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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

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

The Agreement between the European Union and the Federative Republic of Brazil on short-stay visa waiver for holders of ordinary passports will enter into force on 1 October 2012, the procedure provided for in Article 9(1) of the Agreement having been completed on 2 August 2012.

COUNCIL DECISION

of 24 September 2012

amending and extending the period of application of Decision 2007/641/EC on the conclusion of consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument

(2012/523/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 thereof,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾, as last amended in Ouagadougou on 22 June 2010 ⁽²⁾ ('the ACP-EU Partnership Agreement'), and in particular Article 96 thereof,

Having regard to the Internal Agreement between the representatives of the governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement ⁽³⁾, and in particular Article 3 thereof,

Having regard to Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation ⁽⁴⁾ ('the Development Cooperation Instrument'), and in particular Article 37 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision 2007/641/EC ⁽⁵⁾ was adopted to take appropriate measures following the violation of the essential elements referred to in Article 9 of the ACP-EU Partnership Agreement and of the values referred to in Article 3 of the Development Cooperation Instrument.
- (2) Those measures have been extended by Council Decisions 2009/735/EC ⁽⁶⁾, 2010/208/EU ⁽⁷⁾, 2010/589/EU ⁽⁸⁾, 2011/219/EU ⁽⁹⁾ and 2011/637/EU ⁽¹⁰⁾, since not only has the Republic of Fiji yet to implement important commitments it made in consultations held in April 2007 concerning essential elements of the ACP-EU Partnership Agreement and the

Development Cooperation Instrument, but important regressive developments concerning a number of these commitments have occurred.

- (3) However, since early 2012 some positive developments towards the restoration of democracy in Fiji have taken place and should be acknowledged. A prospective reengagement towards the programming of future development assistance should therefore be considered.
- (4) Decision 2007/641/EC expires on 30 September 2012. It is appropriate to extend its validity, and to update the content of the appropriate measures accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2007/641/EC is hereby amended as follows:

- (1) in Article 3, the second paragraph is replaced by the following:

'It shall expire on 30 September 2013. It shall be reviewed regularly at least once every six months.';
- (2) the Annex is replaced by the Annex to this Decision.

Article 2

The letter in the Annex to this Decision shall be addressed to the Republic of Fiji.

Article 3

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

Done at Brussels, 24 September 2012.

For the Council

The President

A. D. MAVROYIANNIS

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ L 287, 4.11.2010, p. 3.

⁽³⁾ OJ L 317, 15.12.2000, p. 376.

⁽⁴⁾ OJ L 378, 27.12.2006, p. 41.

⁽⁵⁾ OJ L 260, 5.10.2007, p. 15.

⁽⁶⁾ OJ L 262, 6.10.2009, p. 43.

⁽⁷⁾ OJ L 89, 9.4.2010, p. 7.

⁽⁸⁾ OJ L 260, 2.10.2010, p. 10.

⁽⁹⁾ OJ L 93, 7.4.2011, p. 2.

⁽¹⁰⁾ OJ L 252, 28.9.2011, p. 1.

ANNEX

LETTER

H.E. Ratu Epeli NAILATIKAU

President of the Republic of Fiji

Suva

Republic of Fiji

Excellency,

The European Union (EU) attaches great importance to the provisions of Article 9 of the ACP-EU Partnership Agreement and Article 3 of the Development Cooperation Instrument. The ACP-EU partnership is founded on respect for human rights, democratic principles and the rule of law, which form the essential elements of the ACP-EU Partnership Agreement, and form the basis of our relations.

On 11 December 2006 the Council of the EU condemned the military takeover in the Republic of Fiji.

Under Article 96 of the ACP-EU Partnership Agreement, and considering that the military takeover on 5 December 2006 constituted a violation of the essential elements listed in Article 9 thereof, the EU invited Fiji to consultations, as provided for in the ACP-EU Partnership Agreement, in order to thoroughly examine the situation and, where necessary, take steps to remedy it.

The formal part of those consultations began in Brussels on 18 April 2007. The EU was pleased that at the time the Interim Government confirmed a number of key commitments regarding human rights and fundamental freedoms, respect for democratic principles and the rule of law, as noted below, and proposed positive steps regarding their implementation.

Regrettably, there have since been a series of regressive developments, in particular in April 2009, meaning that Fiji is now in breach of a range of its commitments. This concerns notably the abrogation of the Constitution, the very substantial delay in holding the parliamentary elections, and human rights violations. Although implementation of the commitments has been substantially delayed, the majority of those commitments remain highly relevant to Fiji's present situation, and are therefore attached to this letter. As Fiji has unilaterally decided to break a number of key commitments, this has led to losses for Fiji in terms of development funds.

Although restrictions on certain human rights and fundamental freedoms remain, some positive steps have taken place since early 2012, namely the lifting of the Public Emergency Regulations on 7 January 2012, the announcement on 9 March 2012 of a political process that would lead to a new constitution by March 2013 and the re-establishment of a constitutional democracy through new parliamentary elections due to be held by September 2014.

In recognition of those developments and in the spirit of partnership forming the cornerstone of the ACP-EU Partnership Agreement, the EU expresses its readiness to engage in a new formal dialogue regarding those developments. Such a formal dialogue could be envisaged on the occasion of a review mission in the framework of Article 96 of the ACP-EU Partnership Agreement, after the successful conclusion of an inclusive, credible and transparent constitutional consultation process, expected in March 2013.

Accordingly, the EU has decided to extend the existing appropriate measures for Fiji and amend them as a first response to the steps taken by Fiji, allowing in particular the launch of programming discussions for the 11th European Development Fund (EDF), and notification in due course of an indicative allocation for Fiji. The finalisation, signing and implementation of the 11th EDF programming documents will then be envisaged with the future democratically elected government. Consequently, it is of particular importance that the Interim Government commits to an inclusive, credible and transparent constitutional consultation process and domestic political dialogue, and respects in particular its commitments with regard to human rights and the rule of law and lifts remaining restrictions. While the EU's position is guided by the essential elements of the ACP-EU Partnership Agreement as well as its fundamental principles, notably regarding the pivotal role of dialogue and the fulfilment of mutual obligations, it is stressed that there are no foregone conclusions on the EU's side regarding the outcome of this dialogue.

