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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information relating to the entry into force of the Agreement between the European Union and the Federative Republic of Brazil on short-stay visa waiver for holders of diplomatic, service or official passports

The Agreement between the European Union and the Federative Republic of Brazil on short-stay visa waiver for holders of diplomatic, service or official passports will enter into force on 1 April 2011, the procedure provided for in Article 8 of the Agreement having been completed on 24 February 2011.

REGULATIONS

COMMISSION REGULATION (EU) No 230/2011

of 9 March 2011

amending Council Regulation (EC) No 992/95 as regards tariff quotas of the Union for certain agricultural and fishery products originating in Norway

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 992/95 of 10 April 1995 opening and providing for the administration of tariff quotas of the Union for certain agricultural and fishery products originating in Norway ⁽¹⁾, and in particular Article 5(1)(a) and (b) thereof,

Whereas:

(1) In 2009, negotiations were concluded for an Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway concerning special provisions applicable for the period 2009-14 to imports into the Union of certain fish and fishery products, hereinafter 'the Additional Protocol'.

(2) The signing, on behalf of the European Union, and the provisional application of the Additional Protocol has been authorised by Council Decision 2010/674/EU of 26 July 2010 on the signing and provisional application of an Agreement between the European Union, Iceland, Liechtenstein and Norway on an EEA Financial Mechanism for the period 2009-2014, an Agreement between the European Union and Norway on a Norwegian Financial Mechanism 2009-2014, an Additional Protocol to the Agreement between the European Economic Community and Iceland concerning special provisions applicable to imports into the European Union of certain fish and fishery products for the period 2009-2014 and an Additional Protocol to the Agreement between the European Economic Community and Norway concerning special provisions applicable to imports into the European Union of certain fish and fishery products for the period 2009-2014 ⁽²⁾.

(3) The Additional Protocol provides for new annual duty free tariff quotas at import into the Union of certain fish and fishery products originating in Norway.

(4) In accordance with the Additional Protocol, the duty free tariff quotas levels that should have been opened for Norway as from 1 May 2009 until 1 March 2011 shall be divided in equal parts and allocated on a yearly basis for the remaining part of the period of application of this Protocol.

(5) In order to implement the new tariff quotas provided for in the Additional Protocol, it is necessary to amend Regulation (EC) No 992/95.

(6) It is necessary to replace the current reference in Regulation (EC) No 992/95 to free-at-frontier prices by a reference to the declared customs value in accordance with Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽³⁾, and to provide that in order to qualify for the preferences laid down in the Additional Protocol, that value must at least be equal to any reference price fixed or to be fixed in accordance with the same Regulation.

(7) Protocol 3 to the Agreement between the European Economic Community and the Kingdom of Norway defining the concept of originating products and setting out the arrangements for administrative cooperation was amended by Decision No 1/2005 of the EC-Norway Joint Committee of 20 December 2005 ⁽⁴⁾. It is therefore necessary to provide explicitly that Protocol 3 as amended in 2005 is to apply.

(8) For reasons of clarity and to take account of the amendments to the Combined Nomenclature codes, laid down in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁵⁾, and of the Taric-subdivisions, it is appropriate to replace Annexes I and II to Regulation (EC) No 992/95.

⁽¹⁾ OJ L 101, 4.5.1995, p. 1.

⁽²⁾ OJ L 291, 9.11.2010, p. 1.

⁽³⁾ OJ L 17, 21.1.2000, p. 22.

⁽⁴⁾ OJ L 117, 2.5.2006, p. 1.

⁽⁵⁾ OJ L 256, 7.9.1987, p. 1.

- (9) For reasons of clarity and to take account of the fact that several tariff quotas cover the same products for the same period, it is appropriate to merge them.
- (10) Regulation (EC) No 992/95 should therefore be amended accordingly.
- (11) In accordance with Decision 2010/674/EU the new tariff quotas must apply from 1 March 2011. This Regulation should therefore apply from the same date.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 992/95 is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. When products originating in Norway listed in the Annex are put into free circulation in the European Union, they shall be eligible for exemption from customs duties within the limits of the tariff quotas, during the periods and in accordance with the provisions set out in this Regulation.

2. Imports of the fish and fishery products listed in the Annex shall qualify for the tariff quotas mentioned in paragraph 1 only if the declared customs value is at least equal to the reference price fixed, or to be fixed, in accordance with Article 29 of Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (*).

3. The provisions of Protocol 3 to the Agreement between the European Economic Community and the Kingdom of Norway defining the concept of originating products and setting out the arrangements for administrative cooperation, as last amended by Decision No 1/2005 of the EC-Norway Joint Committee of 20 December 2005 (**), shall apply.

4. The benefit of the tariff quotas with order numbers 09.0710 and 09.0712 shall not be granted to goods declared for release for free circulation during the period 15 February to 15 June. Furthermore, the benefit of the tariff quota with order number 09.0714 shall not be granted to goods with CN code 0304 99 23 declared for release for free circulation during the period 15 February to 15 June.

(*) OJ L 17, 21.1.2000, p. 22.

