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Price: EUR 4

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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 1048/2011

of 20 October 2011

repealing Regulation (EC) No 1763/2004 imposing certain restrictive measures in support of effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)

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 2010/603/CFSP of 7 October 2010 on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EC) No 1763/2004 ⁽²⁾ gives effect to Decision 2010/603/CFSP by freezing the assets of certain individuals, in support of the ICTY mandate.

- (2) Decision 2010/603/CFSP expired on 10 October 2011.

- (3) It is therefore appropriate to repeal Regulation (EC) No 1763/2004 with immediate effect,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1763/2004 is hereby repealed.

*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 2011.

*For the Council**The President*

M. SAWICKI

⁽¹⁾ OJ L 265, 8.10.2010, p. 15.

⁽²⁾ OJ L 315, 14.10.2004, p. 14.

**COUNCIL IMPLEMENTING REGULATION (EU) No 1049/2011
of 20 October 2011**

**implementing Article 11(1) of Regulation (EU) No 753/2011 concerning restrictive measures
directed against certain individuals, groups, undertakings and entities in view of the situation in
Afghanistan**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(2) thereof,

Having regard to Council Regulation (EU) No 753/2011 of 1 August 2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan ⁽¹⁾, and in particular Article 11 (1) thereof,

Whereas:

- (1) On 1 August 2011, the Council adopted Regulation (EU) No 753/2011.
- (2) On 4 October 2011, the United Nations Security Council Committee, established pursuant to paragraph 30 of Security Council Resolution 1988 (2011), approved the

addition of three persons to the list of individuals, groups, undertakings and entities subject to restrictive measures.

- (3) Annex I to Regulation (EU) No 753/2011 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The persons listed in the Annex to this Regulation shall be added to the list set out in Annex I of Regulation (EU) No 753/2011.

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 2011.

For the Council
The President
M. SAWICKI

⁽¹⁾ OJ L 199, 2.8.2011, p. 1.

ANNEX

LIST OF PERSONS REFERRED TO IN ARTICLE 1

- (1) Faizullah Noorzai Akhtar Mohammed Mira Khan (*alias*: (a) Hajji Faizullah Khan Noorzai, (b) Haji Faizuulah Khan Norezai, (c) Haji Faizullah Khan, (d) Haji Fiazullah Khan, (e) Haji Faizullah Khan Noori, (f) Haji Faizullah Noor, (g) Haji Pazullah Noorzai, (h) Haji Mullah Faizullah).

Title: Haji. Address: Boghra Road, Miralzei Village, Chaman, Baluchistan Province, Pakistan.

Date of birth: (a) 1962, (b) 1961, (c) between 1968 and 1970.

Place of birth: (a) Lowy Kariz, Spin Boldak District, Kandahar Province, Afghanistan, (b) Kadanay, Spin Boldak District Kandahar Province, Afghanistan.

Nationality: Afghan.

Other information: (a) Prominent Taliban financier. (b) As of mid-2009, supplied weapons, ammunition, explosives and medical equipment to Taliban fighters; raised funds for the Taliban, and provided training to them, in the Afghanistan/Pakistan border region. (c) Has previously organized and funded Taliban operations in Kandahar Province, Afghanistan. (d) As of 2010, travelled to and owned businesses in Dubai, United Arab Emirates, and Japan. (e) Belongs to Nurzai tribe, Miralzai sub-tribe. (f) Brother of Malik Noorzai. (g) Father's name is Akhtar Mohammed (*alias*: Haji Mira Khan).

Date of UN designation: 04.10.2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Faizullah Noorzai Akhtar Mohammed Mira Khan has served as a prominent Taliban financier with whom senior Taliban leaders invested funds. He has collected over USD 100 000 for the Taliban from donors in the Gulf and in 2009 gave a portion of his own money. He also financially supported a Taliban commander in Kandahar Province and has provided funding to assist with training Taliban and Al-Qaida fighters who were to conduct attacks against Coalition and Afghan military forces. As of mid-2005, Faizullah organized and funded Taliban operations in Kandahar Province, Afghanistan. In addition to his financial support, Faizullah has otherwise facilitated Taliban training and operations. As of mid-2009, Faizullah supplied weapons, ammunition, explosives, and medical equipment to Taliban fighters from southern Afghanistan. In mid-2008, Faizullah was responsible for housing Taliban suicide bombers and moving them from Pakistan into Afghanistan. Faizullah has also provided anti-aircraft missiles to the Taliban, helped move Taliban fighters around Helmand Province, Afghanistan, facilitated Taliban suicide bombing operations and given radios and vehicles to Taliban members in Pakistan.

As of mid-2009, Faizullah operated a madrassa (religious school) in the Afghanistan/Pakistan border region, where tens of thousands of dollars were raised for the Taliban. Faizullah's madrassa grounds were used to provide training to Taliban fighters in the construction and use of improvised explosive devices (IEDs). As of late 2007, Faizullah's madrassa was used to train Al-Qaida fighters who were later sent to Kandahar Province, Afghanistan.

In 2010, Faizullah maintained offices and possibly owned properties, including hotels, in Dubai, the United Arab Emirates. Faizullah regularly travelled to Dubai and Japan with his brother, Malik Noorzai (T.I.N.154.11), to import cars, auto parts and clothing. As of early 2006, Faizullah owned businesses in Dubai and Japan.

- (2) Malik Noorzai (*alias*: (a) Hajji Malik Noorzai, (b) Hajji Malak Noorzai, (c) Haji Malek Noorzai, (d) Haji Maluk, (e) Haji Aminullah).

Title: Haji. Date of Birth (a) 1957, (b) 1960.

Nationality: Afghan.

Other information: (a) Taliban financier. (b) Owns businesses in Japan and frequently travels to Dubai, United Arab Emirates, and Japan. (c) As of 2009, facilitated Taliban activities, including through recruitment and the provision of logistical support. (d) Believed to be in the Afghanistan/Pakistan border area. (e) Belongs to Nurzai tribe. (f) Brother of Faizullah Noorzai Akhtar Mohammed Mira Khan.

Date of UN designation: 04.10.2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Malik Noorzai is a Pakistan-based businessman who has provided financial support to the Taliban. Malik and his brother, Faizullah Noorzai Akhtar Mohammed Mira Khan (T.I.M.153.11), have invested millions of dollars in various businesses for the Taliban. In late 2008, Taliban representatives approached Malik as a businessman with whom to

invest Taliban funds. Since at least 2005, Malik has also personally contributed tens of thousands of dollars and distributed hundreds of thousands of dollars to the Taliban, some of which was collected from donors in the Gulf region and Pakistan and some of which was Malik's own money. Malik also handled a hawala account in Pakistan that received tens of thousands of dollars transferred from the Gulf every few months to support Taliban activities. Malik has also facilitated Taliban activities. As of 2009, Malik had served for 16 years as the chief caretaker of a madrassa (religious school), in the Afghanistan/Pakistan border region, that was used by the Taliban to indoctrinate and train recruits. Among other things, Malik delivered the funds that supported the madrassa. Malik, along with his brother, has also played a role in storing vehicles to be used in Taliban suicide bombing operations and has helped move Taliban fighters around Helmand Province, Afghanistan. Malik owns businesses in Japan and frequently visits Dubai and Japan for business. As early as 2005, Malik owned a vehicle import business in Afghanistan that imported vehicles from Dubai and Japan. He has imported cars, auto parts and clothing from Dubai and Japan for his businesses, in which two Taliban commanders have invested. In mid-2010, Malik and his brother secured the release of hundreds of cargo containers, reportedly worth millions of dollars, which Pakistani authorities seized earlier that year because they believed the recipients had a connection to terrorism.

(3) Abdul Aziz Abbasin (*alias*: Abdul Aziz Mahsud).

Date of Birth: 1969.

Place of Birth: Sheykhani Village, Pirkowti Area, Orgun District, Paktika Province, Afghanistan.

Other information: Key commander in the Haqqani Network under Sirajuddin Jallaloudine Haqqani (TI.H.144.07.). Taliban Shadow Governor of Orgun District, Paktika Province, Afghanistan as of early 2010. Operated a training camp for non-Afghan fighters in Paktika Province. Has been involved in the transport of weapons to Afghanistan.

Date of UN designation: 04.10.2011

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Abdul Aziz Abbasin is a key commander in the Haqqani Network, a Taliban-affiliated group of militants that operates from Eastern Afghanistan and North Waziristan Agency in the Federally Administered Tribal Areas of Pakistan. As of early 2010, Abbasin received orders from Sirajuddin Haqqani (TI.H.144.07) and was appointed by him to serve as the Taliban shadow governor of Orgun District, Paktika Province, Afghanistan. Abbasin commands a group of Taliban fighters and has assisted in running a training camp for foreign fighters based in Paktika Province. Abbasin has also been involved in ambushing vehicles supplying Afghan government forces and in the transport of weapons to Afghanistan.

COMMISSION IMPLEMENTING REGULATION (EU) No 1050/2011**of 20 October 2011****entering a name in the register of protected designations of origin and protected geographical indications (Darjeeling (PGI))**

THE EUROPEAN COMMISSION,

packaging intended for the final consumer, may take place within or outside the geographical area.

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

(5) The objectors further alleged failure of compliance with Article 2 of Regulation (EC) No 510/2006.

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 third subparagraph of Article 7(5) thereof,

(6) Concerning the alleged absence of a link between the reputation and renown of the product and the area of production, it has been found that the product specification shows that the product is specific, and that the *savoir-faire* and acquired skills employed by producers as well as the pedo-climatic features and geographical environment of the geographical area (natural drainage of the soils, complex combination of very high rainfall and continuous low temperature) significantly affect the product's characteristics which constitute the core of its reputation.

Whereas:

(1) Pursuant to Article 6(2) of Regulation (EC) No 510/2006, an application from India received on 12 November 2007 to register the name 'Darjeeling' as a protected geographical indication was published in the *Official Journal of the European Union* ⁽²⁾.

(7) As for the objection regarding the alleged irrelevance of the analysis data cited in the Single Document, this data does not have an impact on the link which is based on reputation but merely serves to describe the product as such. Yet, to reveal the source of the analysis is not required by Regulation (EC) No 510/2006.

(2) Germany, France, Italy, Austria, the United Kingdom and a citizen of India lodged objections to such registration under Article 7(1) of Regulation (EC) No 510/2006. The objections were deemed admissible under points (a), (c), and (d) of the first subparagraph of Article 7(3) thereof. By letter dated 11 June 2010, the Commission asked the Parties concerned to seek agreement among them.

(8) The name 'Darjeeling' should only be used as a sales designation for tea that is wholly produced in the geographical area in accordance with the specification, although blending of such tea may take place within or outside the geographical area. Blends of 'Darjeeling' and other teas should not bear the name 'Darjeeling' as the sales designation and should otherwise be labelled in conformity with the Union's rules on labelling in particular to avoid that consumers are misled to a material degree.

(3) An agreement was reached between France and India, which resulted in introducing clarifications to the Single Document to the effect that only bulk packaging is required to take place in the geographical area and that consumer packaging may take place within or outside the geographical area. Consequently, it should be made clear in relation to labelling that the obligatory presence of a licence number and a specified logo is only required in respect of products in bulk shipped from the geographical area.

(9) The statements of objection showed that the name 'Darjeeling' is used to designate certain products that are not in conformity with the specification, but which are comparable to such products. The continued use of the name on these products is found to jeopardise the existence of the name 'Darjeeling'. Therefore the producers of such products should be granted a transitional period of 5 years to use the said name, pursuant to Article 13(3) of Regulation (EC) No 510/2006, in so far as these products have been legally marketed for at least 5 years prior to 14 October 2009, and provided that the Union's legal order, in particular with respect to Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽³⁾, is respected.

(4) Agreement was only partially reached between Germany, Italy, Austria, the United Kingdom and the citizen of India on the one hand, and India on the other hand, within the designated timeframe. Following the agreement the botanical name 'Camellia sinensis M Kuntz', should be correctly referred to as 'Camellia sinensis L.O. Kuntze', and bulk packaging of 'Darjeeling' tea should be restricted to the geographical area. Any other kind of packaging or repackaging, including

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 246, 14.10.2009, p. 12.

⁽³⁾ OJ L 109, 6.5.2000, p. 29.