If the envisaged review and formal dialogue have a positive outcome, the EU is committed to a further positive review of these appropriate measures. Conversely, if the situation in Fiji does not improve, then further losses of EU development funds for Fiji are set to continue. In particular, the assessment of further progress made towards a return to constitutional rule will guide the EU in the upcoming decisions on Fiji's national indicative programme under the 11th EDF.

Until the formal dialogue has taken place, the EU invites Fiji to continue and intensify the enhanced political dialogue.

The appropriate measures are as follows:

- humanitarian aid and direct support to civil society and vulnerable populations may continue,
- the cooperation activities under way, in particular under the 8th and 9th EDFs, were allowed to continue,
- cooperation activities that would help the return to democracy and improve governance may be pursued, save under very exceptional circumstances,
- implementation of the sugar reform accompanying measures for 2006 was allowed to proceed. The financing agreement was signed at the technical level by Fiji on 19 June 2007. It is noted that the financing agreement includes a suspension clause,
- the 2007 sugar allocation is zero,
- availability of the 2008 sugar allocation was subject to evidence of credible and timely preparation of elections in accordance with the agreed commitments, notably regarding a census, the redrafting of boundaries and electoral reform in accordance with the Constitution, and measures taken to ensure the functioning of the Elections Office, including the appointment of a Supervisor of Elections by 30 September 2007 in accordance with the Constitution. This 2008 sugar allocation was lost on 31 December 2009,
- the 2009 sugar allocation was cancelled in May 2009 because the Interim Government decided to delay general elections until September 2014,
- the 2010 allocation was cancelled before 1 May 2010 as no progress was made in the continuation of the democratic process; however, given the critical situation of the sugar sector, part of the allocation was set aside for direct assistance to the population directly dependent on sugar production in order to mitigate adverse social consequences. These funds are centrally managed by the EU's Delegation in Suva and not channelled through the government,
- the preparation and eventual signing of the multiannual indicative programme for sugar reform accompanying measures for 2011-2013 can proceed,
- the availability of the indicative allocation under the multiannual indicative programme for accompanying measures for former Sugar Protocol countries 2011-2013 will be conditional on an agreement in the consultation process; in the absence of such an agreement only social mitigation interventions will be considered for funding through this allocation,
- the preparation of programming for the 11th EDF may be launched, so that Fiji could expect to be notified of an indicative allocation in due course,
- specific support for the preparation and implementation of key commitments, in particular in support of the preparation and/or holding of elections, could be considered,
- regional cooperation, and Fiji's participation in it, is unaffected.

Monitoring of the commitments will be in accordance with the terms in the Annex to this letter concerning regular dialogue, and effective cooperation with assessment and monitoring missions and reporting.

Furthermore, the EU expects Fiji to cooperate fully with the Pacific Islands Forum regarding the implementation of the recommendations by the Eminent Persons' Group, as endorsed by the Forum Foreign Ministers at their meeting in Vanuatu on 16 March 2007. The EU welcomes recent progress concerning the engagement with the Pacific Islands Forum Ministerial Contact Group set up to monitor the progress of Fiji's preparations for the elections and its return to democracy.

The EU will continue to closely follow the situation in Fiji. Under Article 8 of the ACP-EU Partnership Agreement, an enhanced political dialogue will be conducted with Fiji to ensure respect for human rights, restoration of democracy and respect for the rule of law until both parties conclude that the enhanced nature of the dialogue has served its purpose.

If there is a slowing down, breakdown or reversal in the implementation by the Interim Government of the commitments made, the EU reserves the right to readjust the appropriate measures.

The EU stresses that Fiji's privileges in its cooperation with the EU depend on respect for the essential elements of the ACP-EU Partnership Agreement and the principles set in the Development Cooperation Instrument. In order to convince the EU that the Interim Government is fully prepared to follow up on the commitments given, it is essential that early and substantial progress be made in the fulfilment of the agreed commitments.

Yours sincerely,

Done at Brussels,

For the Council
President

For the Commission
Commissioner

ANNEX TO THE ANNEX

COMMITMENTS AGREED WITH THE REPUBLIC OF FIJI**A. Respect for democratic principles**

Commitment No 1

That free and fair parliamentary elections take place within 24 months from 1 March 2007, subject to the findings of an assessment to be carried out by the independent auditors appointed by the Pacific Islands Forum Secretariat. The processes leading to the holding of the elections will be jointly monitored, adapted and revised as necessary on the basis of mutually agreed benchmarks. This implies in particular that:

- by 30 June 2007 the Interim Government will adopt a schedule setting out dates for the completion of the various steps to be taken in preparation for the new parliamentary elections,
- the schedule specifies the timing of a census, the redrafting of boundaries and electoral reform,
- the determination of boundaries and electoral reform will be carried out in accordance with the Constitution,
- measures will be taken to ensure the functioning of the Elections Office, including the appointment of a Supervisor of Elections by 30 September 2007 in accordance with the Constitution,
- the appointment of the Vice-President will be in accordance with the Constitution.

Commitment No 2

That the Interim Government, when adopting major legislative, fiscal and other policy initiatives and changes, will take into account consultations with civil society and other relevant stakeholders.

B. Rule of law

Commitment No 1

That the Interim Government will use its best endeavours to prevent statements by security agencies designed to intimidate.

Commitment No 2

That the Interim Government upholds the 1997 Constitution and guarantees the normal and independent functioning of constitutional institutions, such as the Fiji Human Rights Commission, the Public Service Commission, and the Constitutional Offices Commission. The substantial independence and functioning of the Great Council of Chiefs will be preserved.

