ZA	57,3
	ZW	52,6
	ZZ	71,7
0806 10 10	BR	277,2
	IL	284,6
	MK	44,5
	TR	136,6
	US	284,6
	ZZ	205,5
0808 10 80	AR	90,2
	AU	138,9
	CL	27,4
	MK	13,8
	NZ	78,8
	US	100,9
	ZA	86,4
0808 20 50	ZZ	76,6
	CN	65,1
	TR	124,1
	ZA	65,4
	ZZ	84,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1178/2007**of 5 October 2007****concerning the classification of certain goods in the Combined Nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 Community provisions, 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, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the

Community, binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (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

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information issued by the customs authorities of Member States which is not in accordance with this Regulation, can continue to be invoked for a period of 60 days, under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

This Regulation shall enter into force on the 20th 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, 5 October 2007.

For the Commission

László KOVÁCS

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 733/2007 (OJ L 169, 29.6.2007, p. 1).

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
Article made up of two knitted fabrics of different colour, of man-made fibres. The fabrics are suitable for swimwear. The article is to be worn next to the skin, reaching down to just below the bust, with two preformed cups being thinly padded and wired for support. The article has narrow removable shoulder straps. It is closed on the back by means of a clip. The part of the article reaching around the back presents on the inside adhesive strips clinging to the back of the wearer and holding the article in place together with the shoulder straps and the wired preformed cups. (brassiere designed like a bikini top) (See photograph no. 640 A, 640 B) (*)	6212 10 90	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(a) to chapter 61 and the wording of CN codes 6212, 6212 10 and 6212 10 90. Although, from its general appearance, cut and nature of fabric the article appears to be an upper part of a two-piece bathing costume (bikini), classification in heading 6112 (swimwear) is excluded, because the article lacks the lower part of the 'two-piece bathing costume'. See also the HS Explanatory Notes to heading 6112, (C). Moreover, the article is not an 'incomplete article' of heading 6112 (swimwear) within the meaning of GIR 2 (a), because the article does not have the essential character of the complete article (i.e. a two-piece bathing costume), since it cannot be used for swimming as such. The article is classified as a brassiere in heading 6212, because this heading includes brassieres of all kinds. See the HS Explanatory Notes to heading 6212, 2nd paragraph, (1). The two preformed padded cups, wired for support, are characteristic of classic brassieres. Together with the adhesive strips clinging to the back of the wearer and with or without the removable shoulder straps, the article is of a kind 'designed for wear as body-supporting garment'. See also the HS Explanatory Notes to heading 6212, 1st paragraph.

(*) The photographs are purely for information.



640 A



640 B

COMMISSION REGULATION (EC) No 1179/2007**of 9 October 2007****registering a name in the register of protected designations of origin and protected geographical indications (Bayerischer Meerrettich or Bayerischer Kren (PGI))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006 and Article 17(2) thereof, the application submitted by Germany to register the name 'Bayerischer Meerrettich' or 'Bayerischer

Kren' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) One objection was notified to the Commission under Article 7 of Regulation (EC) No 510/2006. As that objection was subsequently withdrawn, the name should be registered,

HAS ADOPTED THIS REGULATION:

Article 1

The name in the Annex to this Regulation is hereby registered.

Article 2

This Regulation shall enter into force on the 20th day following 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, 9 October 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ C 283, 21.11.2006, p. 12.

ANNEX

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

Class 1.6. **Fruit, vegetables and cereals, fresh or processed**

GERMANY

Bayerischer Meerrettich or Bayerischer Kren (PGI)

COMMISSION REGULATION (EC) No 1180/2007**of 9 October 2007****establishing a prohibition of fishing for lemon sole and witch in EC waters of ICES zones IIa and IV
by vessels flying the flag of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2007.
- (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 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

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 2007 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing 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. It shall be prohibited to retain on board, tranship or land such 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, 9 October 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as corrected by OJ L 36, 8.2.2007, p. 6.

⁽³⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

ANNEX

No	47
Member State	Germany
Stock	L/W/2AC4-C
Species	Lemon sole and witch (<i>Microstomus kitt</i> and <i>Glyptocephalus cynoglossus</i> .)
Zone	EC waters of IIa and IV
Date	1.9.2007

COMMISSION REGULATION (EC) No 1181/2007**of 9 October 2007****establishing a prohibition of fishing for cod in ICES zones I and IIb by vessels flying the flag of Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 41/2007 of 21 December 2006 fixing for 2007 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2007.
- (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 2007.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

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 2007 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing 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. It shall be prohibited to retain on board, tranship or land such 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, 9 October 2007.

