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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 1121/2012

of 23 November 2012

establishing a prohibition of fishing for bigeye tuna in the Atlantic Ocean 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,

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,

*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, 23 November 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	72/TQ44
Member State	Portugal
Stock	BET/ATLANT
Species	Bigeye tuna (<i>Thunnus obesus</i>)
Zone	Atlantic ocean
Date	11.11.2012

COMMISSION REGULATION (EU) No 1122/2012**of 23 November 2012****establishing a prohibition of fishing for blue whiting in VIIIc, IX and X; EU waters of CECAF 34.1.1
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, 23 November 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	71/TQ44
Member State	Portugal
Stock	WHB/8C3411
Species	Blue whiting (<i>Micromesistius poutassou</i>)
Zone	VIIIc, IX and X; EU waters of CECAF 34.1.1
Date	11.11.2012

COMMISSION IMPLEMENTING REGULATION (EU) No 1123/2012**of 26 November 2012****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
An apparatus (so-called "passive infrared detector") consisting of a printed circuit assembly in a plastic housing with dimensions of approximately 11 × 7 × 4 cm. The printed circuit assembly is equipped with an infrared sensor, passive elements (capacitors, resistors), active elements (transistors, integrated circuits) and a light emitting diode. It is also equipped with a dual in-line package switch, an anti-tamper switch, a block of screw terminal connectors and an output of semiconductor relay type. The housing comprises a reflecting surface and a lens. The apparatus has an output signal of up to 30 V DC, 50 mA. The apparatus is designed to send an electrical signal to an apparatus, such as an alarm system or an electric door, when a movement is identified by detecting changes in temperature.	8536 50 19	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8536, 8536 50 and 8536 50 19. Classification as an electric sound or visual signalling apparatus under heading 8531 is excluded as the apparatus has no self-contained alarm capability. Heading 8537 covers boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 8535 or 8536. As the apparatus has only components of the same type (two switches of the semiconductor relay type), classification under heading 8537 is therefore excluded (see also the HS Explanatory Notes to heading 8537, exclusion (b)). Classification under heading 9027 as instruments and apparatus for measuring or checking quantities of heat is also excluded as the apparatus does not measure quantities but only detects changes in temperature for the purpose of automatically activating another apparatus. The apparatus has the function of an automatic switch and it is therefore to be classified as a switch for a voltage not exceeding 60 V under CN code 8536 50 19.

COMMISSION IMPLEMENTING REGULATION (EU) No 1124/2012**of 26 November 2012****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A hermetically sealed weighing sensor (so-called "load cell") incorporating a strain gauge in the form of a bridge circuit with dimensions of approximately 13 × 3 × 3 cm. The load cell operates at the deflection of the strain gauge filament when it is subjected to a physical force. The physical force creates a change in resistance of the filament, thereby unbalancing the bridge circuit which in turn changes the voltage of the current passing through. The load cell converts the physical force acting on it into an electrical signal proportional to that force. The signal is read out, processed and shown by a device not included upon presentation. The load cell is designed to be used, for example, in floor scales, blenders, hoppers and tank scales.	9031 80 98	Classification is determined by General Rules 1, 2(a) and 6 for the interpretation of the Combined Nomenclature, Note 1(m) to Section XVI and by the wording of CN codes 9031, 9031 80 and 9031 80 98. The load cell is designed for converting physical force into an electrical signal for measuring purposes. As it does not itself show the result of the measurement, it is considered to be an incomplete measuring instrument not specified or included elsewhere in Chapter 90. Consequently, classification under heading 8423 as a part of weighing machinery is excluded (see also the HS Explanatory Notes to heading 9031, (A), point (30)). The article is therefore to be classified under CN code 9031 80 98 as other instruments not specified or included elsewhere in Chapter 90.