Commitment No 3

That the independence of the judiciary is fully respected, that it is allowed to work freely and that its rulings are respected by all concerned parties, in particular:

- that the Interim Government undertakes to appoint the tribunal pursuant to Section 138(3) of the Constitution by 15 July 2007,
- that any appointment and/or dismissal of judges is henceforth carried out in strict conformity with constitutional provisions and procedural rules,
- that there will be no instances whatsoever of interference, of whatever form, by the military and the police or by the Interim Government with the judicial process, including full respect for the legal profession.

Commitment No 4

That all criminal proceedings in connection with corruption are dealt with through the appropriate judicial channels and that any other bodies that may be set up to investigate alleged cases of corruption will operate within constitutional boundaries.

C. Human rights and fundamental freedoms

Commitment No 1

The Interim Government will take all necessary steps to facilitate that all allegations of human rights infringements are investigated or dealt with in accordance with the various procedures and forums under the laws of Fiji.

Commitment No 2

The Interim Government will lift the Public Emergency Regulations in May 2007, subject to any threats to national security, public order and safety.

Commitment No 3

The Interim Government is committed to ensuring that the Fiji Human Rights Commission functions with full independence and in accordance with the Constitution.

Commitment No 4

That freedom of expression and freedom of the media, in all forms, are fully respected as provided in the Constitution.

D. Follow-up of commitments**Commitment No 1**

That the Interim Government undertakes to maintain a regular dialogue to allow verification of the progress made and gives EU and European Commission authorities/representatives full access to information on all matters relating to human rights, the peaceful restoration of democracy and the rule of law in Fiji.

Commitment No 2

That the Interim Government cooperates fully with any missions from the EU to assess and monitor progress.

Commitment No 3

That the Interim Government sends progress reports every three months starting 30 June 2007 regarding the essential elements of the Cotonou Agreement and the commitments.

It is noted that certain issues can only be effectively addressed through a pragmatic approach that acknowledges the realities of the present and which focuses on the future.

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) No 880/2012

of 28 June 2012

supplementing Council Regulation (EC) No 1234/2007 as regards transnational cooperation and contractual negotiations of producer organisations in the milk and milk products sector

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 126e(1) thereof,

Whereas:

- (1) Section IIA of Chapter II of Title II of Part II of Regulation (EC) No 1234/2007 inserted by Regulation (EU) No 261/2012 of the European Parliament and of the Council ⁽²⁾ contains rules on producer organisations and their associations in the milk and milk products sector, in particular with respect to their recognition and contractual negotiations. Those rules need to be supplemented as regards the conditions for recognising transnational producer organisations and transnational associations of recognised producer organisations, clarifying the responsibility of the Member States involved and, while respecting the freedom of establishment, ensuring that the applicable rules are those of the Member State where a significant share of the activities of such organisations or associations takes place.
- (2) In addition, rules should be laid down relating to the establishment and the conditions of administrative assistance to be given in the case of transnational cooperation. Such assistance should in particular include the transfer of information that would allow the competent Member State to assess whether a producer organisation or association of recognised producer organisations complies with the terms of recognition. Such information is necessary to allow the competent Member State to take action in case of non-compliance.
- (3) Additional rules should be laid down regarding the calculation of the volume of raw milk covered by the negotiations between recognised producer organisations and

processors or collectors of raw milk. To take into account the seasonal variability of milk production, the calculation should compare the milk volume covered by the negotiation for the time period of delivery with the estimated volume of milk production representative for that period, to assess compliance with the maximum ceilings laid down in Article 126c of Regulation (EC) No 1234/2007,

HAS ADOPTED THIS REGULATION:

Article 1

Headquarters

1. A transnational producer organisation shall establish its headquarters in the Member State in which it has a significant number of members or a significant volume of marketable production.
2. A transnational association of recognised producer organisations, hereinafter referred to as 'transnational association', shall establish its headquarters in the Member State where it has a significant number of member organisations or a significant volume of marketable production.

Article 2

Responsibilities of the Member States

1. The Member State in which the headquarters of the transnational producer organisation or transnational association are established shall be responsible for the following:
 - (a) recognising the transnational producer organisation or the transnational association in accordance with Article 126a of Regulation (EC) No 1234/2007 and carrying out the tasks referred to in Article 126a(4) of that Regulation;
 - (b) establishing the necessary administrative collaboration with the other Member States in which the members or member organisations are located with respect to verifying compliance with the terms of recognition referred to in Article 126a of Regulation (EC) No 1234/2007;
 - (c) providing, on request of the other Member States, all relevant information and documentation to the other Member States in which the members or member organisations are located.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 94, 30.3.2012, p. 38.

2. For the purposes of point (b) of paragraph 1, the other Member States shall give all necessary administrative assistance to the Member State in which the headquarters of the transnational producer organisation or transnational association are established, including the transfer of all relevant information.

3. Where a producer organisation or an association of recognised producer organisations conducts negotiations as referred to in Article 126c of Regulation (EC) No 1234/2007 in a Member State other than that in which its headquarters are established, the Member States involved shall ensure that all necessary mutual administrative assistance is given.

Article 3

Calculation of amounts of raw milk for negotiation

For the purposes of Article 126c(2)(c) and (3) of Regulation (EC) No 1234/2007, the negotiation ceilings shall be calculated taking into account the delivery period of the raw milk covered by contractual negotiations and the seasonal variability in milk production, where that variability is significant.

Article 4

Entry into force

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

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

Done at Brussels, 28 June 2012.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 881/2012
of 21 September 2012
establishing a prohibition of fishing for redfish in NAFO 3M area by vessels flying the flag of
Portugal

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

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

Article 3

Entry into force

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

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

Done at Brussels, 21 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 55.

ANNEX

No	38/TQ44
Member State	Portugal
Stock	RED/N3M
Species	Redfish (<i>Sebastes</i> spp.)
Zone	NAFO 3M
Date	21.8.2012

COMMISSION REGULATION (EU) No 882/2012**of 21 September 2012****establishing a prohibition of fishing for cod in area IV; EU waters of IIa; that part of IIIa not covered by the Skagerrak and Kattegat by vessels flying the flag of Sweden**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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

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

Done at Brussels, 21 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 55.