(**) OJ L 117, 2.5.2006, p. 1.;

2. Article 3, second paragraph, is replaced by the following:

'However, Article 308c(2) and (3) of Regulation (EEC) No 2454/93 shall not apply to the tariff quotas with order numbers 09.0702, 09.0710, 09.0712, 09.0713, 09.0714, 09.0749 and 09.0750.;

3. Annexes I and II are replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 March 2011.

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

Done at Brussels, 9 March 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

‘ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0701	ex 1504 20 10	90	Oils and fats of marine animals, other than whale oil and sperm oil, in packings of a net capacity of more than 1 kg	From 1.1 to 31.12	1 000	8,5
	ex 1504 30 10	99				
	ex 1516 10 90	11				
09.0702	0303 29 00		Other frozen <i>Salmonidae</i>	From 1.3.2011 to 30.4.2011	526	0
				From 1.5.2011 to 30.4.2012	3 158	
				From 1.5.2012 to 30.4.2013	3 158	
				From 1.5.2013 to 30.4.2014	3 158	
09.0703	ex 0305 51 90	10 20	Dried, salted but not smoked cod, excluding cod of the species <i>Gadus macrocephalus</i>	From 1.4 to 31.12	13 250	0
	ex 0305 59 10	90	Dried, salted but not smoked fish of the species <i>Boreogadus saida</i>			
09.0710	0303 51 00		Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen, excluding livers and roes ⁽¹⁾	From 1.5.2011 to 30.4.2012	76 333	0
				From 1.5.2012 to 30.4.2013	76 333	
				From 1.5.2013 to 30.4.2014	76 334	
09.0711			Prepared or preserved fish, including caviar and caviar substitutes prepared from fish eggs:	From 1.1 to 31.12	400	3
	ex 1604 13 90	91 92 99	Sardinella, brisling or sprats excluding raw fillets merely coated with batter or breadcrumbs, whether or not pre-fried in oil, deep-frozen			
	1604 19 92		Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>)			
	ex 1604 19 93	90	Coalfish (<i>Pollachius virens</i>), excluding smoked coalfish			
	1604 19 94		Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.)			
	1604 19 95		Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>)			
	1604 19 98		Other fish			
	ex 1604 20 90	30 35 50 60 90	Other prepared or preserved fish, except herring and mackerel			
	ex 1604 20 90	40	Other prepared or preserved mackerel			10

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0712	0303 74 30		Mackerel (<i>scomber scombrus</i> and <i>Scomber japonicus</i>), frozen, excluding livers and roes ⁽¹⁾	From 1.5.2011 to 30.4.2012	66 333	0
				From 1.5.2012 to 30.4.2013	66 333	
				From 1.5.2013 to 30.4.2014	66 334	
09.0713	0303 79 98		Other fish, frozen, excluding livers and roes	From 1.3.2011 to 30.4.2011	578	0
				From 1.5.2011 to 30.4.2012	3 474	
				From 1.5.2012 to 30.4.2013	3 474	
				From 1.5.2013 to 30.4.2014	3 474	
09.0714	0304 29 75		Fillets of herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen	From 1.3.2011 to 30.4.2011	8 896	0
				From 1.5.2011 to 30.4.2012	109 701	
				From 1.5.2012 to 30.4.2013	109 701	
	ex 0304 99 23	10 20 30	Flaps of herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>) (butterflies), frozen	From 1.5.2013 to 30.4.2014	109 702	
09.0715	0302 11		Trout (<i>salmo trutta</i> , <i>Oncorhynchus mykiss</i> , <i>Oncorhynchus clarki</i> , <i>Oncorhynchus aquabonita</i> , <i>Oncorhynchus gilae</i> , <i>Oncorhynchus apache</i> and <i>Oncorhynchus chrysogaster</i>), fresh or chilled	From 1.1 to 31.12	500	0
	0303 21		Trout (<i>salmo trutta</i> , <i>Oncorhynchus mykiss</i> , <i>Oncorhynchus clarki</i> , <i>Oncorhynchus aquabonita</i> , <i>Oncorhynchus gilae</i> , <i>Oncorhynchus apache</i> and <i>Oncorhynchus chrysogaster</i>), frozen			
09.0716	0302 12 00		Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>), fresh or chilled	From 1.1 to 31.12	6 100	0
09.0717	0303 11 00 0303 19 00		Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), frozen	From 1.1 to 31.12	580	0
	ex 0303 22 00	20	Atlantic salmon (<i>Salmo salar</i>), frozen			

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0718	0304 19 13 0304 29 13		Fresh, chilled or frozen fillets of Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)	From 1.1 to 31.12	610	0
09.0719	0302 19 00 0303 29 00		Other <i>Salmonidae</i> , fresh or chilled Other frozen <i>Salmonidae</i>	From 1.1 to 31.12	670	0
09.0720	0302 69 45		Ling (<i>Molva</i> spp.), fresh or chilled	From 1.1 to 31.12	370	0
09.0721	0302 22 00 0302 23 00 0302 29 0303 39 ex 0302 69 82 0302 69 66 0302 69 67 0302 69 68 0302 69 69 0302 69 81 0302 67 00 0302 68 00 0302 69 91 0302 69 92 0302 69 94 0302 69 95 0302 69 99	20	Plaice (<i>Pleuronectes platessa</i>), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Sole (<i>Solea</i> spp.), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Megrim (<i>Lepidorhombus</i> spp.) and other flat fish, fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Flounder (<i>Platichthys flesus</i>), Megrim (<i>Lepidorhombus</i> spp.), fish of the genus <i>Rhombosolea</i> and other flat fish, frozen, excluding fish fillets and other fish meat of heading 0304 Southern blue whiting (<i>Micromesistius australis</i>), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Monkfish (<i>Lophius</i> spp.), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Swordfish (<i>Xiphias gladius</i>), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Toothfish (<i>Dissostichus</i> spp.), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Horse mackerel (scad) (<i>Caranx trachurus</i> , <i>Trachurus trachurus</i>), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Pink cusk-eel (<i>Genypterus blacodes</i>), fresh or chilled, excluding fish fillets and other fish meat of heading 0304 Sea bass (<i>Dicentrarchus labrax</i>), gilt-head sea breams and other fish, fresh or chilled, excluding fish fillets and other fish meat of heading 0304	From 1.1 to 31.12	250	0