COMMISSION IMPLEMENTING REGULATION (EU) No 1125/2012
of 26 November 2012
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A microprocessor-controlled hand-held machine (so-called "electronic hot air blowing gun"), for generating temperatures of between 50 and 630 °C, with a maximum output power of 2 000 W and dimensions of approximately 26 × 20 × 9 cm. The machine comprises: — a heating element, — a fan with a motor for blowing air at 3 different speeds, — a display for indicating the temperature. The machine is for use by craftsmen, for example, in stripping paint, shrinking tubing on cables, forming PVC, soft soldering, welding and joining plastic, welding plastic pipes and rods and foil welding. (*) See image.	8419 89 98	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2 to Chapter 84 and by the wording of CN codes 8419, 8419 89 and 8419 89 98. As the machine is designed for use by craftsmen and is not of a kind normally used in households, classification under heading 8516 as an electrothermic appliance of a kind used for domestic purposes is excluded. The machine corresponds to the descriptions of both headings 8419 and 8467. In accordance with Note 2 to Chapter 84, classification under heading 8467 as a tool for working in the hand with self-contained electric motor is excluded. The machine is therefore to be classified under CN code 8419 89 98 as machinery for the treatment of materials by a process involving a change of temperature.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 1126/2012**of 26 November 2012****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A portable battery-operated multifunctional apparatus with dimensions of approximately 9 × 5 × 1 cm, comprising: — a colour liquid crystal display with a resolution of 320 × 240 pixels and a diagonal measurement of the screen of approximately 5 cm (2,2 inches), — a microphone, — a built-in memory of 4 GB, — a FM tuner, — a USB interface, — a connector for headphones, — control buttons. The apparatus is capable of performing the following functions: — radio-broadcast reception, — sound recording and reproducing, — video recording and reproducing, — voice recording, — displaying still and video images. The apparatus supports the following formats: MP3, WMA, WAV, WMV and JPEG. The apparatus can be connected to an automatic data-processing machine for downloading or uploading files.	8527 13 99	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and by the wording of CN codes 8527, 8527 13 and 8527 13 99. The apparatus is designed to perform several functions of Section XVI, namely radio-broadcast reception with sound recording or reproducing, video recording or reproducing and still and video image displaying. By virtue of Note 3 to that Section, it is to be classified as being that apparatus which performs the principal function. Due to its objective characteristics, such as the apparatus' available memory and the small screen with low resolution, the video displaying, recording and reproducing functions are secondary. Consequently, the apparatus' principal function is that of radio-broadcasting combined with sound recording or reproducing apparatus. The apparatus is therefore to be classified under CN code 8527 13 99 as other apparatus for radio-broadcasting combined with sound recording or reproducing apparatus.

COMMISSION IMPLEMENTING REGULATION (EU) No 1127/2012**of 26 November 2012****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Fine light tan, spray dried powder in a stable and protected microencapsulated form with the following composition (% by weight): refined tuna fish oil 48 sodium caseinate 24 dextrose monohydrate 10 modified starch 10 sodium ascorbate 5 water 3 and containing traces of natural tocopherols, lecithin, d1-alpha tocopherol and ascorbyl palmitate. The product is used to increase the level of Omega-3 fatty acids in food preparations.	2106 90 98	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 2106, 2106 90 and 2106 90 98. The product is composed of refined tuna fish oil and large quantities (at least 50 %) of other ingredients. Although products of heading 1517 may contain small quantities of other constituents (see also the Harmonized System (HS) Explanatory Note to heading 1517, second paragraph), classification under that heading is excluded as the product has lost the characteristics of an edible oil of this heading due to its composition. The product is therefore to be classified under heading 2106 as a food preparation not elsewhere specified or included (see also HS Explanatory Notes to heading 2106, (B)).