- (10) Concerning the alleged generic character of the name proposed for registration, no proof of generic status has been established.
- (11) In the light of the above, the name 'Darjeeling' should be entered in the Register of protected designations of origin and protected geographical indications and the Single Document should be updated accordingly and published.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Protected Geographical Indications and Protected Designations of Origin,

HAS ADOPTED THIS REGULATION:

Article 1

The designation contained in Annex I to this Regulation shall be entered in the register.

Article 2

Registration is subject to a 5-year transitional period during which names including 'Darjeeling' may be used on products produced not in conformity with the specification, in so far as these products have been legally marketed for at least 5 years prior to 14 October 2009, and provided that the Union's legal order, in particular with respect to misleading of consumers to a material degree pursuant to Article 2 of Directive 2000/13/EC, is respected.

Article 3

The updated Single Document is contained in Annex II to this Regulation.

Article 4

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, 20 October 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX I

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

Class 1.8. Other products of Annex I to the Treaty (spices etc.)

INDIA

Darjeeling (PGI)

ANNEX II

SINGLE DOCUMENT

COUNCIL REGULATION (EC) No 510/2006

'DARJEELING'

EC No: IN-PGI-0005-0659-12.11.2007

PGI (X) PDO ()

1. Name

'Darjeeling'

2. Member State or Third Country

India

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 1.8. Other products of Annex I to the Treaty

3.2. Description of product to which the name in (1) applies

The botanical name of the Darjeeling tea plant is *Camellia sinensis* L.O. Kuntze. The Darjeeling tea plant is a hardy, multi-stemmed, slow growing evergreen shrub tree which if allowed to, can grow up to 2,5 metres in height. The Darjeeling tea plant takes about 6 to 8 years to be mature to give economic harvesting and is known to have an economic life of well over 100 years with good agricultural practices. It is able to withstand severe winters, extended droughts and the high altitudes of Darjeeling. The green leaves are small, bright, glossy green in colour often covered with a downy silvery pubescence and long buds. The productivity of Darjeeling tea is much lower than any other tea growing area, making it expensive to harvest and produce. Such lower productivity is due to high elevations of the geographical area and rare climatic conditions. The Darjeeling tea plant was first planted in the early 1800s. Over the years it has adapted to its natural environment and developed the native characteristics, i.e. the unique Darjeeling character referred to by renowned tea tasters and consumers.

The Darjeeling tea when brewed gives a colour of pale lemon to rich amber. The brew is said to have remarkable varying degrees of visual brightness, depth and body. The flavour emanating from the brew is a fragrance with a complex and pleasing taste and aftertaste with attributes of aroma, bouquet and point. The organoleptic characteristics of the Darjeeling tea brew are commonly referred to as mellow, smooth, round, delicate, mature, sweet, lively, dry and brisk.

The chemical components present in the Darjeeling tea in very higher concentrations are linalool oxide I, II, III and IV. Linalool, geraniol, methyl salicylate, benzyl alcohol, 2-phenylethanol, dihydroactinidiolide, hexanoic acid, cis-3-hexenoic acid, trans-2-hexenoic acid, trans-geranoic acid, 3,7-dimethyl-1,5,7-octatrien-3-ol (can be quantified in % as 0,36 % to 1,24 %) and 2,6-demethyl-3, 7-octadiene-2, 6-diol (quantified in % as 3,36 % to 9,99 %). The last two components are present in very high concentration (coming up to 1,24 % and 9,99 % respectively).

The rare flavour of Darjeeling tea is a direct result of a combination of plant genes which is native to the Darjeeling area, the soil chemistry which is rich in minerals, the Darjeeling hills which receives high rainfall (up to 160 inches per annum), altitudes (the highest 2 250 metres and the lowest is at 600 metres) and unique variation of temperature (between 5 and 30 °C). The effect of agroclimatic conditions including light, temperature, humidity, rainfall, etc. play important role for the production of quality related secondary metabolites for Darjeeling tea. It has been observed that some tea cultivars grown in other parts of the country having different agroclimatic conditions do not produce the unique aroma/flavour of Darjeeling tea.

The Darjeeling tea industry follows an established set of agricultural practices which has been developed and used for over 150 years to sustain growth of shoots, while maintaining bush heights suitable for plucking by hand. Each kilogram of made tea consists of around 20 000 individual hand-picked shoots. This gives an idea of the extent of human effort involved in its production.

The Darjeeling tea is processed in the traditional orthodox method only, where human effort and traditional skill/knowledge is involved in every stage, which is referred as Darjeeling style of manufacture.

There are three different grades of sizes of Darjeeling tea which are traditionally referred as Whole Leaf, Broken and Fannings.

3.3. *Raw materials*

Not applicable.

3.4. *Feed (for products of animal origin only)*

Not applicable.

3.5. *Specific steps in production that must take place in the identified geographical area*

The plucking of Darjeeling tea begins at the end of February/early March and ends by mid-November depending on the weather conditions and the ambient temperature; the cold winter months of December to February are a period of dormancy. A Darjeeling tea bush yields only 50 to 100 g of made tea in a year. The plucking of Darjeeling tea is a special skill/technique, which is a traditional knowledge transferred from generation to generation. The plucking is mainly done by highly skilled women workers because the green leaves require soft handling with care to retain its quality.

After harvesting, the Darjeeling tea leaves are processed in the traditional orthodox method only in the typical/ Darjeeling Style of manufacture in the factories situated within the specified gardens within the defined Darjeeling tea growing area only. The traditional skill/knowledge is passed on by generation and is involved in every step of the processing. The inherently sensitive nature of the finely plucked, green leaf responds best to gentle treatment. Although differing leaf varieties require intricate variations in processing, the stages followed are uniform.

Processing of the Darjeeling tea takes place in the factories situated only within the notified tea gardens. The drying, sorting, grading and bulk packing of the Darjeeling tea takes place exclusively in the factories situated within the area of the notified tea gardens. It is important to note that no processing takes place outside the tea gardens.

Therefore, all steps of production of tea (harvesting, drying and processing) take place in the defined areas.

Once the leaf reaches the factory, it is 'withered'. The objective of withering is to evaporate the moisture from the green leaves slowly over a period of 14 to 16 hours. The leaf shrinks and becomes soft so that it can withstand twisting and rolling mechanically. The brew characteristics also begin to develop following physical and chemical changes within the leaf structure.

The green leaves are segregated and spread evenly on wire mesh screens fitted over specially designed 'troughs' which resemble very long wooden boxes. Each trough is an air chamber which enables fresh dry air to be passed in a regulated manner through the green leaves until the desired 'wither' is achieved. Approximately, 75 % of the water content in the fresh green leaf is evaporated at this stage.

The withered leaf is then removed from the trough and loaded and twisted in the rolling machines, which, by subjecting the withered leaf to a rolling movement under pressure, twist the leaf, rupture the cells and release natural juices, promoting oxidation and accelerating pigmentation. Rolling pressures and sequences are very meticulously supervised to ensure that the optimum style is imparted, without the detrimental effect of overheating.

Next, the leaf is thinly spread in a cool, well-ventilated room to slowly oxidise (ferment). This stage, in which the flavanols combine with oxygen in the air, extends over a period ranging from 2 to 4 hours, mainly depending on ambient temperature and relative humidity. An experienced tea maker judges at regular intervals the extent of quality development from the fragrance progressively expressed by the leaf. This sensory judgment is critical to the quality of the infused brew. For the visitor, the rich floral aroma emanating from a Darjeeling rolling and fermenting (oxidisation) room is heady and definitely unforgettable.

Once optimum fermentation (oxidisation) has been achieved, the oxidised leaf is taken for roasting (or drying) to arrest further fermentation (oxidisation) by deactivating the enzymes, and to remove almost all of the remaining moisture in the leaf. The Tea Dryer is a chamber which exposes the fermented (Oxidised) leaf to hot dry air at regulated, varying temperatures within its parts, for a duration of 20 to 30 minutes. A good roast reduces moisture content in the final product to about less than 2 %, resulting in crisp dry tea which is then graded through vibrating sieves according to size. These grades are finally invoiced packed in lots/batches in foil lined packages designed to retain freshness and quality over an extended period of time.

After final grading has been completed, nomenclatures are assigned according to the size of the grade. These falls into three categories:

- (a) Whole Leaf — FTGOP — Fine Tippy Golden Flowery Orange Pekoe;
- (b) Broken — TGBOP — Tippy Golden Broken Orange Pekoe;
- (c) Fannings — GOF — Golden Orange Fannings.

The major difference between the three categories is in the size.

Orange Pekoe is a term mainly used to describe a grade found in the grading system of the same name used for sorting black teas. The system is based solely upon the size of the processed and dried black tea leaves.

The above gradations relate only to the size of the whole leaf after processing and not to quality differentiations. All grades are the product of the same green leaf. The nomenclatures are used to differentiate the grade of made tea according to the size of the tea leaves after processing.

3.6. *Specific rules concerning slicing, grating, packaging, etc.*

There are no specific packaging requirements for Darjeeling tea. Darjeeling tea reaches the final consumer in the EU in bulk or consumer packs. 95 % of all packing down to the insertion into consumer size boxes takes place in the EU (the rest is packed in India).

3.7. *Specific rules concerning labelling*

On each package the licence number of the producer/packeter under the Darjeeling Protection Certified Trade Mark Scheme 1999 governed by the Tea Board of India (a statutory body formed under The Tea Act of 1953 of India empowering them to administer the production of tea) has to be provided, as well as the registered Darjeeling logo (a stylised representation of an Indian woman holding tea leaves in a roundel). The woman design element has a stylised circular ear ring and a nose stud. The word mark 'Darjeeling' skirts the left portion of the roundel. All these elements blend together to constitute the Darjeeling logo.



The special Darjeeling logo, created in 1983 and registered as a collective trademark in India, is a labelling requirement, for tea that has been certified by the Board as conforming to the standards and characteristics of Darjeeling tea. Since its introduction, the Darjeeling logo has always appeared on packaging cartons/chest under the control of the Board.

The Tea Board has obtained registration of the Darjeeling logo as a Certification Mark under the Indian Trade and Merchandise Marks Act, 1958.

The Tea Board has also registered the Darjeeling logo under the new Geographical Indication of Goods (Registration & Protection) Act, 1999.

The nomenclature of grading is not compulsory on the label.

4. Concise definition of the geographical area

The Darjeeling Tea is grown in the district of Darjeeling, situated in the state of West Bengal, India. The following Sub-Divisions of the District of Darjeeling in the State of West Bengal (India) have on their territory tea gardens: Sadar sub-division, only hilly areas of Kalimpong Sub-Division comprising Samabeong Tea Estate, Ambikok Tea Estate, Mission Hill Tea Estate, Upper Fagu and Kumai Tea Estates and Kurseong Sub-Division excluding the areas in jurisdiction list 20, 21, 23, 24, 29, 31 and 33 comprising Subtighuri Sub-Division of New Chumta Tea Estate, Simulbari and Marionbari Tea Estate of Kurseong Police station in Kurseong Sub-Division. The tea gardens are situated at an altitude of between 600 and 2 250 metres on steep slopes which provide ideal natural drainage for the generous rainfall the district receives.

5. Link with the geographical area

5.1. Specificity of the geographical area

The tea gardens are situated at altitude of between 600 and 2 250 metres on steep slopes, which provide ideal natural drainage for the generous rainfall the district receives. It is important to note the relevance of elevation, as it is specific for Darjeeling quality. Coupled with this, the intermittent cloud and sunshine combine to impart the unique character of Darjeeling tea.

The soil is rich and the hilly terrain provides natural drainage for the generous rainfall the district receives.

Due to continuous low temperature the metabolic (photosynthesis) rate of the Darjeeling tea plant is far lower than any other tea plant, which stunts the growth of green leaf and increases the concentration of the natural chemical characteristics.

The Darjeeling tea growing area is located in the seven valleys of the Darjeeling hills which directly overlooks the Himalayas and the Kanchenjunga peak which is the 3rd highest mountain peak in the world. The cold wind blowing from the Himalayas through the seven valleys at various temperatures during the year is one of the reasons resulting in the unique Darjeeling flavour. Further, the Darjeeling hills experience mists during the nights which condenses the water molecules of the environment and it caresses the tea leaves which moisturise the Darjeeling tea leaves overnight. The Darjeeling hill experiences very high rainfall (up to 160 inches and not less than 80 inches) in a year. The Darjeeling hills receive only 4 to 5 hours of sunshine for only about 180 days in a year. These natural phenomena significantly contribute to the development of the remarkable flavour and characteristics of the Darjeeling tea.