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)				
09.0722	0304 91 00		Frozen meat of swordfish (<i>Xiphias gladius</i>)	From 1.1 to 31.12	500	0				
	0304 99 31 0304 99 33 0304 99 39		Frozen meat of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i>							
	0304 99 41		Frozen meat of coalfish (<i>Pollachius virens</i>)							
	0304 99 45		Frozen meat of haddock (<i>Melanogrammus aeglefinus</i>)							
	0304 99 51		Frozen meat of hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.)							
	0304 99 71		Frozen meat of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus potassou</i>)							
	0304 99 75		Frozen meat of Alaska pollack (<i>Theragra chalcogramma</i>)							
	ex 0304 99 99	20 25 30 40 50 60 65 69 70 81 89 90	Frozen meat of saltwater fish, excluding mackerel (<i>scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>)							
	09.0723	0302 40 00 0303 51 00					Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), fresh, chilled or frozen	From 16.6 to 14.2	800	0
	09.0724	0302 64					Mackerel (<i>scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>), fresh or chilled	From 16.6 to 14.2	260	0
09.0725	0303 74 30		Mackerel (<i>scomber scombrus</i> , <i>Scomber japonicus</i>), frozen	From 16.6 to 14.2	30 600	0				
09.0726	0302 69 31 0302 69 33 0303 79 35 0303 79 37		Redfish (<i>Sebastes</i> spp.), fresh, chilled or frozen	From 1.1 to 31.12	130	0				
09.0727	0304 19 01 0304 19 03 0304 19 18 0304 29 01 0304 29 03 0304 29 05 0304 29 18		Fillets of other freshwater fish, fresh, chilled or frozen	From 1.1 to 31.12	110	0				
09.0728	0304 19 33 0304 19 35		Fillets of coalfish (<i>Pollachius virens</i>) and redfish (<i>Sebastes</i> spp.), fresh or chilled	From 1.1 to 31.12	180	0				
	0304 11 10 0304 12 10 ex 0304 19 39	30 40 60 70 75 80 85 90	Other fillets, fresh or chilled							

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0729	0304 19 97 0304 19 99		Flaps of herring and other fish meat	From 1.1 to 31.12	130	0
09.0730	0304 21 0304 22 0304 29 21 0304 29 29 0304 29 31 0304 29 33 0304 29 35 0304 29 39 0304 29 55 0304 29 56 0304 29 58 0304 29 59 0304 29 71 0304 29 83 0304 29 85 0304 29 91 ex 0304 29 99		Frozen fillets of swordfish (<i>Xiphias gladius</i>) and toothfish (<i>Dissostichus</i> spp.) Frozen fillets of cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and of fish of the species <i>Boreogadus saida</i> Frozen fillets of coalfish (<i>Pollachius virens</i>) Frozen fillets of haddock (<i>Melanogrammus aeglefinus</i>) Frozen fillets of redfish (<i>Sebastes</i> spp.) Frozen fillets of hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.) Frozen fillets of plaice (<i>Pleuronectes platessa</i>) Frozen fillets of monkfish (<i>Lophius</i> spp.) Frozen fillets of Alaska pollack (<i>Theragra chalcogramma</i>) Frozen fillets of blue grenadier (<i>Macruronus novaezelandiae</i>) Other frozen fillets	From 1.1 to 31.12	9 000	0
09.0731	ex 0305 20 00	11 18 19 21 30 73 75 77 79 99	Livers and roes of fish, dried, salted or in brine, but not smoked	From 1.1 to 31.12	1 900	0
09.0732	0305 41 00		Smoked Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)	From 1.1 to 31.12	450	0
09.0733	0305 42 00 0305 49		Smoked fish other than Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>),	From 1.1 to 31.12	140	0

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0734	ex 0305 69 80	20 30 40 50 61 63 64 65 67 90	Other fish, salted but not dried or smoked and fish in brine	From 1.1 to 31.12	250	0
09.0735	0305 61 00		Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), salted but not dried or smoked and herrings in brine	From 1.1 to 31.12	1 440	0
09.0736	0306 13 10 0306 19 30		Frozen Pandalidae shrimps Frozen Norway lobsters (<i>Nephrops norvegicus</i>)	From 1.1 to 31.12	950	0
09.0737	ex 0306 23 10	95	Pandalidae shrimps, not frozen boiled on board	From 1.1 to 31.12	800	0
09.0738	ex 0306 23 10 0306 29 30	11 20 91 96	Pandalidae shrimps, not frozen, for processing ⁽⁸⁾ Norway lobsters (<i>Nephrops norvegicus</i>), not frozen	From 1.1 to 31.12	900	0
09.0739	1604 11 00		Prepared or preserved salmon, whole or in pieces	From 1.1 to 31.12	170	0
09.0740	1604 12 91 1604 12 99		Prepared or preserved herrings, whole or in pieces, in airtight containers; other	From 1.1 to 31.12	3 000	0
09.0741	1604 13 90		Prepared or preserved sardinella and brisling or sprats, whole or in pieces	From 1.1 to 31.12	180	0
09.0742	1604 15 11 1604 15 19		Prepared or preserved mackerel (<i>scomber scombrus</i> , <i>Scomber japonicus</i>), whole or in pieces	From 1.1 to 31.12	130	0
09.0743	1604 19 92 1604 19 93 1604 19 94 1604 19 95 1604 19 98 1604 20 90		Prepared or preserved cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>), whole or in pieces Prepared or preserved coalfish (<i>Pollachius virens</i>) Prepared or preserved hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.) Prepared or preserved Alaska pollack (<i>Theragra chalcogramma</i>) and pollack (<i>Pollachius pollachius</i>) Other fish, prepared or preserved Prepared or preserved meat of other fish	From 1.1 to 31.12	5 500	0
09.0744	1604 20 10		Prepared or preserved salmon meat	From 1.1 to 31.12	300	0