COMMISSION IMPLEMENTING REGULATION (EU) No 1128/2012
of 26 November 2012
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A panel (so-called "waterproof plywood") made of thirteen sheets of wood glued together with a glue resistant to boiling water. The sheets are disposed so that the grains of successive layers are at an angle. The inner sheets are less than 2 mm thick. The two outer sheets are less than 1 mm thick and are made of poplar covered with a polymer coating for insulation. The panel's density is of 0,5 g/cm³. The panel is used in construction, for example, for concrete shuttering.	4412 32 10	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 4412, 4412 32 and 4412 32 10. Classification under heading 4413 as densified wood is excluded as the panel has not been chemically or physically treated to increase its density or hardness and improve its mechanical strength or resistance to chemical or electrical agencies (see also the HS Explanatory Notes to heading 4413). The panel is considered to be plywood as it consists of several sheets of wood glued and disposed one on the other so that the grains of successive layers are at an angle (see also the HS Explanatory Notes to heading 4412, point (1)). The panel is therefore to be classified under CN code 4412 32 10 as other plywood with at least one outer ply of non-coniferous wood.

COMMISSION IMPLEMENTING REGULATION (EU) No 1129/2012
of 26 November 2012
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A set put up for retail sale consisting of the following articles: — 2 packs of playing cards, — 300 poker chips, — a dealer chip, — a DVD with instructions. It is presented in a case made of aluminium with an interior which is specially fitted to contain the articles. The articles are to be used together to play a game of poker. The chips and the DVD are supplementary to the playing cards and cannot be used individually. (*) See image.	9504 40 00	Classification is determined by General Rules 1, 3(b), 5(a) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9504 and 9504 40 00. The articles are put up together to carry out a specific activity of playing a game of poker and therefore fulfil the criteria for classification as goods put up in sets for retail sale. The playing cards give the set its essential character; the other articles are supplementary. The specially fitted case containing the set of articles is to be classified together with the articles. The set is therefore to be classified under CN code 9504 40 00 as playing cards.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 1130/2012**of 26 November 2012****concerning the classification of certain goods in the Combined Nomenclature**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

(5) The Customs Code Committee has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

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

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

Done at Brussels, 26 November 2012.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

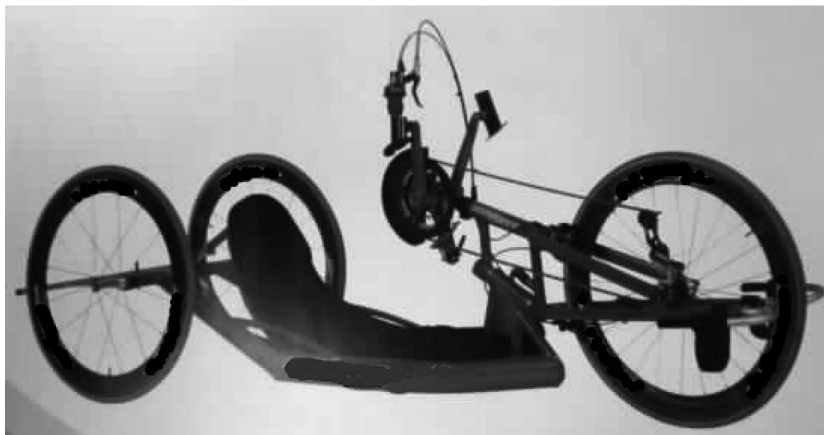
⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A cycle with three wheels, a frame, a seat, two footrests and two handlebars. The handlebars are used for steering and as hand operated pedals being directly connected to crank gears and derailleur gears. The seat comprises a flat platform with a raised section to support the cyclist's back and head. (*) See image.	8712 00 70	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8712 00 and 8712 00 70. Classification under heading 8713 is excluded, as this heading covers only carriages, wheel-chairs, or similar vehicles specially designed for the transport of disabled persons. Cycles specially constructed for the disabled are covered by heading 8712 (see also the HS Explanatory Notes to heading 8712, second paragraph, point (4)). The cycle is therefore to be classified under CN code 8712 00 70 as other cycles.

(*) The image is purely for information.