ANNEX

No	39/TQ44
Member State	Sweden
Stock	COD/2A3AX4
Species	Cod (<i>Gadus Morhua</i>)
Zone	IV; EU waters of IIa; that part of IIIa not covered by the Skagerrak and Kattegat
Date	3.9.2012

COMMISSION REGULATION (EU) No 883/2012**of 21 September 2012****establishing a prohibition of fishing for cod in Norwegian waters of I and II by vessels flying the flag of Portugal**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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

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

Done at Brussels, 21 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 55.

ANNEX

No	40/TQ44
Member State	Portugal
Stock	COD/1N2AB.
Species	Cod (<i>Gadus Morhua</i>)
Zone	Norwegian waters of I and II
Date	21.8.2012

COMMISSION REGULATION (EU) No 884/2012**of 21 September 2012****establishing a prohibition of fishing for haddock in Norwegian waters of I and II by vessels flying the flag of Portugal**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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

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

Done at Brussels, 21 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 55.

ANNEX

No	41/TQ44
Member State	Portugal
Stock	HAD/1N2AB.
Species	Haddock (<i>Melanogrammus aeglefinus</i>)
Zone	Norwegian waters of I and II
Date	21.8.2012

COMMISSION REGULATION (EU) No 885/2012**of 21 September 2012****establishing a prohibition of fishing for saithe in Norwegian waters of I and II by vessels flying the flag of Portugal**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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

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

Done at Brussels, 21 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 55.

ANNEX

No	42/TQ44
Member State	Portugal
Stock	POK/1N2AB.
Species	Saithe (<i>Pollachius virens</i>)
Zone	Norwegian waters of I and II
Date	21.8.2012

COMMISSION REGULATION (EU) No 886/2012**of 21 September 2012****establishing a prohibition of fishing for megrims in EU waters of IIa and IV by vessels flying the flag of Denmark**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 43/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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

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

Done at Brussels, 21 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 1.

ANNEX

No	43/TQ43
Member State	Denmark
Stock	LEZ/2AC4-C
Species	Megrimms (<i>Lepidorhombus</i> spp.)
Zone	EU waters of IIa and IV
Date	30.8.2012

COMMISSION REGULATION (EU) No 887/2012
of 24 September 2012
establishing a prohibition of fishing for redfish in NAFO 3M area by vessels flying the flag of
Germany

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

Article 1

Quota exhaustion

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

Article 2

Prohibitions

(1) Council Regulation (EU) No 44/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available in EU waters and, to EU vessels, in certain non- EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

Article 3

Entry into force

(3) It is therefore necessary to prohibit fishing activities for that stock,

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

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

Done at Brussels, 24 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.01.2012, p. 55.

ANNEX

No	37/TQ44
Member State	Germany
Stock	RED/N3M
Species	Redfish (<i>Sebastes</i> spp.)
Zone	NAFO 3M
Date	31.8.2012

COMMISSION REGULATION (EU) No 888/2012**of 25 September 2012****establishing a prohibition of fishing for haddock in areas VIIb-k, VIII, IX and X; EU waters of
CECAF 34.1.1 by vessels flying the flag of Belgium**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2012 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 43/2012 of 17 January 2012 fixing for 2012 the fishing opportunities available to EU vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2012.

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

(2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2012.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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

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

Done at Brussels, 25 September 2012.

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

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 25, 27.1.2012, p. 1.

ANNEX

No	45/TQ43
Member State	Belgium
Stock	HAD/7X7A34
Species	Haddock (<i>Melanogrammus aeglefinus</i>)
Zone	VIIb-k, VIII, IX and X; EU waters of CECAF 34.1.1
Date	7.9.2012

COMMISSION IMPLEMENTING REGULATION (EU) No 889/2012

of 27 September 2012

amending Annex I to Regulation (EC) No 669/2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽¹⁾, and in particular Article 15(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 669/2009 ⁽²⁾ lays down rules concerning the increased level of official controls to be carried out on imports of feed and food of non-animal origin listed in Annex I thereto ('the list'), at the points of entry into the territories referred to in Annex I to Regulation (EC) No 882/2004.
- (2) Article 2 of Regulation (EC) No 669/2009 provides that the list is to be reviewed on a regular basis, and at least quarterly, taking into account at least the sources of information referred to in that Article.
- (3) The occurrence and relevance of food incidents notified through the Rapid Alert System for Food and Feed (RASFF), the findings of missions to third countries carried out by the Food and Veterinary Office, as well as the quarterly reports on consignments of feed and food of non-animal origin submitted by Member States to the Commission in accordance with Article 15 of Regulation (EC) No 669/2009 indicate that the list should be amended.

- (4) In particular, for consignments of *Brassica oleracea* ('Chinese broccoli') from China, the information sources indicate a degree of non-compliance with the relevant safety requirements, thereby warranting the introduction of an increased level of official controls. An entry concerning those consignments should therefore be included in the list.
- (5) In the interest of consistency and clarity of Union legislation, it is appropriate to replace Annex I to Regulation (EC) No 669/2009 by the text in the Annex to this Regulation.
- (6) Regulation (EC) No 669/2009 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 669/2009 is replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 1 October 2012.

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

Done at Brussels, 27 September 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 165, 30.4.2004, p. 1.

⁽²⁾ OJ L 194, 25.7.2009, p. 11.