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0745	ex 1605 20 10	20 40 91	Peeled and frozen shrimps and prawns	From 1.1. to 31.12	8 000	0
	ex 1605 20 91	20 40 91				
	ex 1605 20 99	20 40 91				
09.0746	ex 1605 20 10	30 96 99	Shrimps and prawns other than peeled and frozen	From 1.1 to 31.12	1 000	0
	ex 1605 20 91	30 96 99				
	ex 1605 20 99	30 45 49 96 99				
09.0747	2301 20 00		Flours, meals and pellets, of fish or crustaceans, molluscs and other aquatic invertebrates	From 1.1 to 31.12	28 000	0
09.0748	1605 10 00		Prepared or preserved crab	From 1.1 to 31.12	50	0
09.0749	ex 1605 20 10	20 40 91	Shrimps and prawns, peeled and frozen, prepared or preserved	From 1.3.2011 to 30.4.2011	1 841	0
	ex 1605 20 91	20 40 91		From 1.5.2011 to 30.4.2012	11 053	
	ex 1605 20 99	20 40 91		From 1.5.2012 to 30.4.2013	11 053	
				From 1.5.2013 to 30.4.2014	11 053	
09.0750	ex 1604 12 91	10	Herring, spiced and/or vinegar cured, in brine	From 1.3.2011 to 30.4.2011	1 000 tonnes net drained weight	0
	ex 1604 12 99	11 19		From 1.5.2011 to 30.4.2012	7 000 tonnes net drained weight	
				From 1.5.2012 to 30.4.2013	8 000 tonnes net drained weight	
				From 1.5.2013 to 30.4.2014	8 000 tonnes net drained weight	

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0751	0704 10 00		Cauliflowers and headed broccoli	From 1.8 to 31.10	2 000	0
09.0752	0303 51 00		Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen ⁽¹⁾	From 1.1 to 31.12	44 000	0
09.0753	ex 0704 90 90	10	Broccoli, fresh or chilled	From 1.7 to 31.10	1 000	0
09.0755	ex 0704 90 90	20	Chinese cabbages, fresh or chilled	From 1.7 to 28.2	3 000	0
09.0756	0304 29 75		Fillets of herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen	From 1.1 to 31.12	67 000	0
	0304 99 23	10 20 30	Flaps of herrings (butterflies) (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen ⁽²⁾			
09.0757	0809 20 05 0809 20 95		Cherries, fresh	From 16.7 to 31.8	900	0 ⁽³⁾
09.0759	0809 40 05 0809 40 90		Plums and sloes, fresh	From 1.9 to 15.10	600	0 ⁽³⁾
09.0761	0810 10 00		Strawberries, fresh	From 9.6 to 31.7	900	0
09.0762	0810 10 00		Strawberries, fresh	From 1.8 to 15.9	900	0
09.0775	1504 10 10		Fish-liver oils and their fractions, of a vitamin A content not exceeding 2 500 international units per gram	From 1.1 to 31.12	103	0
09.0776	1504 20 10		Solid fractions fats and oils and their fractions, of fish, other than liver oils	From 1.1 to 31.12	384	0
09.0777	ex 1516 10 90	11 19	Animal fats and oils and their fractions, wholly of fish or marine mammals	From 1.1 to 31.12	5 141	0
09.0781	0204		Meat of sheep or goats, fresh, chilled or frozen ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾ ⁽⁷⁾	From 1.1 to 31.12	300 tonnes carcase weight	0
09.0782	0210		Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal	From 1.1 to 31.12	200	0
09.0783	0705 11 00		Cabbage lettuce (head lettuce)	From 1.1 to 31.12	300	0
09.0784	0705 19 00		Other lettuce	From 1.1 to 31.12	300	0

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0785	ex 0602 90 50	10	Perennial plants	From 1.1 to 31.12	EUR 136 212	0
09.0786	0602 90 70		Indoor plants: rooted cuttings and young plants, excluding cacti	From 1.1 to 31.12	EUR 544 848	0
09.0787	1601		Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	From 1.1 to 31.12	300	0

(¹) As the MFN duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for free circulation during this period.

(²) As for goods of CN code 0304 99 23, the MFN duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for free circulation during this period.

(³) The specific additional duty shall be applied.

(⁴) For the goods of CN code 0204 23 00, the amount of a drawing request is determined by multiplying the net weight of the products by a coefficient of 1,67 (meat of lamb) or 1,81 (meat of sheep other than lamb).

(⁵) For the goods of CN code 0204 50 39 and 0204 50 79, the amount of a drawing request is determined by multiplying the net weight of the products by a coefficient of 1,67 (meat of kid) or 1,81 (meat of goat other than kid).

(⁶) For the goods of CN code 0204 43 10, the amount of a drawing request is determined by multiplying the net weight of the products by a coefficient of 1,67.

(⁷) For the goods of CN code 0204 43 90, the amount of a drawing request is determined by multiplying the net weight of the products by a coefficient of 1,81.

(⁸) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions (see Articles 291 to 300 of Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 1)).

COMMISSION IMPLEMENTING REGULATION (EU) No 231/2011**of 9 March 2011****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 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 XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 March 2011.

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

Done at Brussels, 9 March 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, 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	IL	122,2
	MA	51,5
	TN	115,9
	TR	89,8
	ZZ	94,9
0707 00 05	TR	166,1
	ZZ	166,1
0709 90 70	MA	43,3
	TR	102,7
	ZZ	73,0
0805 10 20	EG	57,2
	IL	64,5
	MA	50,0
	TN	55,5
	TR	69,9
	ZZ	59,4
0805 50 10	EG	42,1
	MA	42,1
	TR	52,4
	ZZ	45,5
0808 10 80	AR	99,8
	CA	101,6
	CL	105,4
	CN	84,8
	MK	54,8
	US	146,4
	ZA	67,5
0808 20 50	ZZ	94,3
	AR	85,2
	CL	106,8
	CN	81,8
	US	79,9
	ZA	103,8
	ZZ	91,5

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

COMMISSION IMPLEMENTING REGULATION (EU) No 232/2011**of 9 March 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EU) No 867/2010 for the 2010/11 marketing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2010/11 marketing year are fixed by Commission Regulation (EU) No 867/2010 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 227/2011 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EU) No 867/2010 for the 2010/11, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 March 2011.