COMMISSION REGULATION (EU) No 1131/2012**of 27 November 2012****establishing a prohibition of fishing for ling in area IIIa; EU waters of IIIbcd by vessels flying the flag of Denmark**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2012 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.
- (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, 27 November 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	74/TQ43
Member State	Denmark
Stock	Ling (<i>molva molva</i>)
Species	LIN/3A/BCD
Zone	IIIa; EU waters of IIIbcd
Date	9.11.2012

COMMISSION REGULATION (EU) No 1132/2012**of 27 November 2012****establishing a prohibition of fishing for white marlin in the Atlantic Ocean 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, 27 November 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	70/TQ44
Member State	Portugal
Stock	WHM/ATLANT
Species	White marlin (<i>Tetrapturus albidus</i>)
Zone	Atlantic ocean
Date	6.11.2012

COMMISSION REGULATION (EU) No 1133/2012**of 27 November 2012****establishing a prohibition of fishing for plaice in area VIII, IX and X; EU waters of CECAF 34.1.1 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 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.
- (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, 27 November 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	73/TQ43
Member State	Portugal
Stock	PLE/8/3411
Species	Plaice (<i>Pleuronectes platessa</i>)
Zone	VIII, IX and X; EU waters of CECAF 34.1.1
Date	11.11.2012

COMMISSION REGULATION (EU) No 1134/2012**of 28 November 2012****establishing a prohibition of fishing for mackerel in VIIIc, IX and X; EU waters of CECAF 34.1.1 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, 28 November 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	69/TQ44
Member State	Portugal
Stock	MAC/8C3411
Species	Mackerel (<i>Scomber scombrus</i>)
Zone	VIIIc, IX and X; EU waters of CECAF 34.1.1
Date	6.11.2012

COMMISSION REGULATION (EU) No 1135/2012**of 28 November 2012****establishing a prohibition of fishing for cod in Norwegian waters south of 62° N by vessels flying the flag of Sweden**

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, 28 November 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	67/TQ44
Member State	Sweden
Stock	COD/04-N
Species	Cod (<i>Gadus Morhua</i>)
Zone	Norwegian waters south of 62° N
Date	5.11.2012

**COMMISSION IMPLEMENTING REGULATION (EU) No 1136/2012
of 30 November 2012**

**operating deductions from fishing quotas available for certain stocks in 2012 on account of
overfishing of other stocks in the previous years and amending Implementing Regulation (EU)
No 700/2012 as regards amounts to be deducted in future years**

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, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ⁽¹⁾, and in particular Article 105(1), (2), (3) and (5) thereof,

Whereas:

(1) Fishing quotas for the year 2011 have been established by:

- Council Regulation (EU) No 1124/2010 of 29 November 2010 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea ⁽²⁾,
- Council Regulation (EU) No 1225/2010 of 13 December 2010 fixing for 2011 and 2012 the fishing opportunities for EU vessels for fish stocks of certain deep-sea fish species ⁽³⁾,
- Council Regulation (EU) No 1256/2010 of 17 December 2010 fixing the fishing opportunities for certain fish stocks applicable in the Black Sea for 2011 ⁽⁴⁾, and
- Council Regulation (EU) No 57/2011 of 18 January 2011 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters ⁽⁵⁾.

(2) Fishing quotas for the year 2012 have been established by:

- Regulation (EU) No 1225/2010,
- Council Regulation (EU) No 716/2011 of 19 July 2011 establishing the fishing opportunities for anchovy in the Bay of Biscay for the 2011/2012 fishing season ⁽⁶⁾,

— Council Regulation (EU) No 1256/2011 of 30 November 2011 fixing for 2012 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) No 1124/2010 ⁽⁷⁾,

— Council Regulation (EU) No 5/2012 of 19 December 2011 fixing for 2012 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Black Sea ⁽⁸⁾,

— 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 ⁽⁹⁾, and

— 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 ⁽¹⁰⁾.

(3) According to Article 105(1) of Regulation (EC) No 1224/2009, when the Commission has established that a Member State has exceeded the fishing quotas which have been allocated to it, the Commission is to operate deductions from future fishing quotas of that Member State.

(4) Commission Implementing Regulation (EU) No 700/2012 ⁽¹¹⁾ has established deductions from fishing quotas for certain stocks for 2012 on account of overfishing of those stocks in the previous years.