ANNEX

‘ANNEX I

Feed and food of non-animal origin subject to an increased level of official controls at the designated point of entry

Feed and food (intended use)	CN code ⁽¹⁾	Country of origin	Hazard	Frequency of physical and identity checks (%)
Hazelnuts (in shell or shelled) (Feed and food)	0802 21 00; 0802 22 00	Azerbaijan (AZ)	Aflatoxins	10
— Groundnuts (peanuts), in shell	— 1202 41 00	Brazil (BR)	Aflatoxins	10
— Groundnuts (peanuts), shelled	— 1202 42 00			
— Peanut butter	— 2008 11 10			
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98			
(Feed and food)				
<i>Brassica oleracea</i> (other edible Brassica, “Chinese broccoli”) ⁽¹³⁾ (Food — fresh or chilled)	ex 0704 90 90	China (CN)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽¹⁴⁾	10
Dried noodles (Food)	ex 1902	China (CN)	Aluminium	10
Pomelos (Food — fresh)	ex 0805 40 00	China (CN)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽¹¹⁾	20
Tea, whether or not flavoured (Food)	0902	China (CN)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽¹⁰⁾	10
— Yardlong beans (<i>Vigna unguiculata</i> spp. <i>sesquipedalis</i>)	— ex 0708 20 00; ex 0710 22 00	Dominican Republic (DO)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽³⁾	20
— Bitter melon (<i>Momordica charantia</i>)	— ex 0709 99 90; ex 0710 80 95			

Feed and food (intended use)	CN code ⁽¹⁾	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Peppers (sweet and other than sweet) (<i>Capsicum</i> spp.) — Aubergines <i>(Food — fresh, chilled or frozen vegetables)</i>	— 0709 60 10; ex 0709 60 99; 0710 80 51; ex 0710 80 59 — 0709 30 00; ex 0710 80 95			
— Oranges (fresh or dried) — Peaches (excluding nectarines) — Pomegranates — Strawberries <i>(Food — fresh fruits and vegetables)</i>	— 0805 10 20; 0805 10 80 — 0809 30 90 — ex 0810 90 75 — 0810 10 00	Egypt (EG)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods ⁽⁷⁾	10
Peppers (sweet and other than sweet) (<i>Capsicum</i> spp.) <i>(Food — fresh, chilled or frozen)</i>	0709 60 10; ex 0709 60 99; 0710 80 51; ex 0710 80 59	Egypt (EG)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods ⁽¹²⁾	10
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled — Peanut butter <i>(Feed and food)</i>	— 1202 41 00 — 1202 42 00 — 2008 11 10	Ghana (GH)	Aflatoxins	50
Curry leaves (<i>Bergera/Murraya koenigii</i>) <i>(Food — fresh herbs)</i>	ex 1211 90 85	India (IN)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods ⁽⁵⁾	50
— <i>Capsicum annuum</i> , whole — <i>Capsicum annuum</i> , crushed or ground	— 0904 21 10 — ex 0904 22 00	India (IN)	Aflatoxins	20

Feed and food (intended use)	CN code ⁽¹⁾	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Dried fruit of the genus Capsicum or of the genus Pimenta, whole, other than sweet peppers (<i>Capsicum annuum</i>)	— 0904 21 90			
— Curry (chilli products)	— 0910 91 05			
— Nutmeg (<i>Myristica fragrans</i>)	— 0908 11 00, 0908 12 00			
— Mace (<i>Myristica fragrans</i>)	— 0908 21 00, 0908 22 00			
— Ginger (<i>Zingiber officinale</i>)	— 0910 11 00, 0910 12 00			
— <i>Curcuma longa</i> (turmeric)	— 0910 30 00			
(Food — dried spices)				
— Groundnuts (peanuts), in shell	— 1202 41 00	India (IN)	Aflatoxins	20
— Groundnuts (peanuts), in shell	— 1202 42 00			
— Peanut butter	— 2008 11 10			
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98			
(Feed and food)				
Feed additives and premix- tures	ex 2309; 2917 19 90; ex 2817 00 00; ex 2820 90 10; ex 2820 90 90; ex 2821 10 00; ex 2825 50 00; ex 2833 21 00; ex 2833 25 00; ex 2833 29 20; ex 2833 29 80; ex 2835; ex 2836; ex 2839; 2936	India (IN)	Cadmium and lead	10
(Feed)				
Okra	ex 0709 99 90	India (IN)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽²⁾	50
(Food — fresh)				
Nutmeg (<i>Myristica fragrans</i>)	— 0908 11 00, 0908 12 00	Indonesia (ID)	Aflatoxins	20

Feed and food (intended use)	CN code ⁽¹⁾	Country of origin	Hazard	Frequency of physical and identity checks (%)
Mace (<i>Myristica fragrans</i>) (Food — dried spices)	— 0908 21 00; 0908 22 00			
Watermelon (<i>Egusi, Citrullus lanatus</i>) seeds and derived products (Food)	ex 1207 70 00; ex 1106 30 90; ex 2008 99 99	Nigeria (NG)	Aflatoxins	50
— <i>Capsicum annuum</i> , whole — <i>Capsicum annuum</i> , crushed or ground — Dried fruit of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , whole, other than sweet peppers (<i>Capsicum annuum</i>) (Food — dried spice)	— 0904 21 10 — ex 0904 22 00 — 0904 21 90	Peru (PE)	Aflatoxins and Ochratoxin A	10
Peppers (other than sweet) (<i>Capsicum</i> spp.) (Food — fresh)	ex 0709 60 99	Thailand (TH)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽⁹⁾	10
— Coriander leaves — Basil (holy, sweet) — Mint (Food — fresh herbs)	— ex 0709 99 90 — ex 1211 90 85 — ex 1211 90 85	Thailand (TH)	Salmonella ⁽⁶⁾	10
— Coriander leaves — Basil (holy, sweet) (Food — fresh herbs)	— ex 0709 99 90 — ex 1211 90 85	Thailand (TH)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽⁴⁾	20
— Yardlong beans (<i>Vigna unguiculata</i> spp. <i>sesquipedalis</i>) — Aubergines — Brassica vegetables (Food — fresh, chilled or frozen vegetables)	— ex 0708 20 00; ex 0710 22 00 — 0709 30 00; ex 0710 80 95 — 0704; ex 0710 80 95	Thailand (TH)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽⁴⁾	50