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

Done at Brussels, 9 March 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 259, 1.10.2010, p. 3.

⁽⁴⁾ OJ L 61, 8.3.2011, p. 7.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 10 March 2011

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	59,49	0,00
1701 11 90 ⁽¹⁾	59,49	0,00
1701 12 10 ⁽¹⁾	59,49	0,00
1701 12 90 ⁽¹⁾	59,49	0,00
1701 91 00 ⁽²⁾	54,91	1,00
1701 99 10 ⁽²⁾	54,91	0,00
1701 99 90 ⁽²⁾	54,91	0,00
1702 90 95 ⁽³⁾	0,55	0,19

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.⁽³⁾ Per 1 % sucrose content.

DECISIONS

COUNCIL DECISION

of 28 February 2011

on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Annex XX (Environment) to the EEA Agreement

(2011/153/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 192(1) and 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Annex XX to the Agreement on the European Economic Area (hereinafter 'the EEA Agreement') contains specific provisions and arrangements concerning environment.
- (2) It is appropriate to incorporate Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so

as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community ⁽²⁾, into the EEA Agreement.

- (3) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Sole Article

The position to be taken by the Union in the EEA Joint Committee on an envisaged amendment to Annex XX to the EEA Agreement is laid down in the Annex to this Decision.

Done at Brussels, 28 February 2011.

For the Council

The President

FELLEGI T.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 8, 13.1.2009, p. 3.

ANNEX

Draft

DECISION No .../2011 OF THE EEA JOINT COMMITTEE
of
amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area (hereinafter 'the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the EEA Agreement was amended by Decision of the EEA Joint Committee No 146/2007 of 26 October 2007 ⁽¹⁾ in order to incorporate, inter alia, Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community ⁽²⁾, into that Agreement.
- (2) Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community ⁽³⁾ is to be incorporated into the EEA Agreement.
- (3) The decision-making process leading to the implementation of the Directive will take place in close cooperation between the European Commission, the EFTA Surveillance Authority and the EFTA States.
- (4) The Contracting Parties have issued a Joint Declaration, emphasising, inter alia, that they will make every effort in order to ensure the swift adoption and entry into force of any EEA Joint Committee decisions necessary to extend to the EFTA States the relevant implementing decisions to be adopted by the European Commission and particularly those pursuant to Articles 3e(3) and 3f (5) of Directive 2003/87/EC as amended by Directive 2008/101/EC,

HAS ADOPTED THIS DECISION:

Article 1

Point 21al of Annex XX to the EEA Agreement is hereby amended as follows:

- (1) the following indent is added:

— **32008 L 0101:** Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 (OJ L 8, 13.1.2009, p. 3).;

⁽¹⁾ OJ L 100, 10.4.2008, p. 92.

⁽²⁾ OJ L 275, 25.10.2003, p. 32.

⁽³⁾ OJ L 8, 13.1.2009, p. 3.

- (2) the following adaptations are inserted after adaptation (b):

(ba) At the time of incorporation of the Directive, Liechtenstein does not have any aviation activities as defined in the Directive operated on its territory. Liechtenstein will comply with the Directive when relevant aviation activities take place on its territory.

- (bb) The following subparagraph shall be added in Article 3c(4):

"The EEA Joint Committee shall, in accordance with the procedures laid down in the Agreement and based on figures provided by the EFTA Surveillance Authority in cooperation with Eurocontrol, decide on the EEA-wide historical aviation emissions by adding the relevant numbers concerning flights within and between the territories of the EFTA States and flights between the EFTA States and third countries to the Commission decision when incorporating the latter into the EEA Agreement.";

- (bc) in Article 3d(4), the second subparagraph shall be deleted;

- (bd) the following subparagraph shall be added in Articles 3e(2) and 3f(4):

"By the same date, the EFTA States shall submit applications received to the EFTA Surveillance Authority, which shall promptly pass them on to the Commission.";

- (be) the following subparagraphs shall be added in Article 3e(3):

"The EEA Joint Committee shall, in accordance with the procedures laid down in the Agreement and based on figures provided by the EFTA Surveillance Authority in cooperation with Eurocontrol, decide on the EEA-wide number for the total number of allowances, the number of allowances to be auctioned, the number of allowances in the special reserve and the number of free allowances, by adding the relevant numbers concerning flights within and between the territories of the EFTA States and flights between the EFTA States and third countries to the Commission decision when incorporating the latter into the EEA Agreement.

The Commission shall decide on the EEA-wide benchmark. During the decision-making process the Commission shall cooperate closely with the EFTA Surveillance Authority. The calculation and publication by the EFTA States under Article 3e(4) shall take place subsequent to the decision of the EEA Joint Committee incorporating the decision adopted by the Commission into the EEA Agreement.”;

- (bf) the following subparagraph shall be added in Article 3f(5):

“The Commission shall decide on the EEA-wide benchmark. During the decision-making process the Commission shall cooperate closely with the EFTA Surveillance Authority. The calculation and publication by the EFTA States under Article 3f(7) shall take place subsequent to the decision of the EEA Joint Committee incorporating the decision adopted by the Commission into the EEA Agreement.”;

- (3) the following adaptations are inserted after adaptation (i):

- ‘(ia) the following paragraph shall be inserted after Article 16(12):

“(13) The EFTA States shall submit any requests pursuant to Article 16(5) and (10) to the EFTA Surveillance Authority, which shall promptly pass them on to the Commission.”;

- (ib) the following subparagraph shall be added in Article 18a(1):