For the Commission

Fokion FOTIADIS

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as amended by Regulation (EC) No 865/2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11), as corrected by OJ L 36, 8.2.2007, p. 6.

⁽³⁾ OJ L 15, 20.1.2007, p. 1. Regulation as last amended by Commission Regulation (EC) No 898/2007 (OJ L 196, 28.7.2007, p. 22).

ANNEX

No	50
Member State	Spain
Stock	COD/1/2B.
Species	Cod (<i>Gadus morhua</i>)
Zone	I and II b
Date	10.9.2007

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL COMMON POSITION 2007/654/CFSP

of 9 October 2007

amending Common Position 2005/440/CFSP concerning restrictive measures against the Democratic Republic of the Congo

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS COMMON POSITION:

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Article 1

Common Position 2005/440/CFSP is hereby amended as follows:

Whereas:

- (1) Following the adoption by the United Nations Security Council on 18 April 2005 of Resolution 1596 (2005), the Council adopted on 13 June 2005 Common Position 2005/440/CFSP ⁽¹⁾ concerning restrictive measures against the Democratic Republic of the Congo (DRC).
- (2) On 31 July 2007, the United Nations Security Council adopted Resolution 1768 (2007) extending the restrictive measures in force until 10 August 2007. Those measures were extended until 15 February 2008 by the United Nations Security Council Resolution 1771 (2007) (UNSCR 1771 (2007)) adopted on 10 August 2007.
- (3) UNSCR 1771 (2007) provides for a new exemption for technical training and assistance for police and army units in DRC in the provinces of North and South Kivu and the Ituri district.
- (4) Common Position 2005/440/CFSP should be amended accordingly.
- (5) Action by the Community is needed in order to implement certain measures,

1. Article 2 shall be replaced by the following:

'Article 2

1. Article 1 shall not apply to:

- (a) the supply, sale or transfer of arms and any related materiel or the provision of technical assistance, financing brokering services and other services related to arms and related materiel solely for support of or use by units of the army and police of the DRC, provided that the said units:
 - (i) have completed the process of their integration; or
 - (ii) operate under the command, respectively, of the *état-major intégré* of the armed forces or of the national police of the DRC; or
 - (iii) are in the process of their integration, in the territory of the DRC outside the provinces of North and South Kivu and the Ituri district;

⁽¹⁾ OJ L 152, 15.6.2005, p. 22. Common Position as last amended by Common Position 2006/624/CFSP (OJ L 253, 16.9.2006, p. 34).

(b) the provision of technical training and assistance agreed to by the Government of the DRC and intended solely for support of units of the army and police of the DRC that are in the process of their integration in the provinces of North and South Kivu and the Ituri district;

(c) the supply, sale or transfer of arms and any related materiel or the provision of technical assistance, brokering services and other services related to arms and related materiel intended solely for support of or use by the United Nations Organisation Mission in the DRC (MONUC);

(d) the supply, sale or transfer of non-lethal military equipment intended solely for humanitarian or protective use, or the provision of assistance and training related to such non-lethal equipment, provided that such supply or provision has been notified in advance to the Sanctions Committee.

2. The supply, sale or transfer of arms and related materiel referred to in paragraph 1 shall only be made to receiving sites as designated by the Government of the DRC, in coordination with MONUC, and notified in advance to the Sanctions Committee.

3. The supply, sale or transfer of arms and related materiel or the provision of services or technical training and assistance referred to in paragraph 1 shall be subject to an authorisation granted by the competent authorities of the Member States.

4. Member States shall consider deliveries under paragraph 1 on a case-by-case basis, taking full account of the criteria set out in the European Union Code of Conduct on Arms Exports. Member States shall require adequate safeguards against misuse of authorisation granted pursuant to paragraph 3 and, where appropriate, make provisions for repatriation of the delivered arms and related materiel.;

2. Article 8 shall be replaced by the following:

'Article 8

This Common Position shall apply until 15 February 2008. It shall be reviewed or amended in the light of relevant decisions by the United Nations Security Council.'

Article 2

This Common Position shall take effect on the date of its adoption.

Article 3

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

Done at Luxembourg, 9 October 2007.

For the Council

The President

F. TEIXEIRA DOS SANTOS