Feed and food (intended use)	CN code ⁽¹⁾	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Sweet peppers (<i>Capsicum annuum</i>) — Tomatoes (Food — fresh, chilled or frozen vegetables)	— 0709 60 10; 0710 80 51 — 0702 00 00; 0710 80 70	Turkey (TR)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC- MS or with single-residue methods ⁽⁸⁾	10
Dried grapes (vine fruit) (Food)	0806 20	Uzbekistan (UZ)	Ochratoxin A	50
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled — Peanut butter — Groundnuts (peanuts), otherwise prepared or preserved (Feed and food)	— 1202 41 00 — 1202 42 00 — 2008 11 10 — 2008 11 91; 2008 11 96; 2008 11 98	South Africa (ZA)	Aflatoxins	10

⁽¹⁾ Where only certain products under any CN code are required to be examined and no specific subdivision under that code exists in the goods nomenclature, the CN code is marked "ex" (for example, ex 1006 30: only Basmati rice for direct human consumption is included).

⁽²⁾ In particular residues of: Acephate, Methamidophos, Triazophos, Endosulfan, Monocrotophos, Methomyl, Thiodicarb, Diafenthion, Thiamethoxam, Fipronil, Oxamyl, Acetamiprid, Indoxacarb, Mandipropamid.

⁽³⁾ In particular residues of: Amitraz, Acephate, Aldicarb, Benomyl, Carbendazim, Chlorfenapyr, Chlorpyrifos, CS2 (Dithiocarbamates), Diafenthion, Diazinon, Dichlorvos, Dicofof, Dimethoate, Endosulfan, Fenamidone, Imidacloprid, Malathion, Methamidophos, Methiocarb, Methomyl, Monocrotophos, Omethoate, Oxamyl, Profenofos, Propiconazole, Thiabendazol, Thiacloprid.

⁽⁴⁾ In particular residues of: Acephate, Carbaryl, Carbendazim, Carbofuran, Chlorpyrifos, Chlorpyrifos-methyl, Dimethoate, Ethion, Malathion, Metalaxyl, Methamidophos, Methomyl, Monocrotophos, Omethoate, Prophenophos, Prothiophos, Quinalphos, Triadimefon, Triazophos, Dicrotophos, EPN, Triforine.

⁽⁵⁾ In particular residues of: Triazophos, Oxydemeton-methyl, Chlorpyrifos, Acetamiprid, Thiamethoxam, Clothianidin, Methamidophos, Acephate, Propargite, Monocrotophos.

⁽⁶⁾ Reference method EN/ISO 6579 or a method validated against it as referred to in Article 5 of Commission Regulation (EC) No 2073/2005 (OJ L 338, 22.12.2005, p. 1).

⁽⁷⁾ In particular residues of: Carbendazim, Cyfluthrin Cyprodinil, Diazinon, Dimethoate, Ethion, Fenitrothion, Fenpropathrin, Fludioxonil, Hexaflumuron, Lambda-cyhalothrin, Methiocarb, Methomyl, Omethoate, Oxamyl, Phenthoate, Thiophanate-methyl.

⁽⁸⁾ In particular residues of: Methomyl, Oxamyl, Carbendazim, Clofentezine, Diafenthion, Dimethoate, Formetanate, Malathion, Procymidone, Tetradifon, Thiophanate-methyl.

⁽⁹⁾ In particular residues of: Carbofuran, Methomyl, Omethoate, Dimethoate, Triazophos, Malathion, Profenofos, Prothiophos, Ethion, Carbendazim, Triforine, Procymidone, Formetanate.

⁽¹⁰⁾ In particular residues of: Buprofezin; Imidacloprid; Fenvalerate and Esfenvalerate (Sum of RS & SR isomers); Profenofos; Trifluralin; Triazophos; Triadimefon and Triadimenol (sum of triadimefon and triadimenol), Cypermethrin (cypermethrin including other mixtures of constituent isomers (sum of isomers)).

⁽¹¹⁾ In particular residues of: Triazofos, Triadimefon and Triadimenol (sum of triadimefon and triadimenol), Parathion-methyl, Fenthion, Methidathion.

⁽¹²⁾ In particular residues of: Carbofuran (sum), Chlorpyrifos, Cypermethrin (sum), Cyproconazole, Dicofof (sum), Difenconazole, Dinotefuran, Ethion, Flusilazole, Folpet, Prochloraz, Profenofos, Propiconazole, Thiophanate-methyl and Triforine.

⁽¹³⁾ Species of *Brassica oleracea* L. convar. *Botrytis* (L) *Alef* var. *Italica* Plenck, cultivar *albuglabra*. Also know as "Kai Lan", "Gai Lan", "Gailan", "Kailan", "Chinese bare jielan".

⁽¹⁴⁾ In particular residues of: Chlorfenapyr, Fipronil, Carbendazim, Acetamiprid, Dimethomorph and Propiconazole.

COMMISSION IMPLEMENTING REGULATION (EU) No 890/2012**of 27 September 2012****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 27 September 2012.

*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	MK	57,9
	XS	50,7
	ZZ	54,3
0707 00 05	MK	20,6
	TR	126,8
	ZZ	73,7
0709 93 10	TR	120,3
	ZZ	120,3
0805 50 10	AR	93,3
	CL	91,5
	TR	74,7
	UY	67,8
	ZA	98,6
	ZZ	85,2
0806 10 10	MK	33,3
	TR	126,5
	ZZ	79,9
0808 10 80	BR	89,7
	CL	127,3
	NZ	139,0
	US	145,0
	ZA	106,0
	ZZ	121,4
0808 30 90	AR	193,5
	CN	75,6
	TR	111,6
	ZZ	126,9
0809 30	TR	147,0
	ZZ	147,0
0809 40 05	IL	60,4
	ZZ	60,4

⁽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 891/2012**of 27 September 2012****on the issue of licences for importing rice under the tariff quotas opened for the September 2012 subperiod by Implementing Regulation (EU) No 1273/2011**

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,

Having regard to Commission Implementing Regulation (EU) No 1273/2011 of 7 December 2011 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽³⁾, and in particular the first paragraph of Article 5 thereof,

Whereas:

(1) Implementing Regulation (EU) No 1273/2011 opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several subperiods in accordance with Annex I to that Regulation.