“Reallocation of aircraft operators to the EFTA States should take place during year 2011, after fulfilment by the operator of its 2010 obligations. A different timeline for reallocation of aircraft operators initially assigned to a Member State on the basis of the criteria mentioned under (b), can be agreed by the initial administering Member State, further to an explicit request introduced by the operator within six months from the adoption by the Commission of

the EEA-wide list of operators provided for in Article 18a(3)(b). In this case, reallocation shall take place no later than in 2020 with regard to the trading period beginning in 2021.”;

- (ic) in Article 18a(3)(b), the words “for the whole EEA” shall be inserted after the words “aircraft operators”;

- (id) the following subparagraph shall be added in Article 18b:

“For the purposes of carrying out their tasks under the Directive, the EFTA States and the EFTA Surveillance Authority may request the assistance of Eurocontrol or another relevant organisation and may conclude to that effect any appropriate agreements with those organisations.”;

Article 2

The text of Directive 2008/101/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at ...,

For the EEA Joint Committee
The President

The Secretaries
to the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

Joint Declaration by the Contracting Parties to Decision No .../2011 incorporating Directive 2008/101/EC into the EEA Agreement

'Directive 2008/101/EC states that revenues generated from the auctioning of allowances for aviation should be used to tackle climate change. The application of this provision by the EFTA States is without prejudice to the scope of the EEA Agreement.

As regards the decisions on benchmarks pursuant to Articles 3e(3) and 3f(5) of Directive 2003/87/EC as amended by Directive 2008/101/EC, the Contracting Parties will make every effort in order to ensure swift adoption and entry into force of any EEA Joint Committee decisions incorporating each decision of the European Commission. In order to guarantee the homogeneity of the EEA and of its common ETS, a joint and parallel process of the Contracting Parties shall lead up to the decisions of the European Commission, which shall be incorporated into the EEA Agreement, if necessary by use of written procedure.

With the aim to provide for a transparent ETS in the EEA for all aviation operators concerned, the European Commission will include special clauses in its decisions implementing Directive 2008/101/EC, which will make reference to the extension of the decisions to the EEA EFTA States by decisions of the EEA Joint Committee.'

COMMISSION DECISION

of 9 March 2011

terminating the anti-dumping proceeding concerning imports of certain stainless steel bars originating in India

(2011/154/EU)

THE EUROPEAN COMMISSION

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community⁽¹⁾ (the 'basic Regulation'), and in particular Article 9 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) On 15 February 2010, the European Commission ('Commission') received a complaint concerning the alleged injurious dumping of certain stainless steel bars originating in India.
- (2) The complaint was lodged by the European Federation of Iron and Steel Industries ('Eurofer') on behalf of producers representing a major proportion, in this case more than 25 % of total Union production of certain stainless steel bars pursuant to Articles 4(1) and 5(4) of the basic Regulation.
- (3) The complaint contained prima facie evidence of the existence of dumping, and of material injury resulting therefrom, which was considered sufficient to justify the initiation of an anti-dumping proceeding.
- (4) The Commission, after consultation of the Advisory Committee, by a notice published in the *Official Journal of the European Union*⁽²⁾, accordingly initiated an anti-dumping proceeding concerning imports into the Union of certain stainless steel bars originating in India, currently falling within CN codes 7222 20 21, 7222 20 29, 7222 20 31, 7222 20 39, 7222 20 81 and 7222 20 89.
- (5) On the same day, the Commission initiated an anti-subsidy proceeding concerning imports into the Union of certain stainless steel bars originating in India⁽³⁾.
- (6) The Commission sent questionnaires to the Union industry and to any known association of producers in the Union, to the exporters/producers in the country concerned, to any association of exporters/producers, to the importers, to any known association of importers, and to the authorities of the country concerned.

Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.

B. WITHDRAWAL OF THE COMPLAINT AND TERMINATION OF THE PROCEEDING

- (7) By its letter of 23 November 2010 to the Commission, Eurofer formally withdrew its complaint regarding the anti-dumping proceeding.
- (8) In accordance with Article 9(1) of the basic Regulation, the proceeding may be terminated where the complaint is withdrawn, unless such termination would not be in the Union interest.
- (9) The Commission considered that the present proceeding should be terminated since the investigation had not brought to light any considerations showing that such termination would not be in the Union interest. Interested parties were informed accordingly and were given the opportunity to comment. No comments were received indicating that such termination would not be in the Union interest.
- (10) The Commission therefore concludes that the anti-dumping proceeding concerning imports into the Union of certain stainless steel bars originating in India should be terminated,

HAS ADOPTED THIS DECISION:

Article 1

The anti-dumping proceeding concerning imports of certain stainless steel bars originating in India, currently falling within CN codes 7222 20 21, 7222 20 29, 7222 20 31, 7222 20 39, 7222 20 81 and 7222 20 89, is hereby terminated.

Article 2

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

Done at Brussels, 9 March 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ C 87 A, 1.4.2010, p. 1.

⁽³⁾ OJ C 87, 1.4.2010, p. 17.

COMMISSION DECISION

of 9 March 2011

on the publication and management of the reference document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community

*(notified under document C(2011) 1536)***(Text with EEA relevance)**

(2011/155/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community ⁽¹⁾, and in particular Article 27(4) thereof,

Having regard to the recommendation of the European Railway Agency of 15 April 2010 on the reference document as specified in Article 27(3) of Directive 2008/57/EC,

Whereas:

- (1) Decision 2009/965/EC of 30 November 2009 on the reference document referred to in Article 27(4) of Directive 2008/57/EC ⁽²⁾ set out in its Annex the list of parameters to be used for classifying national rules in the reference document referred to in Article 27 of Directive 2008/57/EC.
- (2) It is important that national rules to be covered by the reference document are clearly defined so as to determine to which extent they can be declared as equivalent thus maximising the number of rules belonging to group A in accordance with Section 2 of Annex VII to Directive 2008/57/EC.
- (3) Member States are responsible for the update of their national rules. Updates of national rules may affect rules' classification in respect of other Member States' rules for a specific parameter set out in Section 1 of Annex VII to Directive 2008/57/EC.
- (4) It is necessary that the database cross-referencing national rules and classifying their equivalence is kept up-to-date.
- (5) The European Railway Agency ('the Agency') should, in respect of each Member State, be responsible for the compilation, publication and maintenance of a list of

national vehicle authorisation rules that references the national rule for each parameter and the classification of other Member States rules for this parameter. These lists should form a part of the reference document.