(5) Certain deductions provided for by Implementing Regulation (EU) No 700/2012 appear to be larger than the adapted quota available in the year 2012 and, as a consequence, cannot be entirely operated on that quota. According to Commission Communication 2012/C 72/07 ⁽¹²⁾, the remaining amounts should be deducted from the adapted quotas available in subsequent years.

(6) Implementing Regulation (EU) No 700/2012 should therefore be amended accordingly.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 318, 4.12.2010, p. 1.

⁽³⁾ OJ L 336, 21.12.2010, p. 1.

⁽⁴⁾ OJ L 343, 29.12.2010, p. 2.

⁽⁵⁾ OJ L 24, 27.1.2011, p. 1.

⁽⁶⁾ OJ L 193, 23.7.2011, p. 11.

⁽⁷⁾ OJ L 320, 3.12.2011, p. 3.

⁽⁸⁾ OJ L 3, 6.1.2012, p. 1.

⁽⁹⁾ OJ L 25, 27.1.2012, p. 1.

⁽¹⁰⁾ OJ L 25, 27.1.2012, p. 55.

⁽¹¹⁾ OJ L 203, 31.7.2012, p. 52.

⁽¹²⁾ OJ C 72, 10.3.2012, p. 27.

- (7) For certain Member States no deductions could be operated by Implementing Regulation (EU) No 700/2012 from quotas allocated for the overfished stocks because such quotas were not available for those Member States in the year 2012.
- (8) According to Communication 2012/C 72/07, if it is not possible to operate deductions on the overfished stock in the year following the overfishing because the Member State concerned has no quota available, the deduction should be operated on other stocks in the same geographical area or with the same commercial value. Such deductions should be preferably operated from quotas allocated for stocks fished by the same fleet that overfished the quota, taking into account the need to avoid discards in mixed fisheries.
- (9) The Member States concerned have been consulted with regard to the proposed deductions from quotas allocated for other stocks than those which have been overfished.
- (10) Deductions provided by this Regulation should apply without prejudice to deductions applicable to 2012 quotas pursuant to:
- Commission Regulation (EC) No 147/2007 of 15 February 2007 adapting certain fish quotas from 2007 to 2012 pursuant to Article 23(4) of Council Regulation (EC) No 2371/2002 on the conservation

and sustainable exploitation of fisheries resources under the common fisheries policy ⁽¹⁾, and

- Commission Regulation (EU) No 165/2011 of 22 February 2011 providing for deductions from certain mackerel quotas allocated to Spain in 2011 and subsequent years on account of overfishing in 2010 ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The fishing quotas for the year 2012 referred to in the Annex I to this Regulation shall be reduced by applying the deductions set out in that Annex.

2. Paragraph 1 shall apply without prejudice to reductions provided for in Regulations (EC) No 147/2007 and (EU) No 165/2011.

Article 2

The Annex to Implementing Regulation (EU) No 700/2012 is replaced by the text in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the seventh 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, 30 November 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 46, 16.2.2007, p. 10.

⁽²⁾ OJ L 48, 23.2.2011, p. 11.

ANNEX I

Deductions from quotas for other stocks than those which have been overfished

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multiplying factor ⁽²⁾	Additional multiplying factor ⁽³⁾	Remaining deduction from 2011 ⁽⁴⁾ (quantity in tons)	Deductions 2012 (quantity in tons)
DK'	DGS	03A-C	Spurdog/dogfish	EU waters of IIIa	0,00	1,00	—	1,00	1		12	13,00

Deduction to be made on the following stock

DK	NEP	3A/BCD	Norway lobster	IIIa; EU waters of Subdivisions 22-32	/	/	/	/	/	/	/	13,00
DE	DGS	2AC4-C	Spurdog/dogfish	EU waters of IIa and IV	0,00	0,70	—	0,70	1			0,70