5.2. Specificity of the product

Darjeeling tea is a tea of considerable renown, because its flavour is so unique that it cannot be replicated anywhere else in the world. Grown in the mountainous region of Darjeeling, for more than 150 years, these tea bushes are nurtured by intermittent rainfall, sunshine and moisture laden mellow mists. The tea pluckers pick only the finest two leaves and the bud to maintain the particular flavour. Gifted with these natural elements, the simple fact that approximately only between 9 to 10 million kg of Darjeeling tea is produced annually by the Darjeeling district, has made it exclusive and desirable. It is a niche luxury product. Adherence to this high quality profile, results in extremely low yields. The Darjeeling producers make every effort to ensure the highest quality standards, in spite of the high costs involved. Tea plucking art of the succession generation of north has an artistic value. Human elements are present in several steps of the production of tea (as explained above).

The Darjeeling tea is processed in the traditional orthodox method only, where human effort and traditional skill/knowledge is involved in every stage.

5.3. Causal link between the geographical area and a specific quality, the reputation or other characteristic of the product

Geographical and agro-climatic: Due to the unique and complex combination of agro-climatic conditions prevailing in the region comprising of all the 87 tea gardens within the district of Darjeeling as well as the production regulations by the Board, tea produced in this region has the distinctive and naturally occurring organoleptic characteristics of taste, aroma and texture which have won the patronage and recognition of discerning consumers all over the world and put Darjeeling tea as a niche luxury product.

Topographical: The Darjeeling tea gardens are situated at an altitude from 600 to 2 250 metres on steep slopes which provide ideal natural drainage for the generous rainfall the district receives. The rare flavour of Darjeeling tea is a result of the combination of plant genes, soil chemistry, altitude, temperature and rainfall unique to the Darjeeling hills. The Darjeeling tea industry follows an established set of agricultural practices which has been developed and used for over 150 years to sustain growth of shoots, while maintaining bush heights suitable for plucking by hand.

Harvesting: A Darjeeling tea bush yields not more than 100 g of made tea in a year (between 9 to 10 million kg of Darjeeling tea is produced annually by the Darjeeling district). Each kilogram of fine tea consists of more than 20 000 individual hand-picked shoots. This gives an idea of the extent of human effort involved in its production.

Other factors: historical, traditional, cultural and social, as well as a special uniqueness and reputation are attached to 'Darjeeling'. Indeed, the tea produced in the Darjeeling region and having the said special characteristics, is and has for long been known to the trade and the public in India and abroad as Darjeeling tea and as such it has acquired a substantial domestic and international reputation. Any member of the trade or public in India or abroad ordering Darjeeling tea or seeing tea advertised or offered for sale as Darjeeling will expect the tea so ordered, advertised or offered for sale to be the tea cultivated, grown and produced in the aforesaid region of the Darjeeling district and having the aforesaid special characteristics. Therefore, the name 'Darjeeling' for tea from the district of Darjeeling in the state of West Bengal, has acquired a special uniqueness and reputation in the public mind when used in relation to tea produced in the aforesaid region of the said district so that the right to attach it to such tea forms part of the specific repute of all those who are duly associated with the said region. The prices of Darjeeling tea are also higher than for other teas in India and overall in the world market. In other words, the name 'Darjeeling' when used in relation to tea, qualifies as a geographical indication in India.

Reference to publication of the specification

<http://ec.europa.eu/agriculture/quality/door/publishedName.html?denominationId=1900>

COMMISSION IMPLEMENTING REGULATION (EU) No 1051/2011**of 20 October 2011****implementing Regulation (EU) No 692/2011 of the European Parliament and of the Council concerning European statistics on tourism, as regards the structure of the quality reports and the transmission of the data****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism ⁽¹⁾, and in particular Articles 6(4) and 9(2) and (3) thereof,

Whereas:

- (1) Regulation (EU) No 692/2011 established a common framework for the systematic development, production and dissemination of European statistics on tourism.
- (2) Reasonable level of quality should be ensured in the disseminated information and the maintenance of existing statistical series on tourism.
- (3) The arrangements for and structure of the quality reports, as well as the practical arrangements for the data transmission should be laid down.
- (4) It is appropriate to use the European statistics on tourism as fully as possible while respecting the confidentiality of the individual data records.

- (5) Certain data should be made available to Member States in order to complete the statistical coverage of tourism at national level.

- (6) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The arrangements for and structure of the quality reports shall be as set out in Annex I.

Article 2

The exchange standard for aggregate tables shall be as set out in Annex II.

Article 3

The exchange standard for micro-data files shall be as set out in Annex III.

*Article 4*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, 20 October 2011.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 192, 22.7.2011, p. 17.

ANNEX I

Structure of quality reports**Arrangements and structure for providing metadata**

Member States shall provide the Commission (Eurostat) with reference metadata in accordance with the Euro SDMX Metadata Structure, as defined in Commission Recommendation 2009/498/EC ⁽¹⁾ for the European Statistical System.

Member States shall provide the required metadata (including quality) in accordance with an exchange standard specified by the Commission (Eurostat). The metadata shall be provided to Eurostat through the single entry point or in such a form that the Commission (Eurostat) can retrieve it by electronic means.

Contents of the metadata and quality reports

The report shall include the following concepts and cover internal tourism (Annex I to Regulation (EU) No 692/2011) as well as national tourism (Annex II to Regulation (EU) No 692/2011):

- (1) *Relevance*, including completeness as compared to user needs and data completeness as compared to the requirements and recommendations laid down in Articles 2, 3, 4 and 10 of Regulation (EU) No 692/2011.
- (2) *Accuracy*, including coverage error (over-coverage and under-coverage), recall bias, classification error, item and unit non-response (broken down by type of unit non-response), imputation rate (for Section 2 of Annex II), sampling error and coefficients of variation for a set of leading indicators and breakdowns (as well as a description of the formulae or algorithm used to calculate the coefficients of variation) and data revision (policy, practice, impact on leading indicators).
- (3) *Timeliness*, including information on the calendar for the production process until the publication of the results (first results, final and complete results).
- (4) *Punctuality*, including information on the dates of transmission of the data to the Commission (Eurostat) as compared to the deadlines specified in Article 9(4) of Regulation (EU) No 692/2011 for all data deliveries relating to the reference year.
- (5) *Accessibility and clarity*, including information on the release calendar for the main publications (paper and online) relating to the reference periods of the reference year.
- (6) *Comparability*, including comparability between geographical areas, over time (break in series) and between statistical domains.
- (7) *Coherence*, including coherence within the domain with data from other sources, coherence with other statistical domains, coherence between annual and infra-annual statistics.
- (8) *Cost and burden*, including (where available) a quantitative/monetary and qualitative indication of the cost associated with the collection and production and the burden on respondents, and a description of recent or planned measures to improve cost efficiency and/or reduce respondent burden.
- (9) Metadata relating to *statistical presentation* and *statistical processing*, including information on (where applicable) concepts, definitions and classifications used, sources used, population frame, target population, frequency of data collection, survey type and data collection methods, scope (and limitations to the scope), sampling design and methodology, grossing-up procedures, treatment of confidential data and disclosure control.

⁽¹⁾ OJ L 168, 30.6.2009, p. 50.

ANNEX II

Aggregate tables for the transmission of data listed in Annex I and Sections 1 and 3 of Annex II to Regulation (EU) No 692/2011**File structure and codification**

Member States shall provide the data required by this Regulation in accordance with an exchange standard specified by the Commission (Eurostat). Data shall be provided to Eurostat through the single entry point or in such a way that the Commission (Eurostat) can retrieve it by electronic means.

Where reference is made to 'identifiers', this shall mean the identifiers specified by the Commission (Eurostat). The Commission (Eurostat) shall provide detailed documentation in relation to these identifiers and will supply supplementary guidance in relation to the exchange standard. Data that do not comply with the provisions for the exchange standard specified by the Commission (Eurostat) will be considered as not having been provided.

Each dataset shall contain the fields listed in this Annex.

Header

The purpose of the header is to identify the transmitted data series and it shall consist of three fields:

- *Reference period* shall consist of seven characters, the first four identifying the year and the last three the period within the year. Examples: 2012A00 (annual data for 2012) or 2012M01 (monthly data for January 2012),
- *Country code* shall consist of two characters, containing the two-character country code of the Member States transmitting the data. Examples: BE (Belgium), BG (Bulgaria), etc.,
- *Subject* shall consist of one of the following identifiers of the dataset:
 - **int_cap_annual** internal tourism — capacity of tourist accommodation establishments;
data listed in Section 1 of Annex I to Regulation (EU) No 692/2011
 - **int_occ_annual** internal tourism — annual occupancy data (including estimate for below threshold establishments);
data listed in Section 2A of Annex I to Regulation (EU) No 692/2011
 - **int_occ_mnight** internal tourism — monthly data on nights spent;
data listed in Section 2B of Annex I to Regulation (EU) No 692/2011
 - **int_occ_marrno** internal tourism — monthly data on arrivals and net occupancy rates;
data listed in Section 2B of Annex I to Regulation (EU) No 692/2011
 - **int_non_rented** internal tourism — annual data on nights spent in non-rented accommodation;
data listed in Section 4 of Annex I to Regulation (EU) No 692/2011
 - **nat_dem_partic** national tourism — participation in tourism;
data listed in Section 1 of Annex II to Regulation (EU) No 692/2011
 - **nat_dem_sdvout** national tourism — outbound same-day visits;
data listed in Section 3A of Annex II to Regulation (EU) No 692/2011
 - **nat_dem_sdvdom** national tourism — domestic same-day visits;
data listed in Section 3B of Annex II to Regulation (EU) No 692/2011

Data

For each dataset, this entity shall contain the values for the variables and breakdowns and shall consist of six fields:

- *Variable* shall contain the identifier for the variable,
- *Breakdown* shall contain the identifier for the breakdown category or, where applicable, the combination of breakdown categories,

- *Unit* shall contain the identifier for the unit of measurement,
- *Value* shall contain the grossed up value for the population characteristic relating to the indicated variable and breakdown,
- *Flag* shall contain flags for 'data is cleared for dissemination', 'data is unreliable and shall not be used disseminated, but can be combined with other data in higher-level aggregate tables' and for 'data subject to primary or secondary confidentiality',
- *Comment* shall contain any short comment or metadata relating to one particular value (comments or footnotes relating to variables or breakdowns shall be mentioned under Notes).

Notes

For each dataset, this entity shall contain any explanatory notes, footnotes, metadata concerning one or more variables or breakdowns or general notes on the entire dataset, and shall consist of three fields:

- *Variable* shall contain the identifier for the variable to which the note relates,
 - *Breakdown* shall contain the identifier for the breakdown category or, where applicable, the combination of breakdown categories to which the note relates,
 - *Comment* shall contain the free note that can be published as methodological notes or additional explanations in order to better understand the transmitted data.
-

ANNEX III

Micro-data files for the transmission of data listed in Section 2 of Annex II to Regulation (EU) No 692/2011**File structure and codification**

Each observed trip shall be an individual record in the transmitted micro-data file. This micro-data file shall be fully checked, edited and, where necessary, imputed and shall follow the file structure and codification described in the table below. The Commission (Eurostat) will supply additional guidance in relation to the transmission format.

Data that does not respect the provisions for the exchange standard set out in this Annex will be considered as not having been sent.