- (6) Consistency between the rules listed in the reference document and the rules notified pursuant to Article 17 of Directive 2008/57/EC should be ensured by Member States. To this end Member States should have a sufficient time for updating the reference document or for notifying/amend/withdraw rules under the procedure of Article 17. Until both sets of rules are aligned and a single data entry for national rules is available, National Safety Authorities (NSAs) may use the rules listed in the reference document for the purpose of granting authorisations for placing vehicles in service, in the case of any discrepancy between the two set of rules.
- (7) Moreover, as regards the notification of national safety rules in accordance with Article 8 of Directive 2004/49/EC of the European Parliament and of the Council ⁽³⁾, they are not relevant for the reference document. Indeed, Directive 2008/110/EC of the European Parliament and of the Council ⁽⁴⁾ amended that Directive so as to remove from Annex II to Directive 2004/49/EC the national safety rules related to requirements for the authorisation of placing in service and maintenance of vehicles.
- (8) When compiling national reference documents, NSAs should determine priorities according to the objectives of Directive 2008/57/EC, taking account of the resources available within the NSAs after discussion in the relevant working parties.
- (9) In accordance with Article 27(4) of Directive 2008/57/EC the Commission should be allowed at any time to adopt a measure addressed to the Agency with a view to modifying the reference document.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 29(1) of Directive 2008/57/EC,

⁽¹⁾ OJ L 191, 18.7.2008, p. 1.

⁽²⁾ OJ L 341, 22.12.2009, p. 1.

⁽³⁾ OJ L 164, 30.4.2004, p. 44.

⁽⁴⁾ OJ L 345, 23.12.2008, p. 62.

HAS ADOPTED THIS DECISION:

Article 1

1. The content of the reference document referred to in Article 27(4) of Directive 2008/57/EC is specified in the Annex to this Decision.

2. The Agency shall publish and maintain the reference document. Free access to it shall be made available via the website of the Agency. The Agency shall publish the first version of the reference document within 4 months of entry into force of this Decision.

3. At least once per year, the Agency shall make a report to the Commission and the Committee referred to in Article 29 of Directive 2008/57/EC on progress made with the publication and management of the reference document.

4. The Commission may at any time, upon request of the Agency, a Member State, or on its own initiative, adopt any decision to modify the reference document published by the Agency, in accordance with the procedure set out in Article 27(4) of Directive 2008/57/EC.

Article 2

For the purpose of the reference document:

(a) 'rule' shall mean a requirement applicable in a Member State and to be complied with by the applicant for the authorisation of placing in service of vehicles, where the requirement is related to:

— a parameter of the list set out in the Annex to Decision 2009/965/EC, and/or

— verification and testing requirements, and/or

— a process to be used to gain authorisation for placing in service of vehicles;

(b) 'classification' means the attribution given by one Member State to another Member State's national rule covering a particular parameter according to one of the three groups A, B or C, which are defined in Section 2 of Annex VII to Directive 2008/57/EC.

Article 3

1. For each Member State the national reference document shall contain, for each parameter of the list provided in the Annex to Decision 2009/965/EC:

(a) a reference to the relevant national rules applied in that Member State for authorising placing vehicles in service or a statement that there is no requirement in respect of this parameter;

(b) the classification, in accordance with Section 2 of Annex VII to Directive 2008/57/EC, of the rules applied in other Member States.

2. The Agency shall facilitate the classification of national vehicle authorisation rules by the respective National Safety Authorities (NSAs) through, where appropriate, arranging meetings.

Article 4

1. Each NSA shall supply the Agency with the information necessary to compile the national reference document. In particular the NSA shall:

(a) supply the Agency with references to national rules for each parameter and their classification;

(b) advise the Agency of changes to the rules at the time of publication of the change of rule;

(c) nominate a person or a department which will be responsible for the supply of this information to the Agency;

(d) conduct an active exchange of views and experiences with other NSAs in order to be able to classify the rules in accordance with Article 3(1)(b). NSAs shall cooperate with a view to eliminating unnecessary requirements and redundant verifications.

2. Each Member State shall approve its national reference document.

3. Within 1 year of the publication of the relevant national reference document, Member States shall ensure consistency between the requirements contained in the reference document and the requirements contained in rules notified pursuant to Article 17 of Directive 2008/57/EC. Once a single data entry for the notification of national rules and for the reference document is available, the deadline to ensure consistency between them shall be 6 months. The Commission shall inform Member States of the date by which the single data entry for notification of national rules is available. After this period if the Agency becomes aware of an inconsistency it shall advise the relevant Member State. Where a rule of the reference document is not yet notified either that rule shall be notified or the reference document shall be updated.

4. Member States shall notify to the Commission within 2 months of entry into force of this Decision the competent department which will be in charge of validating and approving their national reference document and changes thereto.

Article 5

1. Further to Article 4(1)(b), if a change to a rule may affect the classification of this rule in any other Member State, the Agency shall advise the NSAs of the affected Member States so that they may review the classification.

2. If the Agency becomes aware of a rule proposed to be classified under group B or C by a Member State that in its opinion shall be classified under group A, it shall raise and discuss the matter with the relevant NSA in order that an agreement may be reached on the correct classification.