Deduction to be made on the following stock

DE	LIN	04-C	Ling	EU waters of IV	/	/	/	/	/	/	/	0,70
IE	NOP	2A3A4.	Norway pout and associated by-catches	IIIa; EU waters of IIa and IV	0,00	5,00	—	5,00	1			5,00

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multiplying factor ⁽²⁾	Additional multiplying factor ⁽³⁾	Remaining deduction from 2011 ⁽⁴⁾ (quantity in tons)	Deductions 2012 (quantity in tons)
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Deduction to be made on the following stock

IE	WHB	1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV	/	/	/	/	/	/	/	5,00
ES	COD	7XAD34	Cod	VIIIb, VIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1	0,00	0,90	—	0,90	1			0,90

Deduction to be made on the following stock

ES	HKE	57214	Hake	VI and VII; EU and international waters of Vb; international waters of XII and XIV	/	/	/	/	/	/	/	0,90
ES	DGS	15X14	Spurdog/dogfish	EU and international waters of I, V, VI, VII, VIII, XII and XIV	1,00	6,20	620,0	5,20	1			5,20

Deduction to be made on the following stock

ES	NEP	VII	Norway Lobster	VII	/	/	/	/	/	/	/	5,20
ES	DWS	56789-	Deep-sea sharks	EU and international waters of V, VI, VII, VIII	2,79	25,90	928,3	23,11	1			23,11

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multiplying factor ⁽²⁾	Additional multiplying factor ⁽³⁾	Remaining deduction from 2011 ⁽⁴⁾ (quantity in tons)	Deductions 2012 (quantity in tons)
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Deduction to be made on the following stock

ES	BLI	12INT-	Blue ling	International waters of XII	/	/	/	/	/	/	/	23,11
ES	ORY	1CX14	Orange roughy	EU and international waters of I, II, III, IV, V, VIII, IX, X, XII and XIV	0,00	0,60	—	0,60	1			0,60

Deduction to be made on the following stock

ES	BLI	12INT-	Blue ling	International waters of XII	/	/	/	/	/	/	/	0,60
ES	RED	N3LN.	Redfish	NAFO 3LN	0,00	43,50	—	43,50	1			43,50

Deduction to be made on the following stock

ES	HKW	3NO.	White hake	NAFO 3N0	/	/	/	/	/	/	/	43,50
FR	DWS	56789-	Deep-sea sharks	EU and international waters of V, VI, VII, VIII and IX	10,17	26,00	255,7	15,83	1			15,83

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multiplying factor ⁽²⁾	Additional multiplying factor ⁽³⁾	Remaining deduction from 2011 ⁽⁴⁾ (quantity in tons)	Deductions 2012 (quantity in tons)
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Deduction to be made on the following stock

FR	RNG	5B67-	Roundnose grenadier	EU and international waters of Vb, VI, VII	/	/	/	/	/	/	/	15,83
PT	WHG	08.	Whiting	VIII	0,00	1,20	—	1,20	1			1,20

Deduction to be made on the following stock

PT	PLE	8/3411	Plaice	VIII, IX and X; EU waters of CECAF 34.1.1	/	/	/	/	/	/	/	1,20
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⁽¹⁾ Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Council Regulation (EC) No 2371/2002 (OJ L 358, 31.12.2002, p. 59), quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3) and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009.

⁽²⁾ As set out in Article 105(2) of Regulation (EC) No 1224/2009.

⁽³⁾ As set out in Article 105(3) of Regulation (EC) No 1224/2009.

⁽⁴⁾ Commission Implementing Regulation (EU) No 1016/2011 (OJ L 270, 15.10.2011, p. 1) and Commission Implementing Regulation (EU) No 1021/2011 (OJ L 270, 15.10.2011, p. 16) have operated deductions from fishing quotas for certain countries and species for 2011. However, for certain Member States the deductions to be applied were higher than their respective 2011 quota and could therefore not be operated entirely in that year. To ensure that also in such cases the full amount be deducted, the remaining quantities have been taken into account when establishing deductions from 2012.