Column	Identifier	Description	Filter/remarks
1/6	000001-999999	Sequence number of the trip	
		CHARACTERISTICS OF THE TRIP	
7/8		Month of departure	
	01-24	Number of the month (January of the reference year = 01, December of the reference year = 12; January of previous calendar year = 13, December of previous calendar year = 24)	
9/11		Duration of the trip in number of nights	
	001-366	Number of nights (3 digits)	
12/14		Duration of the trip: number of nights spent on the domestic territory	Only for outbound trips; Triennial variable, in the optional years: code = Blank
	000-183	Number of nights (3 digits)	
15/17		Main country of destination	
	001-999	Coding according to the country list in the methodological manual drawn up under Article 10 of Regulation (EU) No 692/2011	
18		Main purpose of the trip	
	1	Private/personal purpose: leisure, recreation and holidays	
	2	Private/personal purpose: visiting relatives and friends	
	3	Private/personal purpose: other (e.g. health treatment, pilgrimage)	
	4	Professional/business purpose	
19/24		Type of destination	Column 18 = [1, 2, 3]; Triennial variable, in the optional years: code = Blank
19	1	City = Yes	
	2	City = No	
	9	City = Not applicable (Column 18 = 4)	
20	1	Seaside = Yes	

Column	Identifier	Description	Filter/remarks
21	2	Seaside = No	Column 18 = [1, 2, 3]; Triennial variable, in the optional years: code = Blank
	9	Seaside = Not applicable (Column 18 = 4)	
	1	Countryside (including lakeside, river, etc.) = Yes	
	2	Countryside (including lakeside, river, etc.) = No	
	9	Countryside (including lakeside, river, etc.) = Not applicable (Column 18 = 4)	
22	1	Cruise ship = Yes	
	2	Cruise ship = No	
	9	Cruise ship = Not applicable (Column 18 = 4)	
23	1	Mountains (highlands, hills, etc.) = Yes	
	2	Mountains (highlands, hills, etc.) = No	
	9	Mountains (highlands, hills, etc.) = Not applicable (Column 18 = 4)	
24	1	Other = Yes	
	2	Other = No	
	9	Other = Not applicable (Column 18 = 4)	
25		Participation of children	
	1	Yes	
	2	No	
	9	Not applicable (Column 18 = 4)	
26		Main means of transport	
	1	Air (flight services, scheduled or chartered, or other air services)	
	2	Waterway (passenger lines and ferries, cruises, pleasure boat, rented vessel, etc.)	
	3	Railway	
	4	Bus, coach (scheduled or non-scheduled)	
	5	Motor vehicle (private or rented)	
	6	Other (e.g. bicycle)	
27		Main means of accommodation	
	1	Rented accommodation: hotels or similar establishments	

Column	Identifier	Description	Filter/remarks
28	2	Rented accommodation: campsites, caravan or trailer park (non-residential)	Triennial variable, in the optional years: code = Blank
	3	Rented accommodation: other rented accommodation (health establishments, youth hostels, marinas, etc.)	
	4	Non-rented accommodation: own holiday home	
	5	Non-rented accommodation: accommodation provided without charge by relatives or friends	
	6	Non-rented accommodation: other non-rented accommodation	
		Booking of the trip: use of a tour operator or travel agency to book the main means of transport	
29	1	Yes	Triennial variable, in the optional years: code = Blank
	2	No	
	9	Don't know	
		Booking of the trip: use of a tour operator or travel agency to book the main means of accommodation	
	1	Yes	
	2	No	
30	9	Don't know	Triennial variable, in the optional years: code = Blank Column 28 = 2 and Column 29 = 2
		Booking of the trip (independent)	
	1	The services were booked directly with the service provider	
	2	No booking was needed	
	9	Not applicable (Column 28 ≠ 2 or Column 29 ≠ 2)	
		Booking of the trip: package trip	
31	1	Yes	Triennial variable, in the optional years: code = Blank
	2	No	
		Booking of the trip: Internet booking of the main means of transport	
	1	Yes	
	2	No	
	9	Don't know	

Column	Identifier	Description	Filter/remarks
33		Booking of the trip: Internet booking of the main means of accommodation	Triennial variable, in the optional years: code = Blank
	1	Yes	
	2	No	
	9	Don't know	
34/41		Expenditure of the individual tourist during the trip relating to transport	
	00000000-99999998	Amount in euro (8 digits)	
42/49		Expenditure of the individual tourist during the trip relating to accommodation	
	00000000-99999998	Amount in euro (8 digits)	
50/57		Expenditure of the individual tourist during the trip on food and drinks in cafés and restaurants	Optional variable, if not transmitted: code = Blank
	00000000-99999998	Amount in euro (8 digits)	
58/65		Other expenditure of the individual tourist during the trip (total other, including durables and valuable goods)	
	00000000-99999998	Amount in euro (8 digits)	
66/73		Durables and valuable goods (subcategory of Other expenditure of the individual tourist during the trip)	
	00000000-99999998	Amount in euro (8 digits)	
		PROFILE OF THE VISITOR	
74		Gender	
	1	Male	
	2	Female	
75/77		Age	
	000-198	Number of completed years (3 digits)	
78/79		Country of residence	
		The 2-digit country code (Belgium = BE, Bulgaria = BG, etc.)	
80		Educational level	Optional variable, if not transmitted: code = Blank
	1	Lower (ISCED 0, 1 or 2)	

Column	Identifier	Description	Filter/remarks
81	2	Middle (ISCED 3 or 4)	Optional variable, if not transmitted: code = Blank
	3	Higher (ISCED 5 or 6)	
		Employment situation	
82	1	Employed (employee or self-employed)	Optional variable, if not transmitted: code = Blank
	2	Unemployed	
	3	Student (or pupil)	
	4	Other not in the labour force	
		Household income in quartiles	
83/91	1	First quartile	
	2	Second quartile	
	3	Third quartile	
	4	Fourth quartile	
		GROSSING-UP FACTOR	
83/91		Grossing-up factor from sample to population	
	000000-999999	Columns 83 to 88 contain integers	
	000-999	Columns 89 to 91 contain decimal places	

COMMISSION IMPLEMENTING REGULATION (EU) No 1052/2011**of 20 October 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 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:

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,

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 hereto.

Article 2

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 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 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	63,0
	EC	31,1
	MA	47,8
	MK	53,8
	ZA	35,6
	ZZ	46,3
0707 00 05	TR	142,5
	ZZ	142,5
0709 90 70	EC	33,4
	TR	142,5
	ZZ	88,0
0805 50 10	AR	58,4
	CL	60,5
	TR	72,6
	UY	56,8
	ZA	82,3
	ZZ	66,1
0806 10 10	BR	199,8
	CL	71,4
	MK	110,6
	TR	128,2
	ZA	66,0
	ZZ	115,2
0808 10 80	AR	61,9
	BR	86,4
	CA	105,4
	CL	56,8
	CN	58,0
	NZ	116,1
	US	82,9
	ZA	85,8
0808 20 50	ZZ	81,7
	AR	50,6
	CN	48,1
	TR	124,7
	ZZ	74,5

⁽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 1053/2011**of 20 October 2011****on the issue of import licences and the allocation of import rights for applications lodged during the first seven days of October 2011 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 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 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 ⁽²⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 616/2007 ⁽³⁾ opened tariff quotas for imports of poultrymeat products originating in Brazil, Thailand and other third countries.
- (2) The applications for import licences lodged in respect of Groups Nos 1, 2, 4, 6, 7 and 8 during the first seven days of October 2011 for the subperiod from 1 January to 31 March 2012 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested.

- (3) The applications for import rights lodged during the first seven days of October 2011 for the subperiod from 1 January to 31 March 2012 in respect of Group No 5 relate to quantities exceeding those available. The extent to which import rights may be allocated should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities for which import licence applications have been lodged pursuant to Regulation (EC) No 616/2007 for the subperiod from 1 January to 31 March 2012 in respect of Groups Nos 1, 2, 4, 6, 7 and 8 shall be multiplied by the allocation coefficients set out in the Annex hereto.

2. The quantities for which import rights applications have been lodged pursuant to Regulation (EC) No 616/2007 for the subperiod from 1 January to 31 March 2012 in respect of Group No 5 shall be multiplied by the allocation coefficient set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 142, 5.6.2007, p. 3.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.1.2012 to 31.3.2012 (%)
1	09.4211	0,502027
6	09.4216	0,609967

Group No	Order No	Allocation coefficient for import rights applications lodged for the subperiod from 1.1.2012 to 31.3.2012 (%)
5	09.4215	1,344087

COMMISSION IMPLEMENTING REGULATION (EU) No 1054/2011**of 20 October 2011****on the issue of import licences for applications submitted in the first seven days of October 2011
under the tariff quota for high-quality beef administered by Regulation (EC) No 620/2009**

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 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 ⁽²⁾, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 620/2009 of 13 July 2009 providing for the administration of an import tariff quota for high-quality beef ⁽³⁾ sets out detailed rules for the submission and issue of import licences.
- (2) Article 7(2) of Regulation (EC) No 1301/2006 provides that in cases where quantities covered by licence appli-

cations exceed the quantities available for the quota period, allocation coefficients should be fixed for the quantities covered by each licence application. The applications for import licences submitted pursuant to Article 3 of Regulation (EC) No 620/2009 between 1 and 7 October 2011 exceed the quantities available. Therefore, the extent to which import licences may be issued and the allocation coefficient should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

Import licence applications covered by the quota with order number 09.4449 and submitted between 1 and 7 October 2011 in accordance with Article 3 of Regulation (EC) No 620/2009, shall be multiplied by an allocation coefficient of 0,446549 %.

Article 2

This Regulation shall enter into force on the 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, 20 October 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 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 182, 15.7.2009, p. 25.

COMMISSION IMPLEMENTING REGULATION (EU) No 1055/2011
of 20 October 2011
fixing the export refunds on milk and milk products

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⁾, and in particular Article 164(2) and Article 170, in conjunction with Article 4, thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products listed in Part XVI of Annex I to that Regulation and prices for those products on the Union market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should be fixed in accordance with the rules and certain criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that export refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.

- (4) Refunds should be granted only on products that comply with the requirements of Commission Regulation (EC) No 1187/2009 of 27 November 2009 laying down special detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards export licences and export refunds for milk and milk products ⁽²⁾.
- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 709/2011 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation, subject to the conditions provided for in Article 3 of Regulation (EC) No 1187/2009.

Article 2

Implementing Regulation (EU) No 709/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 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 318, 4.12.2009, p. 1.

⁽³⁾ OJ L 190, 21.7.2011, p. 57.

ANNEX

Export refunds on milk and milk products applicable from 21 October 2011

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L20	EUR/100 kg	0,00	0402 29 19 9900	L20	EUR/100 kg	0,00
0401 30 31 9400	L20	EUR/100 kg	0,00	0402 29 99 9100	L20	EUR/100 kg	0,00
0401 30 31 9700	L20	EUR/100 kg	0,00	0402 29 99 9500	L20	EUR/100 kg	0,00
0401 30 39 9100	L20	EUR/100 kg	0,00	0402 91 10 9370	L20	EUR/100 kg	0,00
0401 30 39 9400	L20	EUR/100 kg	0,00	0402 91 30 9300	L20	EUR/100 kg	0,00
0401 30 39 9700	L20	EUR/100 kg	0,00	0402 91 99 9000	L20	EUR/100 kg	0,00
0401 30 91 9100	L20	EUR/100 kg	0,00	0402 99 10 9350	L20	EUR/100 kg	0,00
0401 30 99 9100	L20	EUR/100 kg	0,00	0402 99 31 9300	L20	EUR/100 kg	0,00
0401 30 99 9500	L20	EUR/100 kg	0,00	0403 90 11 9000	L20	EUR/100 kg	0,00
0402 10 11 9000	L20	EUR/100 kg	0,00	0403 90 13 9200	L20	EUR/100 kg	0,00
0402 10 19 9000	L20	EUR/100 kg	0,00	0403 90 13 9300	L20	EUR/100 kg	0,00
0402 10 99 9000	L20	EUR/100 kg	0,00	0403 90 13 9500	L20	EUR/100 kg	0,00
0402 21 11 9200	L20	EUR/100 kg	0,00	0403 90 13 9900	L20	EUR/100 kg	0,00
0402 21 11 9300	L20	EUR/100 kg	0,00	0403 90 33 9400	L20	EUR/100 kg	0,00
0402 21 11 9500	L20	EUR/100 kg	0,00	0403 90 59 9310	L20	EUR/100 kg	0,00
0402 21 11 9900	L20	EUR/100 kg	0,00	0403 90 59 9340	L20	EUR/100 kg	0,00
0402 21 17 9000	L20	EUR/100 kg	0,00	0403 90 59 9370	L20	EUR/100 kg	0,00
0402 21 19 9300	L20	EUR/100 kg	0,00	0404 90 21 9120	L20	EUR/100 kg	0,00
0402 21 19 9500	L20	EUR/100 kg	0,00	0404 90 21 9160	L20	EUR/100 kg	0,00
0402 21 19 9900	L20	EUR/100 kg	0,00	0404 90 23 9120	L20	EUR/100 kg	0,00
0402 21 91 9100	L20	EUR/100 kg	0,00	0404 90 23 9130	L20	EUR/100 kg	0,00
0402 21 91 9200	L20	EUR/100 kg	0,00	0404 90 23 9140	L20	EUR/100 kg	0,00
0402 21 91 9350	L20	EUR/100 kg	0,00	0404 90 23 9150	L20	EUR/100 kg	0,00
0402 21 99 9100	L20	EUR/100 kg	0,00	0404 90 81 9100	L20	EUR/100 kg	0,00
0402 21 99 9200	L20	EUR/100 kg	0,00	0404 90 83 9110	L20	EUR/100 kg	0,00
0402 21 99 9300	L20	EUR/100 kg	0,00	0404 90 83 9130	L20	EUR/100 kg	0,00
0402 21 99 9400	L20	EUR/100 kg	0,00	0404 90 83 9150	L20	EUR/100 kg	0,00
0402 21 99 9500	L20	EUR/100 kg	0,00	0404 90 83 9170	L20	EUR/100 kg	0,00
0402 21 99 9600	L20	EUR/100 kg	0,00	0405 10 11 9500	L20	EUR/100 kg	0,00
0402 21 99 9700	L20	EUR/100 kg	0,00	0405 10 11 9700	L20	EUR/100 kg	0,00
0402 29 15 9200	L20	EUR/100 kg	0,00				
0402 29 15 9300	L20	EUR/100 kg	0,00				
0402 29 15 9500	L20	EUR/100 kg	0,00				
0402 29 19 9300	L20	EUR/100 kg	0,00				
0402 29 19 9500	L20	EUR/100 kg	0,00				