3. If after discussion with the relevant NSAs the Agency considers that a classification under group B or C by an NSA is not justified according to the provisions of Directive 2008/57/EC and that the classification under group B or C represents an unnecessary requirement or unnecessary verification that has a disproportionate impact upon the cost or timescale for authorisation for placing in service of vehicles, the Agency shall inform the Commission thereof and provide a technical opinion to the Commission and the relevant Member State.

4. Where appropriate, the Commission shall adopt a decision in accordance with the procedure referred to in Article 27(4) of Directive 2008/57/EC. That decision is addressed to the Agency

in order to update the reference document and to the relevant Member State with a view to approve the national reference document as provided in Article 4(2).

Article 6

This Decision shall not apply to the Republic of Cyprus and the Republic of Malta for as long as no railway system is established within their territory.

Article 7

This Decision shall apply from 1 April 2011.

Article 8

This Decision is addressed to the Member States and to the European Railway Agency.

Done at Brussels, 9 March 2011.

For the Commission

Siim KALLAS

Vice-President

ANNEX

REFERENCE DOCUMENT**1. Purpose of the Reference document**

The purpose of the Reference document is to facilitate the procedure for authorising the placing in service of vehicles by:

- (a) listing all the parameters to be checked in connection with the authorisation for placing vehicles in service;
- (b) identifying all the rules applied by the Member States for the authorisation of placing vehicles in service;
- (c) referencing each rule to one of the parameters to be checked in connection with the authorisation for placing vehicles in service;
- (d) classifying all rules under group A, B or C in accordance with Section 2 of Annex VII to Directive 2008/57/EC;
- (e) in accordance with Article 1 of Decision 2009/965/EC, outlining the national legal frameworks covering the authorisation for placing vehicles in service.

2. Structure and content

The Reference document shall be structured as follows:

Part 1: Application guide: this part shall refer to the elements included in this Decision, and any other information relevant for the management, understanding and use of the reference document.

Part 2: National reference documents: the reference document shall include all national reference documents listing and classifying the national rules, one for each Member State, as referred to in Article 3.

Part 3: Information on national legal frameworks: in accordance with Article 1 of Decision 2009/965/EC, the reference document shall include information on the national legal framework applicable to the authorisation of placing in service of vehicles. This part shall be filled in as soon as Member States notify the national measures implementing Directive 2008/57/EC.

3. Scope of application of the reference document

The reference document concerns all authorisations for placing railway vehicles in service which are subject to Directive 2008/57/EC and where conformity with national rules is required.

In accordance with Article 1 of Directive 2008/57/EC, vehicles intended to run on TEN and off-TEN are concerned.

Regarding TSI conform vehicles, the reference document shall allow comparison and cross-reference, in respect of a particular parameter, between the rules applied in different Member States in order to verify the technical compatibility with the infrastructure, the compliance with the specific cases, the closure of open points, and the compliance with national rules in the derogation cases.

Furthermore, the reference document shall allow comparison and cross-reference of the national rules related to the list of parameters to be checked in conjunction with the placing in service of non-TSI conform vehicles.

III

(Other acts)

EUROPEAN ECONOMIC AREA

DECISION OF THE STANDING COMMITTEE OF THE EFTA STATES

No 3/2010/SC

of 1 July 2010

on internal cost sharing

THE STANDING COMMITTEE OF THE EFTA STATES,

HAS DECIDED AS FOLLOWS:

Article 1

The contributions of Iceland, Liechtenstein and Norway (hereinafter referred to as the EFTA States) to the EEA Financial Mechanism for the period 2009-2014 are to be divided into five annual tranches and determined on the basis of Article 2.

Article 2

1. The contributions of the EFTA States to the EEA Financial Mechanism for the period 2009-2014 are based on their Gross Domestic Products (GDP).

2. For any EFTA State, the contribution for a specific financial year t is to be based on the available GDP data for the year $t-2$ and corresponds to that States' share of GDP ($t-2$) in the overall GDP ($t-2$) of the EFTA States.

3. For Iceland, the contribution to each of the five annual tranches may not exceed the amount of EUR 6,795 million.

If Iceland's contribution for a specific financial year t , calculated on Iceland's share of GDP ($t-2$) in the overall GDP ($t-2$) of the EFTA States, should exceed the amount of EUR 6,795 million, Liechtenstein and Norway shall be obliged to cover the excessive sum in proportion to their respective shares of GDP ($t-2$).

4. The respective GDP data on which the contributions for a specific year t are to be based shall be delivered annually by each EFTA States by 1 March. They shall relate to the year $t-2$.

5. Contributions shall be expressed in euros.

Article 3

The accession of an EFTA State to the EU shall not affect its obligation to contribute to the EEA Financial Mechanism for the period 2009-2014 in accordance with this Decision.

Article 4

This Decision shall take effect on the day of entering into force or on the day of provisional application of the legal act establishing the EEA Financial Mechanism for the period 2009-2014.

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 1 July 2010.

*For the Standing Committee**The Chairman*

Stefán Haukur JÓHANNESSEN

The Secretary-General

Kåre BRYN

ANNEX

The Standing Committee agrees that, before finalising possible negotiations regarding post 2014 financial contributions to reduce the economic and social disparities in the EEA, a review of the cost sharing mechanism in view of a change from GDP to GNI as the basis for the calculation shall take place.

CORRIGENDA

Corrigendum to Commission Regulation (EU) No 144/2011 of 17 February 2011 amending Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements

(Official Journal of the European Union L 44 of 18 February 2011)

On page 11, Model BOV-X, point II.1.3:

for: ⁽¹⁾(³) or [(a) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, Part I, point (4)(b)(iv) of Annex II of Regulation (EC) No 999/2001;’;

read: ⁽¹⁾(³) or [(a) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and are not exposed bovine animals as described in Chapter C, Part II, point (4)(b)(iv) of Annex II of Regulation (EC) No 999/2001;’.

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