ANNEX II

‘ANNEX

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multi-plying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
DK	DGS	03A-C	Spurdog/dogfish	EU waters of IIIa	0,00	1,00	—	1,00	1		12	13,00	
DK	SAN	*234_6	Sandeel	EU waters of sandeel management areas	420,00	489,60	116,6	69,60	1			69,60	
DE	DGS	2AC4-C	Spurdog/dogfish	EU waters of IIa and IV	0,00	0,70	—	0,70	1			0,70	
DE	MAC	2CX14-	Mackerel	VI, VII, VIIIa, VIIIb, VIIIc and VIId; EU and international waters of Vb; international waters of IIa, XII and XIV	21 401,00	21 860,70	102,1	459,70	1			459,70	
DE	PLE	3BCD-C	Plaice	EU waters of Subdivisions 22-32	425,00	426,40	100,3	1,40	1			1,40	
IE	HER	4AB.	Herring	EU and Norwegian waters of IV north of 53° 30' N	0,00	40,00	—	40,00	1			40,00	
IE	NOP	2A3A4.	Norway pout and associated by-catches	IIIa; EU waters of IIa and IV	0,00	5,00	—	5,00	1			5,00	
ES	ALF	3X14-	Alfonsinos	EU and international waters of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	66,00	69,00	104,5	3,00	1			3,00	

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multi-plying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
ES	ANE	9/3411	Anchovy	IX and X; EU waters of CECAF 34.1.1	5 560,00	6 361,90	114,4	801,90	1,2			962,28	
ES	ANF	8C3411	Anglerfish	VIIIc, IX and X; EC waters of CECAF 34.1.1	1 293,00	1 453,90	112,4	160,90	1,2			193,08	
ES	BLI	67- (new code BLI/5B67-)	Blue Ling	EU waters and international waters of Vb, VI, VII	0,00	0,00	—	0,00	—		41	40,93	0,07
ES	BSF	8910-	Black scabbardfish	EU and international waters of VIII, IX and X	17,00	17,60	103,5	0,60	1			0	0,60
ES	BSF	56712-	Black scabbardfish	EU and international waters of V, VI, VII and XII	135,00	216,90	160,7	81,90	1			20,38	61,52
ES	COD	7XAD34	Cod	VIIb, VIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1	0,00	0,90	—	0,90	1			0,90	
ES	DGS	15X14	Spurdog/dogfish	EU and international waters of I, V, VI, VII, VIII, XII and XIV	1,00	6,20	620,0	5,20	1			5,20	
ES	DWS	56789-	Deep-sea sharks	EU and international waters of V, VI, VII, VIII	2,79	25,90	928,3	23,11	1			23,11	
ES	GFB	89-	Forkbeards	EU and international waters of VIII and IX	222,00	250,20	112,7	28,20	1			28,20	

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multi-plying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
ES	GFB	567-	Forkbeards	EU and international waters of V, VI and VII	608,00	638,50	105,0	30,50	1			30,50	
ES	HAD	5BC6A.	Haddock	EU and international waters of Vb and VIa	14,00	35,80	255,7	21,80	1			0,73	21,07
ES	HAD	1N2AB	Haddock	Norwegian waters of I and II	60,00	65,30	108,8	5,30	1			5,30	
ES	JAX	2A-14	Horse mackerel and associated by-catches	EU waters of IIa, IVa; VI, VIIa-c,VIIe-k, VIIla, VIIlb, VIIId and VIIle; EU and international waters of Vb; international waters of XII and XIV	2 419,00	2 519,90	104,2	100,90	1			100,90	
ES	JAX	09.	Horse mackerel	IX	7 859,00	8 478,30	107,9	619,30	1,1			681,23	
ES	JAX	08C.	Horse mackerel	VIIIc	24 129,00	32 431,80	134,4	8 302,80	1,4			11 623,92	
ES	LEZ	8C3411	Megrim	VIIIc, IX and X; EU waters of CECAF 34.1.1	917,00	1 005,30	109,6	88,30	1			88,30	
ES	ORY	1CX14	Orange roughy	EU and international waters of I, II, III, IV, V, VIII, IX, X, XII and XIV	0,00	0,60	—	0,60	1			0,60	
ES	POK	56-14	Saithe	VI; EU and international waters of Vb, XII and XIV	3,00	30,60	1 020,0	27,60	1			0	27,60