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 10 19 9500	L20	EUR/100 kg	0,00	0406 30 39 9500	L04	EUR/100 kg	0,00
0405 10 19 9700	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 30 9100	L20	EUR/100 kg	0,00	0406 30 39 9700	L04	EUR/100 kg	0,00
0405 10 30 9300	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 30 9700	L20	EUR/100 kg	0,00	0406 30 39 9930	L04	EUR/100 kg	0,00
0405 10 50 9500	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 10 50 9700	L20	EUR/100 kg	0,00	0406 30 39 9950	L04	EUR/100 kg	0,00
0405 10 90 9000	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 20 90 9500	L20	EUR/100 kg	0,00	0406 40 50 9000	L04	EUR/100 kg	0,00
0405 20 90 9700	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0405 90 10 9000	L20	EUR/100 kg	0,00	0406 40 90 9000	L04	EUR/100 kg	0,00
0405 90 90 9000	L20	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9640	L04	EUR/100 kg	0,00	0406 90 13 9000	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9650	L04	EUR/100 kg	0,00	0406 90 15 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9830	L04	EUR/100 kg	0,00	0406 90 17 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 10 20 9850	L04	EUR/100 kg	0,00	0406 90 21 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9913	L04	EUR/100 kg	0,00	0406 90 23 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9915	L04	EUR/100 kg	0,00	0406 90 25 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9917	L04	EUR/100 kg	0,00	0406 90 27 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 20 90 9919	L04	EUR/100 kg	0,00	0406 90 29 9100	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 30 31 9730	L04	EUR/100 kg	0,00	0406 90 29 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 30 31 9930	L04	EUR/100 kg	0,00	0406 90 32 9119	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 30 31 9950	L04	EUR/100 kg	0,00	0406 90 35 9190	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
				0406 90 35 9990	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00
				0406 90 37 9000	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00
				0406 90 61 9000	L04	EUR/100 kg	0,00
					L40	EUR/100 kg	0,00

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 63 9100	L04	EUR/100 kg	0,00	0406 90 86 9200	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 63 9900	L04	EUR/100 kg	0,00	0406 90 86 9400	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 69 9910	L04	EUR/100 kg	0,00	0406 90 86 9900	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 73 9900	L04	EUR/100 kg	0,00	0406 90 87 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 75 9900	L04	EUR/100 kg	0,00	0406 90 87 9400	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9300	L04	EUR/100 kg	0,00	0406 90 87 9951	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9400	L04	EUR/100 kg	0,00	0406 90 87 9971	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 76 9500	L04	EUR/100 kg	0,00	0406 90 87 9973	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 78 9100	L04	EUR/100 kg	0,00	0406 90 87 9974	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 78 9300	L04	EUR/100 kg	0,00	0406 90 87 9975	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 79 9900	L04	EUR/100 kg	0,00	0406 90 87 9979	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 81 9900	L04	EUR/100 kg	0,00	0406 90 88 9300	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 85 9930	L04	EUR/100 kg	0,00	0406 90 88 9500	L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00
0406 90 85 9970	L04	EUR/100 kg	0,00		L04	EUR/100 kg	0,00
	L40	EUR/100 kg	0,00		L40	EUR/100 kg	0,00

The destinations are defined as follows:

L20: All destinations with the exception of:

- (a) third countries: Andorra, Holy See (Vatican City State), Liechtenstein and the United States of America;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

L04: Albania, Bosnia and Herzegovina, Serbia, Kosovo (*), Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations with the exception of:

- (a) third countries: L04, Andorra, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the United States of America, Croatia, Turkey, Australia, Canada, New Zealand and South Africa;
- (b) territories of the EU Member States not forming part of the customs territory of the Community: the Faeroe Islands, Greenland, Heligoland, Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control;
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

(*) As defined by United Nations Security Council Resolution 1244 of 10 June 1999.

COMMISSION IMPLEMENTING REGULATION (EU) No 1056/2011
of 20 October 2011
fixing the export refunds on poultrymeat

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⁽¹⁾, and in particular Article 164(2) and Article 170, in conjunction with Article 4, thereof

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products referred to in Part XX of Annex I to that Regulation and prices in the Union for those products may be covered by an export refund.
- (2) In view of the current situation on the market in poultrymeat, export refunds should be fixed in accordance with the rules and criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products which are authorised to move freely in the Union and bear the identification mark provided for in Article 5(1)(b) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽²⁾. Those products should also comply with the

requirements of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs⁽³⁾.

- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 946/2011⁽⁴⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements under Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the identification marking conditions laid down in Section I of Annex II to Regulation (EC) No 853/2004.

Article 2

Implementing Regulation (EU) No 946/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 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 139, 30.4.2004, p. 55.

⁽³⁾ OJ L 139, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 246, 23.9.2011, p. 24.

ANNEX

Export refunds on poultrymeat applicable from 21 October 2011

Product code	Destination	Unit of measurement	Amount of refund
0105 11 11 9000	A02	EUR/100 pcs	0,00
0105 11 19 9000	A02	EUR/100 pcs	0,00
0105 11 91 9000	A02	EUR/100 pcs	0,00
0105 11 99 9000	A02	EUR/100 pcs	0,00
0105 12 00 9000	A02	EUR/100 pcs	0,00
0105 19 20 9000	A02	EUR/100 pcs	0,00
0207 12 10 9900	V03	EUR/100 kg	32,50
0207 12 90 9190	V03	EUR/100 kg	32,50
0207 12 90 9990	V03	EUR/100 kg	32,50

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The other destinations are defined as follows:

V03: A24, Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, United Arab Emirates, Jordan, Yemen, Lebanon, Iraq and Iran.

COMMISSION IMPLEMENTING REGULATION (EU) No 1057/2011
of 20 October 2011
fixing the export refunds on eggs

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⁽¹⁾, and in particular Article 164(2), and Article 170, in conjunction with Article 4 thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products referred to in Part XIX of Annex I to that Regulation and prices in the Union for those products may be covered by an export refund.
- (2) In view of the current situation on the market in eggs, export refunds should be fixed in accordance with the rules and certain criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that refunds may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products which are authorised to move freely within the Union and comply with requirements under Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs⁽²⁾ and of

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽³⁾, as well as marking requirements under point A of Annex XIV to Regulation (EC) No 1234/2007.

- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 710/2011⁽⁴⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the marking conditions laid down in Section I of Annex II to Regulation (EC) No 853/2004 and those defined in point A of Annex XIV to Regulation (EC) No 1234/2007.

Article 2

Implementing Regulation (EU) No 710/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 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 139, 30.4.2004, p. 1.

⁽³⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁴⁾ OJ L 190, 21.7.2011, p. 61.

ANNEX

Export refunds on eggs applicable from 21 October 2011

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	A02	EUR/100 pcs	0,00
0407 00 19 9000	A02	EUR/100 pcs	0,00
0407 00 30 9000	E09	EUR/100 kg	0,00
	E10	EUR/100 kg	19,00
	E19	EUR/100 kg	0,00
0408 11 80 9100	A03	EUR/100 kg	63,00
0408 19 81 9100	A03	EUR/100 kg	20,00
0408 19 89 9100	A03	EUR/100 kg	20,00
0408 91 80 9100	A03	EUR/100 kg	23,50
0408 99 80 9100	A03	EUR/100 kg	5,90

NB: The product codes and the "A" series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

The other destinations are defined as follows:

E09: Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR, Russia and Turkey.

E10: South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

E19: all destinations except Switzerland and those of E09 and E10.

COMMISSION IMPLEMENTING REGULATION (EU) No 1058/2011
of 20 October 2011
fixing the export refunds on pigmeat

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⁾, and in particular Article 164(2), and Article 170, in conjunction with Article 4 thereof,

Whereas:

- (1) Article 162(1) of Regulation (EC) No 1234/2007 provides that the difference between prices on the world market for the products listed in Part XVII of Annex I to that Regulation and prices for those products on the Union market may be covered by an export refund.
- (2) Given the present situation on the market in pigmeat, export refunds should therefore be fixed in accordance with the rules and criteria provided for in Articles 162, 163, 164, 167 and 169 of Regulation (EC) No 1234/2007.
- (3) Article 164(1) of Regulation (EC) No 1234/2007 provides that the refund may vary according to destination, especially where the world market situation, the specific requirements of certain markets, or obligations resulting from agreements concluded in accordance with Article 300 of the Treaty make this necessary.
- (4) Refunds should be granted only on products that are allowed to move freely in the Union and that bear the health mark as provided for in Article 5(1)(a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾. Those products must also satisfy the requirements laid down

in Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾ and Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.

- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 712/2011 ⁽⁵⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 164 of Regulation (EC) No 1234/2007 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the condition provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 shall meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 and, in particular, shall be prepared in an approved establishment and comply with the health marking requirements laid down in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

Article 2

Implementing Regulation (EU) No 712/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 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 139, 30.4.2004, p. 55.

⁽³⁾ OJ L 139, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206.

⁽⁵⁾ OJ L 190, 21.7.2011, p. 65.

ANNEX

Export refunds on pigmeat applicable from 21 October 2011

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	A00	EUR/100 kg	54,20
0210 11 31 9910	A00	EUR/100 kg	54,20
0210 19 81 9100	A00	EUR/100 kg	54,20
0210 19 81 9300	A00	EUR/100 kg	54,20
1601 00 91 9120	A00	EUR/100 kg	19,50
1601 00 99 9110	A00	EUR/100 kg	15,20
1602 41 10 9110	A00	EUR/100 kg	29,00
1602 41 10 9130	A00	EUR/100 kg	17,10
1602 42 10 9110	A00	EUR/100 kg	22,80
1602 42 10 9130	A00	EUR/100 kg	17,10
1602 49 19 9130	A00	EUR/100 kg	17,10

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) No 1059/2011**of 20 October 2011****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 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 2011/12 marketing year are fixed by Commission Implementing Regulation (EU) No 971/2011 ⁽³⁾. These prices and duties have been last amended by Commission Implementing Regulation (EU) No 1038/2011 ⁽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 Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 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 254, 30.9.2011, p. 12.

⁽⁴⁾ OJ L 271, 18.10.2011, p. 46.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 21 October 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⁾	48,08	0,00
1701 11 90 ⁽¹⁾	48,08	0,48
1701 12 10 ⁽¹⁾	48,08	0,00
1701 12 90 ⁽¹⁾	48,08	0,18
1701 91 00 ⁽²⁾	51,45	2,03
1701 99 10 ⁽²⁾	51,45	0,00
1701 99 90 ⁽²⁾	51,45	0,00
1702 90 95 ⁽³⁾	0,51	0,21

⁽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.

COMMISSION IMPLEMENTING REGULATION (EU) No 1060/2011**of 20 October 2011****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

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⁾, and in particular Article 143 thereof,Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices for poultrymeat and egg products and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin. The representative prices should therefore be published.