(2) September is the fourth subperiod for the quota provided for under Article 1(1)(a) of Implementing Regulation (EU) No 1273/2011, the third subperiod for the quota provided for under Article 1(1)(d) of that Regulation and the first subperiod for the quota provided for under Article 1(1)(e) of that Regulation.

(3) The notifications sent in accordance with point (a) of Article 8 of Implementing Regulation (EU) No 1273/2011 show that, for the quotas with order number 09.4112 – 09.4119 – 09.4168, the applications

lodged in the first 10 working days of September 2012 under Article 4(1) of that Regulation cover a quantity greater than that available. The extent to which import licences may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantity requested under the quotas concerned.

(4) Those notifications also show that, for the quotas with order number 09.4127 – 09.4128 – 09.4129 – 09.4130 – 09.4116 – 09.4117 – 09.4118, the applications lodged in the first 10 working days of September 2012 under Article 4(1) of Implementing Regulation (EU) No 1273/2011 cover a quantity less than that available.

(5) The quantity not used for the September subperiod of the quotas with order number 09.4127 – 09.4128 – 09.4129 – 09.4130 is transferred to the quota bearing the order number 09.4138 for the following subperiod under Article 2 of Implementing Regulation (EU) No 1273/2011.

(6) The total quantity available for the following subperiod should also be fixed for the quotas with order number 09.4138 and 09.4168, in accordance with the first subparagraph of Article 5 of Implementing Regulation (EU) No 1273/2011.

(7) In order to ensure sound management of the procedure of issuing import licences, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

Article 1

1. For import licence applications for rice under the quotas with order number 09.4112 – 09.4119 – 09.4168 referred to in Implementing Regulation (EU) No 1273/2011 lodged in the first 10 working days of September 2012, licences shall be issued for the quantity requested, multiplied by the allocation coefficient set out in the Annex to this Regulation.

2. The total quantity available for the following subperiod under the quotas with order number 09.4138 and 09.4168 referred to in Implementing Regulation (EU) No 1273/2011 is set out in the Annex to this Regulation.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 325, 8.12.2011, p. 6.

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, 27 September 2012.

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

ANNEX

Quantities to be allocated for the September 2012 subperiod and quantities available for the following subperiod under Implementing Regulation (EU) No 1273/2011

- (a) Quota of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(a) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Allocation coefficient for the September 2012 subperiod	Total quantity available for the October 2012 subperiod (kg)
United States	09.4127	— ⁽¹⁾	
Thailand	09.4128	— ⁽¹⁾	
Australia	09.4129	— ⁽¹⁾	
Other origins	09.4130	— ⁽²⁾	
All countries	09.4138		2 192 617

⁽¹⁾ Applications cover quantities less than or equal to the quantities available: all applications are therefore acceptable.

⁽²⁾ No allocation coefficient applied for this subperiod: no licence applications were notified to the Commission.

- (b) Quota of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(d) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Allocation coefficient for the September 2012 subperiod
Thailand	09.4112	17,878236 %
United States	09.4116	— ⁽¹⁾
India	09.4117	— ⁽²⁾
Pakistan	09.4118	— ⁽²⁾
Other origins	09.4119	75,033342 %
All countries	09.4166	— ⁽³⁾

⁽¹⁾ No allocation coefficient applied for this subperiod: no licence applications were notified to the Commission.

⁽²⁾ Applications cover quantities less than or equal to the quantities available: all applications are therefore acceptable.

⁽³⁾ No quantity available for this subperiod.

- (c) Quota of broken rice covered by CN code 1006 40 00 as provided for in Article 1(1)(e) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Allocation coefficient for the September 2012 subperiod	Total quantity available for the October 2012 subperiod (kg)
All countries	09.4168	1,074602 %	0

COMMISSION IMPLEMENTING REGULATION (EU) No 892/2012**of 27 September 2012****fixing the representative prices and additional import duties for certain products in the sugar sector
for the 2012/2013 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⁾, and in particular Article 143 in conjunction with Article 4 thereof,

Whereas:

- (1) 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⁾, lays down that the cif import prices for white sugar and raw sugar of the standard quality defined in points II and III of Annex IV to Regulation (EC) No 1234/2007 are to be considered the representative prices.
- (2) For the purposes of fixing those representative prices, account must be taken of all the information provided for in Article 23 of Regulation (EC) No 951/2006, except in the cases provided for in Article 24 of that Regulation.
- (3) For the purposes of adjusting prices not relating to the standard quality, the price increases or reductions referred to in Article 26(1)(a) of Regulation (EC) No 951/2006 should be applied to the offers taken into consideration in the case of white sugar. In the case of raw sugar, the corrective factors provided for in point (b) of that paragraph should be applied.

- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 39 of Regulation (EC) No 951/2006.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Article 36 of Regulation (EC) No 951/2006.
- (6) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication.
- (7) 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 representative prices and the additional duties applying to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006 are laid down in the Annex hereto.

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, 27 September 2012.

*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.