- (3) In view of the situation on the market, this amendment should be applied as soon as possible.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by 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 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 181, 14.7.2009, p. 8.⁽³⁾ OJ L 145, 29.6.1995, p. 47.

ANNEX

to the Commission Regulation of 20 October 2011 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security under Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	120,6	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	143,6	0	BR
		132,8	0	AR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	223,4	23	BR
		261,3	12	AR
		336,8	0	CL
0207 27 10	Turkeys, boneless cuts, frozen	318,5	0	BR
		422,5	0	CL
0408 11 80	Egg yolks	303,5	2	AR
0408 91 80	Eggs, not in shell, dried	313,9	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	284,4	1	BR
		372,8	0	CL
3502 11 90	Egg albumin, dried	495,0	0	AR

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). The code “ZZ” represents “other origins”.

COMMISSION IMPLEMENTING REGULATION (EU) No 1061/2011**of 20 October 2011****fixing the rates of the refunds applicable to milk and milk products exported in the form of goods not covered by Annex I to the Treaty**

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⁾, and in particular Article 164(2) thereof,

Whereas:

(1) Article 162(1)b of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(p) and listed in Part XVI of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part IV of Annex XX to that Regulation.

(2) Commission Regulation (EU) No 578/2010 of 29 June 2010 implementing Council Regulation (EC) No 1216/2009 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Part IV of Annex XX to Regulation (EC) No 1234/2007.

(3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

(4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(5) In the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the

commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(6) Article 15(2) of Regulation (EU) No 578/2010 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the agricultural markets to the basic products listed in Annex I to Regulation (EU) No 578/2010 or to assimilated products.

(7) Article 100(1) of Regulation (EC) No 1234/2007 provides for the payment of aid for Union-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(8) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 713/2011 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XVI of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part IV of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 713/2011 is hereby repealed.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 171, 6.7.2010, p. 1.

⁽³⁾ OJ L 190, 21.7.2011, p. 67.

Article 3

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 2011.

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

Heinz ZOUREK
Director-General for Enterprise and Industry

ANNEX

Rates of the refunds applicable from 21 October 2011 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3)	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	0,00	0,00
	(b) on exportation of other goods	0,00	0,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to:

- (a) third countries: Andorra, the Holy See (Vatican City State), Liechtenstein, the United States of America and the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.
- (b) territories of EU Member States not forming part of the customs territory of the Community: Ceuta, Melilla, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.
- (c) European territories for whose external relations a Member State is responsible and not forming part of the customs territory of the Community: Gibraltar.
- (d) the destinations referred to in Article 33(1), Article 41(1) and Article 42(1) of Commission Regulation (EC) No 612/2009 (OJ L 186, 17.7.2009, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) No 1062/2011**of 20 October 2011****fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

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 market and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 164(2) thereof,

Whereas:

- (1) Article 162(1)(b) of Regulation (EC) No 1234/2007 provides that the difference between prices in international trade for the products referred to in Article 1(1)(s) and listed in Part XIX of Annex I to that Regulation and prices within the Union may be covered by an export refund where these goods are exported in the form of goods listed in Part V of Annex XX to that Regulation.
- (2) Commission Regulation (EU) No 578/2010 of 29 June 2010 implementing Council Regulation (EC) No 1216/2009 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007.
- (3) In accordance with Article 14(1) of Regulation (EU) No 578/2010, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a

period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

- (4) Article 162(2) of Regulation (EC) No 1234/2007 lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.
- (5) The currently applicable refunds have been fixed by Commission Implementing Regulation (EU) No 714/2011 ⁽³⁾. Since new refunds should be fixed, that Regulation should therefore be repealed.
- (6) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EU) No 578/2010 and in Part XIX of Annex I to Regulation (EC) No 1234/2007, and exported in the form of goods listed in Part V of Annex XX to Regulation (EC) No 1234/2007, shall be fixed as set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) No 714/2011 is hereby repealed.

Article 3

This Regulation shall enter into force on 21 October 2011.

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

Done at Brussels, 20 October 2011.

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

Heinz ZOUREK
Director-General for Enterprise and Industry

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 171, 6.7.2010, p. 1.

⁽³⁾ OJ L 190, 21.7.2011, p. 70.

ANNEX

Rates of the refunds applicable from 21 October 2011 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	0,00
		03	19,00
		04	0,00
	(b) On exportation of other goods	01	0,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption:		
	not sweetened	01	63,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid:		
	not sweetened	01	20,00
ex 0408 19 89	– – – – Frozen:		
	not sweetened	01	20,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption:		
	not sweetened	01	23,50
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption:		
	not sweetened	01	5,90

⁽¹⁾ The destinations are as follows:

01 Third countries. For Switzerland and Liechtenstein these rates are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 all destinations except Switzerland and those of 02 and 03.

DECISIONS

COUNCIL DECISION 2011/697/CFSP

of 20 October 2011

amending Decision 2011/621/CFSP extending the mandate of the European Union Special Representative to the African Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28, Article 31(2) and Article 33 thereof,

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

Whereas:

- (1) On 6 December 2007, the Council adopted Joint Action 2007/805/CFSP ⁽¹⁾ appointing Mr Koen VERVAEKE as European Union Special Representative (EUSR) to the African Union (AU).
- (2) On 21 September 2011, the Council adopted Decision 2011/621/CFSP ⁽²⁾ extending the mandate of the EUSR until 30 June 2012.
- (3) A new EUSR to the AU should be appointed for the period from 1 November 2011 until 30 June 2012.
- (4) Decision 2011/621/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Decision 2011/621/CFSP is replaced by the following:

'Article 1

European Union Special Representative

1. The mandate of Mr Koen VERVAEKE as EUSR to the AU is hereby extended until 31 October 2011.
2. Mr Gary QUINCE is hereby appointed as EUSR to the AU for the period from 1 November 2011 until 30 June 2012.
3. The mandate of the EUSR may be terminated earlier, if the Council so decides, on a proposal of the High Representative of the Union for Foreign Affairs and Security Policy (HR).'

Article 2

Entry into force

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

Done at Luxembourg, 20 October 2011.

For the Council
The President
M. SAWICKI

⁽¹⁾ OJ L 323, 8.12.2007, p. 45.

⁽²⁾ OJ L 243, 21.9.2011, p. 19.

COUNCIL IMPLEMENTING DECISION 2011/698/CFSP**of 20 October 2011****implementing Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan**

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 2011/486/CFSP of 1 August 2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

- (1) On 1 August 2011, the Council adopted Decision 2011/486/CFSP.
- (2) On 4 October 2011, the United Nations Security Council Committee, established pursuant to paragraph 30 of Security Council Resolution 1988 (2011), approved the addition of three persons to the list of individuals, groups, undertakings and entities subject to restrictive measures.

- (3) The Annex to Decision 2011/486/CFSP should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The persons listed in the Annex to this Decision shall be added to the list set out in the Annex to Decision 2011/486/CFSP.

Article 2

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

Done at Luxembourg, 20 October 2011.

For the Council
The President
M. SAWICKI

⁽¹⁾ OJ L 199, 2.8.2011, p. 57.

ANNEX

LIST OF PERSONS REFERRED TO IN ARTICLE 1

- (1) Faizullah Noorzai Akhtar Mohammed Mira Khan (*alias*: (a) Hajji Faizullah Khan Noorzai, (b) Haji Faizuulah Khan Norezai, (c) Haji Faizullah Khan, (d) Haji Fiazullah Khan, (e) Haji Faizullah Khan Noori, (f) Haji Faizullah Noor, (g) Haji Pazullah Noorzai, (h) Haji Mullah Faizullah).

Title: Haji. Address: Boghra Road, Miralzei Village, Chaman, Baluchistan Province, Pakistan.

Date of birth: (a) 1962, (b) 1961, (c) between 1968 and 1970.

Place of birth: (a) Lowy Kariz, Spin Boldak District, Kandahar Province, Afghanistan, (b) Kadanay, Spin Boldak District Kandahar Province, Afghanistan. Nationality: Afghan.

Other information: (a) Prominent Taliban financier. (b) As of mid-2009, supplied weapons, ammunition, explosives and medical equipment to Taliban fighters; raised funds for the Taliban, and provided training to them, in the Afghanistan/Pakistan border region. (c) Has previously organized and funded Taliban operations in Kandahar Province, Afghanistan. (d) As of 2010, travelled to and owned businesses in Dubai, United Arab Emirates, and Japan. (e) Belongs to Nurzai tribe, Miralzai sub-tribe. (f) Brother of Malik Noorzai. (g) Father's name is Akhtar Mohammed (*alias*: Haji Mira Khan).

Date of UN designation: 04.10.2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Faizullah Noorzai Akhtar Mohammed Mira Khan has served as a prominent Taliban financier with whom senior Taliban leaders invested funds. He has collected over USD 100 000 for the Taliban from donors in the Gulf and in 2009 gave a portion of his own money. He also financially supported a Taliban commander in Kandahar Province and has provided funding to assist with training Taliban and Al-Qaida fighters who were to conduct attacks against Coalition and Afghan military forces. As of mid-2005, Faizullah organized and funded Taliban operations in Kandahar Province, Afghanistan. In addition to his financial support, Faizullah has otherwise facilitated Taliban training and operations. As of mid-2009, Faizullah supplied weapons, ammunition, explosives, and medical equipment to Taliban fighters from southern Afghanistan. In mid-2008, Faizullah was responsible for housing Taliban suicide bombers and moving them from Pakistan into Afghanistan. Faizullah has also provided anti-aircraft missiles to the Taliban, helped move Taliban fighters around Helmand Province, Afghanistan, facilitated Taliban suicide bombing operations and given radios and vehicles to Taliban members in Pakistan.

As of mid-2009, Faizullah operated a madrassa (religious school) in the Afghanistan/Pakistan border region, where tens of thousands of dollars were raised for the Taliban. Faizullah's madrassa grounds were used to provide training to Taliban fighters in the construction and use of improvised explosive devices (IEDs). As of late 2007, Faizullah's madrassa was used to train Al-Qaida fighters who were later sent to Kandahar Province, Afghanistan.

In 2010, Faizullah maintained offices and possibly owned properties, including hotels, in Dubai, the United Arab Emirates. Faizullah regularly travelled to Dubai and Japan with his brother, Malik Noorzai (T.I.N.154.11), to import cars, auto parts and clothing. As of early 2006, Faizullah owned businesses in Dubai and Japan.

- (2) Malik Noorzai (*alias*: (a) Hajji Malik Noorzai, (b) Hajji Malak Noorzai, (c) Haji Malek Noorzai, (d) Haji Maluk, (e) Haji Aminullah).

Title: Haji. Date of Birth: (a) 1957, (b) 1960.

Nationality: Afghan.

Other information: (a) Taliban financier. (b) Owns businesses in Japan and frequently travels to Dubai, United Arab Emirates, and Japan. (c) As of 2009, facilitated Taliban activities, including through recruitment and the provision of logistical support. (d) Believed to be in the Afghanistan/Pakistan border area. (e) Belongs to Nurzai tribe. (f) Brother of Faizullah Noorzai Akhtar Mohammed Mira Khan.

Date of UN designation: 04.10.2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Malik Noorzai is a Pakistan-based businessman who has provided financial support to the Taliban. Malik and his brother, Faizullah Noorzai Akhtar Mohammed Mira Khan (T.I.M.153.11), have invested millions of dollars in various businesses for the Taliban. In late 2008, Taliban representatives approached Malik as a businessman with whom to invest Taliban funds. Since at least 2005, Malik has also personally contributed tens of thousands of dollars and distributed hundreds of thousands of dollars to the Taliban, some of which was collected from donors in the Gulf region and Pakistan and some of which was Malik's own money. Malik also handled a hawala account in Pakistan that received tens of thousands of dollars transferred from the Gulf every few months to support Taliban activities. Malik has also facilitated Taliban activities. As of 2009, Malik had served for 16 years as the chief caretaker of a madrassa (religious school), in the Afghanistan/Pakistan border region, that was used by the Taliban to indoctrinate and train recruits. Among other things, Malik delivered the funds that supported the madrassa. Malik, along with his brother, has also played a role in storing vehicles to be used in Taliban suicide bombing operations and has helped

move Taliban fighters around Helmand Province, Afghanistan. Malik owns businesses in Japan and frequently visits Dubai and Japan for business. As early as 2005, Malik owned a vehicle import business in Afghanistan that imported vehicles from Dubai and Japan. He has imported cars, auto parts and clothing from Dubai and Japan for his businesses, in which two Taliban commanders have invested. In mid-2010, Malik and his brother secured the release of hundreds of cargo containers, reportedly worth millions of dollars, which Pakistani authorities seized earlier that year because they believed the recipients had a connection to terrorism.

(3) Abdul Aziz Abbasin (*alias*: Abdul Aziz Mahsud).

Date of Birth: 1969.

Place of Birth: Sheykhan Village, Pirkowti Area, Orgun District, Paktika Province, Afghanistan.

Other information: Key commander in the Haqqani Network under Sirajuddin Jallaloudine Haqqani (T.I.H.144.07.). Taliban Shadow Governor of Orgun District, Paktika Province, Afghanistan as of early 2010. Operated a training camp for non-Afghan fighters in Paktika Province. Has been involved in the transport of weapons to Afghanistan.

Date of UN designation: 04.10.2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Abdul Aziz Abbasin is a key commander in the Haqqani Network, a Taliban-affiliated group of militants that operates from Eastern Afghanistan and North Waziristan Agency in the Federally Administered Tribal Areas of Pakistan. As of early 2010, Abbasin received orders from Sirajuddin Haqqani (T.I.H.144.07) and was appointed by him to serve as the Taliban shadow governor of Orgun District, Paktika Province, Afghanistan. Abbasin commands a group of Taliban fighters and has assisted in running a training camp for foreign fighters based in Paktika Province. Abbasin has also been involved in ambushing vehicles supplying Afghan government forces and in the transport of weapons to Afghanistan.

COUNCIL IMPLEMENTING DECISION 2011/699/CFSP**of 20 October 2011****implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

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

Article 1

The Annex to Decision 2010/788/CFSP shall be replaced by the text set out in the Annex to this Decision.

Having regard to Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures against the Democratic Republic of the Congo ⁽¹⁾, and in particular Article 6 thereof,

Article 2

Whereas:

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

(1) On 20 December 2010, the Council adopted Decision 2010/788/CFSP.

Done at Luxembourg, 20 October 2011.

(2) On 8 July 2011, the Sanctions Committee established pursuant to United Nations Security Council Resolution 1533 (2004) concerning the Democratic Republic of the Congo, updated the list of individuals, groups, undertakings and entities subject to restrictive measures. The Annex to Decision 2010/788/CFSP should be amended accordingly,

For the Council
The President
M. SAWICKI

⁽¹⁾ OJ L 336, 21.12.2010, p. 30.

a) List of persons referred to in Articles 3, 4 and 5

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
Frank Kakolele BWAMBALE	Frank Kakorere Frank Kakorere Bwambale		Congolese FARDC General, without posting as of June 2011. Left the CNDP in January 2008. As of June 2011, resides in Kinshasa. Since 2010, Kakolele has been involved in activities apparently on behalf of the DRC government's Programme de Stabilisation et Reconstruction des Zones Sortant des Conflits Armés (STAREC), including participation in a STAREC mission to Goma and Beni in March 2011.	Former RCD-ML leader, exercising influence over policies and maintaining command and control over the activities of RCD-ML forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo.	1.11.2005
Gaston IYAMUREMYE	Rumuli Byiringiro Victor Rumuli Victor Rumuri Michel Byiringiro	1948 Musanze District (Northern Province), Rwanda Ruhengeri, Rwanda	Rwandan FDLR President and 2nd Vice-President of FDLR-FOCA As of June 2011, based at Kalonge, North Kivu Province. Brigadier General	According to multiple sources, including the UNSC DRC Sanctions Committee's Group of Experts, Gaston Iyamuremye is the second vice president of the FDLR and is considered a core member of the FDLR military and political leadership. Gaston Iyamuremye also ran Ignace Murwanashyaka's (President of the FDLR) office in Kibua, DRC until December 2009.	1.12.2010
Jérôme KAKWAVU BUKANDE	Jérôme Kakwavu Commandant Jérôme	Goma	Congolese Given the rank of General in the FARDC in December 2004. As of June 2011, detained in Makala Prison in Kinshasa. On 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes.	Former President of UCD/FAPC. FAPC's control of illegal border posts between Uganda and the DRC - a key transit route for arms flows. exercised influence over policies and command and control over the activities of FAPC forces, which were involved in arms trafficking and, consequently, in violations of the arms embargo. Given the rank of General in the FARDC in December 2004.	1.11.2005

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
				According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002. One of five senior FARDC officers who had been accused of serious crimes involving sexual violence and whose cases the Security Council had brought to the Government's attention during its visit in 2009.	
Germain KATANGA			Congolese Appointed General in the FARDC in December 2004. Handed over by the Government of the DRC to the International Criminal Court on 18 October 2007. His trial began in November 2009.	FRPI chief. Involved in weapons transfers, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003.	1.11.2005
Thomas LUBANGA		Ituri	Congolese Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC by the Congolese authorities on 17 March 2006. His trial began in January 2009 and is due to close in 2011.	President of the UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003.	1.11.2005
Khawa Panga MANDRO	Kawa Panga Kawa Panga Mandro Kawa Mandro Yves Andoul Karim Mandro Panga Kahwa Yves Khawa Panga Mandro	20 August 1973, Bunia	Congolese Placed in prison in Bunia in April 2005 for sabotage of the Ituri peace process. Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges of crimes against humanity, war crimes, murder, aggravated assault and battery.	Ex-President of PUSIC, one of the armed groups and militia referred to in paragraph 20 of Res. 1493 (2003) involved in arms trafficking, in violation of the arms embargo. In prison in Bunia since 04/05 for sabotage of the Ituri peace process. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children from 2001 to 2002.	1.11.2005

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
	“Chief Kahwa” “Kawa”		As of June 2011 detained at Makala Central Prison, Kinshasa.		
Callixte MBARUSHIMANA		24 July 1963, Ndusu/Ruhengeri Northern Province, Rwanda	Rwandan Arrested in Paris on 3 October 2010 under ICC warrant for war crimes and crimes against humanity committed by FDLR troops in the Kivus in 2009 and transferred to The Hague on 25 January 2011.	Executive Secretary of the FDLR and Vice-President of the FDLR military high command until his arrest. Political/Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, per Security Council resolution 1857 (2008) OP 4 (b).	3.3.2009
Iruta Douglas MPAMO	Mpano Douglas Iruta Mpamo	28 December 1965, Bashali, Masisi 29 December 1965, Goma, DRC (formerly Zaire) Uvira	Congolese As of June 2011, resides in Gisenyi, Rwanda. No known occupation since two of the planes managed by Great Lakes Business Company (GLBC) crashed.	Owner/Manager of the Compagnie Aérienne des Grands Lacs and of Great Lakes Business Company, whose aircraft were used to provide assistance to armed groups and militias referred to in paragraph 20 of Res. 1493 (2003). Also responsible for disguising information on flights and cargo apparently to allow for the violation of the arms embargo.	1.11.2005
Sylvestre MUDACUMURA	Known as: "Radja" "Mupenzi Bernard" "General Major Mupenzi" “General Mudacumura”		Rwandan Military commander of FDLR-FOCA, also political 1st Vice- President and head of FOCA High Command, thus combining overall military and political command functions since the arrests of FDLR leaders in Europe. As of June 2011, based at Kikoma forest, near Bogoyi, Walikale, North Kivu.	FDLR commander, exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo. Mudacumura (or staff) was in telephone communication with FDLR leader Murwanashyaka in Germany, including at the time of the Busurungi Massacre May 2009, and military commander Major Guillaume during Umoja Wetu and Kimia II operations in 2009. According to the Office of the SRSg on Children and Armed Conflict, he was responsible for 27 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2007.	1.11.2005
Leodomir MUGARAGU	Manzi Leon Leo Manzi	1954 1953 Kigali, Rwanda	Rwandan FDLR-FOCA Chief of Staff, in charge of administration.	According to open-source and official reporting, Leodomir Mugaragu is the Chief of Staff of the Forces Combattantes Abucunguzi/Combatant Force for the Liberation of Rwanda (FOCA), the FDLR's armed wing. According to official reporting Mugaragu is a senior planner for FDLR's military operations in the eastern DRC.	1.12.2010

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
		Rushashi (Northern Province), Rwanda	As of June 2011, based at the FDLR HQ at Kikoma forest, Bogoyi, Walikale, North Kivu.		
Leopold MUJYAMBERE	Musenyeri Achille Frere Petrus Ibrahim	17 March 1962, Kigali, Rwanda Est. 1966	Rwandan As of June 2011, Commander of the South Kivu operational sector now called 'Amazon' of FDLRFOCA. Based at Nyakaleke (south-east of Mwenga, South Kivu).	Commander of the Second Division of FOCA / the Reserve Brigades (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e).	3.3.2009
Dr. Ignace MURWANASHYAKA	Ignace	14 May 1963, Butera (Rwanda) Ngoma, Butare (Rwanda)	Rwandan Arrested by German authorities on 17 November 2009. Replaced by Gaston Iamuremye, alias 'Rumuli' as President of FDLR-FOCA. Murwanashyaka's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court.	President of the FDLR, and supreme commander of the FDLR armed forces exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo. In telephone communication with FDLR military field commanders (including during the Busurungi May 2009 massacre); gave military orders to the high command; involved in coordinating the transfer of arms and ammunition to FDLR units and relaying specific instructions for use; managing large sums of money raised through illicit sale of natural resources in areas of FDLR control (pg.24-25, 83) According to the Office of the SRSG on Children and Armed Conflict, he held command responsibility as President and military commander of FDLR for recruitment and use of children by the FDLR in Eastern Congo.	1.11.2005

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
Straton MUSONI	IO Musoni	6 April 1961 (possibly 4 June 1961) Mugambazi, Kigali, Rwanda	Rwandan Musoni's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court. Replaced as 1st Vice-President of the FDLR by Sylvestre Mudacumura.	Through his leadership of the FDLR, a foreign armed group operating in the DRC, Musoni is impeding the disarmament and voluntary repatriation or resettlement of combatants belonging to those groups, in breach of resolution 1649 (2005).	29.3.2007
Jules MUTEBUTSI	Jules Mutebusi Jules Mutebuzi Colonel Mutebutsi	1964, Minembwe South Kivu	Congolese Former FARDC Deputy Military Regional Commander of 10th Military Region in April 2004, dismissed for indiscipline. In December 2007, he was arrested by Rwandan authorities when he tried to cross the border into the DRC. He has lived since in semi-liberty in Kigali (not authorized to leave the country).	Joined forces with other renegade elements of former RCDG to take town of Bukavu in May 04 by force. Implicated in the receipt of weapons outside of FARDC structures and provision of supplies to armed groups and militia mentioned in paragraph 20 of Res. 1493 (2003), in violation of the arms embargo.	1.11.2005
Mathieu, Chui NGUDJOLO	Cui Ngudjolo		Arrested by MONUC in Bunia in October 2003. Surrendered by the Government of the DRC to the International Criminal Court on 7 February 2008.	FNI Chief of Staff and former Chief of Staff of the FRPI, exercising influence over policies and maintaining command and control the activities of FRPI forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children under 15 years old in Ituri in 2006.	1.11.2005
Floribert Ngabu NJABU	Floribert Njabu Floribert Ndjabu Floribert Ngabu Ndjabu		Under house arrest in Kinshasa from March 2005 for FNI involvement in human rights abuses. Transferred to The Hague on 27 March 2011 to testify in the ICC Germain Katanga and Mathieu Ngudjolo trials.	President of FNI, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo.	1.11.2005