ANNEX

Representative prices and additional import duties applicable to white sugar, raw sugar and products falling within CN code 1702 90 95 from 1 October 2012

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 12 10 ⁽¹⁾	35,54	0,49
1701 12 90 ⁽¹⁾	35,54	3,95
1701 13 10 ⁽¹⁾	35,54	0,62
1701 13 90 ⁽¹⁾	35,54	4,24
1701 14 10 ⁽¹⁾	35,54	0,62
1701 14 90 ⁽¹⁾	35,54	4,24
1701 91 00 ⁽²⁾	44,46	4,13
1701 99 10 ⁽²⁾	44,46	1,00
1701 99 90 ⁽²⁾	44,46	1,00
1702 90 95 ⁽³⁾	0,44	0,25

⁽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 893/2012**of 27 September 2012****fixing the representative prices and additional import duties applicable to molasses in the sugar sector from 1 October 2012**

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 in conjunction with Article 4 thereof,

Whereas:

- (1) 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⁾ lays down that the cif import price for molasses of the standard quality defined in Article 27 of that Regulation is to be considered the 'representative price'.
- (2) For the purposes of fixing the representative prices, account must be taken of all the information provided for in Article 29 of Regulation (EC) No 951/2006, except in the cases provided for in Article 30 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 33 of Regulation (EC) No 951/2006.
- (3) Prices not relating to the standard quality should be adjusted upwards or downwards, according to the quality of the molasses offered, in accordance with Article 32 of Regulation (EC) No 951/2006.
- (4) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed under the terms laid down in Article 39 of Regulation (EC) No 951/2006. Should the import duties be suspended pursuant to Article 40 of Regulation (EC) No 951/2006, specific amounts for these duties should be fixed.
- (5) The representative prices and additional import duties for the products concerned should be fixed in accordance with Article 34 of Regulation (EC) No 951/2006.
- (6) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication.
- (7) 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 representative prices and the additional duties applying to imports of the products referred to in Article 34 of Regulation (EC) No 951/2006 are laid down in the Annex hereto.

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, 27 September 2012.

*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.

ANNEX

Representative prices and additional import duties applicable to molasses in the sugar sector from 1 October 2012

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned	Duty to be applied to imports as a result of the suspension referred to in Article 40 of Regulation (EC) No 951/2006 per 100 kg net of the product concerned ⁽¹⁾
1703 10 00 ⁽²⁾	13,43	—	0
1703 90 00 ⁽²⁾	14,13	—	0

⁽¹⁾ This amount replaces, in accordance with Article 40 of Regulation (EC) No 951/2006, the rate of the Common Customs Tariff duty fixed for these products.

⁽²⁾ For the standard quality as defined in Article 27 of Regulation (EC) No 951/2006.

DECISIONS

COUNCIL DECISION

of 24 September 2012

appointing a Czech member and a Czech alternate member of the Committee of the Regions

(2012/524/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

Having regard to the proposal of the Czech Government,

(a) as member:

— Mr Bohuslav SVOBODA, *primátor hlavní město Praha*;

Whereas:

and

(b) as alternate member:

— Mr Milan CHOVANEC, *hejtman Plzeňský kraj*.

Article 2

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

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

Done at Brussels, 24 September 2012.

(2) One member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Pavel BÉM. One alternate member's seat on the Committee of the Regions has become vacant following the end of the term of office of Ms Milada EMMEROVÁ,

For the Council

The President

A. D. MAVROYIANNIS

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION
of 24 September 2012
appointing a German member and a German alternate member of the Committee of the Regions
(2012/525/EU)

THE COUNCIL OF THE EUROPEAN UNION,

(a) as member:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

— Ms Helma KUHN-THEIS, *Bevollmächtigte für Europaangelegenheiten*;

Having regard to the proposal of the German Government,

and

Whereas:

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

(b) as alternate member:

— Ms Isolde RIES, *Vizepräsidentin des Landtages des Saarlandes*.

(2) A member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Peter MÜLLER.

Article 2

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

(3) An alternate member's seat has become vacant following the end of the term of office of Mr Stephan TOSCANI,

HAS ADOPTED THIS DECISION:

Done at Brussels, 24 September 2012.

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

For the Council
The President
A. D. MAVROYIANNIS

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION
of 24 September 2012
appointing an Estonian member of the Committee of the Regions
(2012/526/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Estonian Government,

Whereas:

(1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.

(2) A member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Teet KALLASVEE,

Article 1

The following is hereby appointed as member to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

— Mr Georg LINKOV, *Mayor of Kärkla*.

Article 2

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

Done at Brussels, 24 September 2012.

For the Council
The President
A. D. MAVROYIANNIS

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION 2012/527/CFSP

of 27 September 2012

amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 27 September 2010, the Council adopted Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova ⁽¹⁾.
- (2) In view of the progress in reaching a political settlement of the Transnistrian conflict and in restoring the free movement of persons across the administrative boundary of the Transnistrian region, the restrictive measures applying with respect to Annex I to Decision 2010/573/CFSP should be lifted.
- (3) The restrictive measures applying with respect to Annex II to Decision 2010/573/CFSP should be extended until 30 September 2013. However, in order to encourage progress in addressing the remaining problems regarding the Latin-script schools, the persons included in the list set out in Annex II to Decision 2010/573/CFSP should be removed from the list.
- (4) Decision 2010/573/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/573/CFSP is hereby amended as follows:

- (1) Article 1 is amended as follows:

- (a) paragraph 1 is replaced by the following:

‘1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons who are responsible for the design and implementation of the campaign of intimidation and closure against Latin-script Moldovan schools in the Transnistrian region of the Republic of Moldova, as listed in the Annex.’;

- (b) paragraph 8 is replaced by the following:

‘8. In cases where pursuant to paragraphs 3, 4, 6 and 7, a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.’;

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

‘Article 2

The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall adopt modifications to the list contained in the Annex as required by relevant developments in the Republic of Moldova.’;

- (3) Article 4 is replaced by the following:

‘Article 4

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

2. This Decision shall apply until 30 September 2013. It shall be kept under constant review. It may be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.’;

- (4) Annex I is deleted;

- (5) Annex II is replaced by the text appearing in the Annex to this Decision.

Article 2

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

Done at Brussels, 27 September 2012.

For the Council

The President

A. D. MAVROYIANNIS

⁽¹⁾ OJ L 253, 28.9.2010, p. 54.

ANNEX

'ANNEX

Persons referred to in Article 1(1)

...'

DECISIONS

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- ★ **Council Decision of 24 September 2012 appointing a Czech member and a Czech alternate member of the Committee of the Regions** 41

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