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
Laurent NKUNDA	Nkunda Mihigo Laurent Laurent Nkunda Bwatare Laurent Nkundabatware Laurent Nkunda Mahoro Batware Laurent Nkunda Batware “Chairman” "General Nkunda" “Papa Six”	6 February 1967 North Kivu/Rutshuru 2 February 1967	Congolese Former RCD-G General. Founder, National Congress for the People's Defense, 2006; Senior Officer, Rally for Congolese Democracy-Goma (RCD-G), 1998-2006; Officer Rwandan Patriotic Front (RPF), 1992-1998. Laurent Nkunda was arrested by Rwandan authorities in Rwanda in January 2009 and replaced as the commander of the CNDP. Since then, he has been under house arrest in Kigali, Rwanda. DRC Government's request to extradite Nkunda for crimes committed in eastern DRC has been refused by Rwanda. In 2010, Nkunda's appeal for illegal detention was rejected by Rwandan court in Gisenyi, ruling that the matter should be examined by a military court. Nkunda's lawyers initiated a procedure with the Rwandan Military Court. Retains some influence over certain elements of the CNDP.	Former RCD-G General. Joined forces with other renegade elements of former RCD-G to take Bukavu in May 04 by force. In receipt of weapons outside of FARDC in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for 264 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2009.	1.11.2005
Felicien NSANZUBUKI-RE	Fred Irakeza	1967 Murama, Kinyinya, Rubungo, Kigali, Rwanda	Rwandan 1st battalion leader of the FDLR-FOCA, based in the Uvira-Sange area of South Kivu. A member of the FDLR since at least 1994 and operating in eastern DRC since October 1998.	Felicien Nsanzubukire supervised and coordinated the trafficking of ammunition and weapons between at least November 2008 and April 2009 from the United Republic of Tanzania, via Lake Tanganyika, to FDLR units based in the Uvira and Fizi areas of South Kivu.	1.12.2010

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
			As of June 2011, based in Magunda, Mwenga territory, South Kivu.		
Pacifique NTAWUNGUKA	Colonel Omega Nzeri Israel Pacifique Ntawungula	1 January 1964, Gaseke, Gisenyi Province, Rwanda Est. 1964	Rwandan Commander, Operational Sector North Kivu 'SONOKI' of FDLR-FOCA. As of June 2011, based at Matembe, North Kivu. Received military training in Egypt	Commander of the First Division of FOCA (an FDLR armed wing). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e).	3.3.2009
James NYAKUNI			Ugandan	Trade partnership with Jérôme Kakwavu, particularly smuggling across the DRC/Uganda border, including suspected smuggling of weapons and military material in unchecked trucks. Violation of the arms embargo and provision of assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003), including financial support that allows them to operate militarily.	1.11.2005
Stanislas NZEYIMANA	Deogratias Bigaruka Izabayo Bigaruka Bigurura Izabayo Deo Jules Mateso Mlamba	1 January 1966, Mugusa (Butare), Rwanda Est. 1967 Alt. 28 August 1966	Rwandan Deputy commander of the FDLR-FOCA. As of June 2011, based at Mukoberwa, North Kivu.	Deputy Commander of the FOCA (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused.	3.3.2009

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
				Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e).	
Dieudonné OZIA MAZIO	Ozia Mazio 'Omari' 'Mr Omari'	6 June 1949, Ariwara	Congolese While president of the <i>Fédération des entreprises congolaises</i> (FEC) in Aru territory, Dieudonné Ozia Mazio is believed to have died in Ariwara on 23 September 2008	Financial schemes with Commandant Jerome and FAPC and smuggling across the DRC/Uganda border, allowing supplies and cash to be made available to Commandant Jerome and his troops. Violation of the arms embargo, including by providing assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003).	1.11.2005
Bosco TAGANDA	Bosco Ntaganda Bosco Ntagenda General Taganda 'Lydia' when he was part of APR. 'Terminator' Call sign 'Tango Romeo' or 'Tango' "Major"	1973-74 Bigogwe, Rwanda	Congolese Born in Rwanda, he moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. As of June 2011, he resides in Goma and owns large farms in Ngungu area, Masisi territory, North Kivu. Nominated FARDC Brigadier-General by Presidential Decree on 11 December 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January 2009. Since January 2009, de facto Deputy Commander of consecutive anti-FDLR operations 'Umoja Wetu', 'Kimia II', and 'Amani Leo' in North and South Kivu.	UPC/L military commander, exercising influence over policies and maintaining command and control over the activities of UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. He was appointed General in the FARDC in December 2004 but refused to accept the promotion, therefore remaining outside of the FARDC. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002 and 2003, and 155 cases of direct and/or command responsibility for recruitment and use of children in North Kivu from 2002 to 2009. As CNDP Chief of Staff, had direct and command responsibility for the massacre at Kiwanja (November 2008)	1.11.2005
Innocent ZIMURINDA		September 1, 1972 1975 Ngungu, Masisi Territory, North Kivu Province, DRC	Congolese. Colonel in the FARDC.	According to multiple sources, Lt Col Innocent Zimurinda, in his capacity as one of the commanders of the FARDC 231st Brigade, gave orders that resulted in the massacre of over 100 Rwandan refugees, mostly women and children, during an April 2009 military operation in the Shalio area.	1.12.2010

Name	Alias	Date of birth/place of birth	Identifying information	Reasons	Date of designation
			Integrated in the FARDC in 2009 as a Lieutenant Colonel, brigade commander in FARDC Kimia II Ops, based in Ngungu area. In July 2009, Zimurinda was promoted to full Colonel and became FARDC Sector commander in Ngungu and subsequently in Kitchanga in FARDC Kimia II and Amani Leo Operations. Whereas Zimurinda did not appear in the 31 December 2010 DRC Presidential ordinance nominating high FARDC officers, Zimurinda de facto maintained his command position of FARDC 22nd sector in Kitchanga and wears the newly issued FARDC rank and uniform. He remains loyal to Bosco Ntaganda. In December 2010, recruitment activities carried out by elements under the command of Zimurinda were denounced in open source reports.	The UNSC DRC Sanctions Committee's Group of Experts reported that Lt Col Innocent Zimurinda was witnessed first hand refusing to release three children from his command in Kalehe, on August 29, 2009. According to multiple sources, Lt Col Innocent Zimurinda, prior to the CNDP's integration into FARDC, participated in a November 2008 CNDP operation that resulted in the massacre of 89 civilians, including women and children, in the region of Kiwanja. In March 2010, 51 human rights groups working in eastern DRC alleged that Zimurinda was responsible for multiple human rights abuses involving the murder of numerous civilians, including women and children, between February 2007 and August 2007. Lt Col Innocent Zimurinda was accused in the same complaint of responsibility for the rape of a large number of women and girls. According to a May 21, 2010, statement by the Special Representative of the Secretary General for Children and Armed Conflict, Innocent Zimurinda has been involved in the arbitrary execution of child soldiers, including during operation Kimia II. According to the same statement, he denied access by the UN Mission in the DRC (MONUC) to screen troops for minors. According to the UNSC DRC Sanctions Committee's Group of Experts, Lt Col Zimurinda holds direct and command responsibility for child recruitment and for maintaining children within troops under his command.	

b) List of entities referred to in Articles 3, 4 and 5

Name	Alias	Address	Identifying information	Reasons	Date of designation
BUTEMBO AIRLINES (BAL)		Butembo, DRC	Privately-owned airline, operates out of Butembo. Since December 2008, BAL no longer holds an aircraft operating license in the DRC.	Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008) used his airline to transport FNI gold, rations and weapons between Mongbwalu and Butembo. This constitutes 'provision of assistance' to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).	29.3.2007
CONGOMET TRADING HOUSE		Butembo, North Kivu	No longer exists as a gold trading house in Butembo, North Kivu.	Congomet Trading House (formerly listed as Congocom) was owned by Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008). Kambale acquired almost all the gold production in the Mongbwalu district, which is controlled by the FNI. The FNI derived substantial income from taxes imposed on this production. This constitutes 'provision of assistance' to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).	29.3.2007
COMPAGNIE AERIENNE DES GRANDS LACS (CAGL) GREAT LAKES BUSINESS COMPANY (GLBC)		CAGL Avenue Président Mobutu Goma, DRC (CAGL also has an office in Gisenyi, Rwanda) GLBC, PO Box 315, Goma, DRC (GLBC also has an office in Gisenyi, Rwanda)	As of December 2008, GLBC no longer had any operational aircraft, although several aircraft continued flying in 2008 despite UN sanctions.	CAGL and GLBC are companies owned by Douglas MPAMO, an individual already subject to sanctions under resolution 1596 (2005). CAGL and GLBC were used to transport arms and ammunition in violation of the arms embargo of resolutions 1493 (2003) and 1596 (2005).	29.3.2007
MACHANGA LTD		Kampala, Uganda	Gold export (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya). In 2010, assets belonging to Machanga, held in the account of Emirates Gold, were frozen by Bank of Nova Scotia Mocatta (UK). The previous owner of Machanga, Rajendra Kumar, and his brother Vipul Kumar, have remained involved in purchasing gold from eastern DRC.	MACHANGA bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes 'provision of assistance' to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).	29.3.2007

Name	Alias	Address	Identifying information	Reasons	Date of designation
TOUS POUR LA PAIX ET LE DEVELOPPEMENT (NGO)	TPD	Goma, North Kivu	Goma, with provincial committees in South Kivu, Kasai Occidental, Kasai Oriental and Maniema. Officially suspended all activities since 2008. In practice, as of June 2011 TPD offices are open and involved in cases related to returns of IDPs, community Reconciliation initiatives, land conflict settlements, etc. The TPD President is Eugene Serufuli and Vice-President is Saverina Karomba. Important members include North Kivu provincial deputies Robert Seninga and Bertin Kirivita.	Implicated in violation of the arms embargo, by providing assistance to RCD-G, particularly in supplying trucks to transport arms and troops, and also by transporting weapons to be distributed to parts of the population in Masisi and Rutshuru, North Kivu, in early 2005	1.11.2005
UGANDA COMMERCIAL IMPEX (UCI) LTD		Kajoka Street Kisemente Kampala, Uganda Tel.: +256 41 533 578/9; Alternative address: PO Box 22709 Kampala, Uganda	Gold export company in Kampala. (Former directors Mr. J.V. LODHIA – known as “Chuni”- and his son Mr. Kunal LODHIA). In January 2011, Ugandan authorities notified the Committee that following an exemption on its financial holdings, Emirates Gold repaid UCI's debt to Crane Bank in Kampala, leading to final closure of its accounts. The previous owner of UCI, J.V. Lodhia and his son Kumal Lodhia have remained involved in purchasing gold from eastern DRC.	UCI bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes ‘provision of assistance’ to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).	29.3.2007

COMMISSION IMPLEMENTING DECISION**of 20 October 2011****amending Implementing Decision 2011/303/EU as regards the date of application***(notified under document C(2011) 7373)***(Only the Dutch text is authentic)***(2011/700/EU)*

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⁾, and in particular Article 43(m), in conjunction with Article 4 thereof,

Whereas:

- (1) By Commission Implementing Decision 2011/303/EU ⁽²⁾ the use of new methods for grading pig carcasses in the Netherlands was authorised. That Decision is to apply from 3 October 2011. On 9 September 2011 the competent authorities of the Netherlands informed the Commission about practical problems in several slaughterhouses with the timely implementation of the new methods and asked to postpone the application until 2 January 2012.
- (2) Implementing Decision 2011/303/EU should therefore be amended accordingly.

- (3) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS DECISION:

Article 1

In Article 4 of Implementing Decision 2011/303/EU, '3 October 2011' is replaced by '2 January 2012'.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 20 October 2011.

For the Commission

Dacian CIOLOȘ

Member of the Commission

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 136, 24.5.2011, p. 95.

CORRIGENDA**Corrigendum to Directive 2010/84/EU of the European Parliament and of the Council of 15 December 2010 amending, as regards pharmacovigilance, Directive 2001/83/EC on the Community code relating to medicinal products for human use**

(Official Journal of the European Union L 348 of 31 December 2010)

On Page 97, Article 1, point 22, new text of Article 116, second paragraph:

for: 'A marketing authorisation may also be suspended, revoked or varied where the particulars supporting the application as provided for in Articles 8, 10 or 11 ...',

read: 'A marketing authorisation may also be suspended, revoked or varied where the particulars supporting the application as provided for in Articles 8, 10, 10a, 10b, 10c or 11 ...'.

★ Council Implementing Decision 2011/698/CFSP of 20 October 2011 implementing Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan	47
★ Council Implementing Decision 2011/699/CFSP of 20 October 2011 implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo	50
2011/700/EU:	
★ Commission Implementing Decision of 20 October 2011 amending Implementing Decision 2011/303/EU as regards the date of application (<i>notified under document C(2011) 7373</i>)	62

Corrigenda

★ Corrigendum to Directive 2010/84/EU of the European Parliament and of the Council of 15 December 2010 amending, as regards pharmacovigilance, Directive 2001/83/EC on the Community code relating to medicinal products for human use (OJ L 348, 31.12.2010)	63
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