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multi-plying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
ES	POL	8ABDE.	Pollack	VIIIa, VIIIb, VIIIc and VIId	61,00	65,30	107,0	4,30	1			4,30	
ES	POL	08C.	Pollack	VIIIc	208,00	256,00	123,1	48,00	1			48,00	
ES	PRA	N3L.	Northern prawn	NAFO 3L	214,00	292,00	136,4	78,00	1			71,70	6,30
ES	RED	N3LN.	Redfish	NAFO 3LN	0,00	43,50	—	43,50	1			43,50	
ES	SBR	*678-	Red sea bream	EU and international waters of VI, VII and VIII	49,12	62,30	126,8	13,18	1			13,18	
ES	SOL	8AB.	Common sole	VIIIa and VIIIb	10,00	10,70	107,0	0,70	1	c		0,53	0,52
ES	USK	567EI.	Tusk	EU and international waters of V, VI and VII	8,30	50,70	610,8	42,40	1			13,85	28,55
ES	WHB	8C3411	Blue whiting	VIIIc, IX and X; EC waters of CECF 34.1.1	1 987,00	2 258,30	113,7	271,30	1,2			325,56	
FR	DWS	56789-	Deep-sea sharks	EU and international waters of V, VI, VII, VIII and IX	10,17	26,00	255,7	15,83	1			15,83	
FR	SOL	07E.	Common sole	VIIe	283,00	290,00	102,5	7,00	1			7,00	

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multiplying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
LT	JAX	2A-14	Horse mackerel and associated by-catches	EU waters of IIa, IVa; VI, VIIa-c, VIIe-k, VIIIa, VIIIb, VIIIc and VIIIe; EU and international waters of Vb; international waters of XII and XIV	356,00	660,40	185,5	304,40	2			0	608,80
LT	MAC	2CX14-	Mackerel	VI, VII, VIIIa, VIIIb, VIIIc and VIIIe; EU and international waters of Vb; international waters of IIa, XII and XIV	26,00	28,80	110,8	2,80	1			2,80	
NL	BSF	56712-	Black scabbardfish	EU and international waters of V, VI, VII and XII	0,00	0,00	—	0,00	—		5	0	5,00
NL	SBR	678-	Red sea bream	EU and international waters of VI, VII and VIII	0,00	0,00	—	0,00	—		6	0	6,00
PL	COD	1N2AB	Cod	Norwegian waters of I and II	0,00	0,00	—	0,00	—		2	2,00	
PL	GHL	1N2AB	Greenland halibut	Norwegian waters of I and II	0,00	0,00	—	0,00	—		1	0	1,00
PL	HAD	2AC4	Haddock	IV; EU waters of IIa	0,00	0,00	—	0,00	—		16	0	16,00
PL	LIN	04-C.	Ling	EU waters of IV	0,00	3,00	—	3,00	1			3,00	
PL	MAC	2A34	Mackerel	IIIa and IV; EU waters of IIa, IIb, IIc and Subdivisions 22-32	0,00	0,00	—	0,00	—		5	0	5,00

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multi-plying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
PL	RED	514GRN	Redfish	Greenland waters of V and XIV	0,00	0,00	—	0,00	—		1	0	1,00
PL	WHB	1X14	Blue whiting	EU and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, XII and XIV	0,00	0,00	—	0,00	—		8	0	8,00
PT	ALF	3X14-	Alfonsinos	EU and international waters of III, IV, V, VI, VII, VIII, IX, X, XII and XIV	220,10	241,10	109,5	21,00	1			21,00	
PT	ANE	9/3411	Anchovy	IX and X; EU waters of CECAF 34.1.1	2 882,00	2 920,20	101,3	38,20	1			38,20	
PT	ANF	8C3411	Anglerfish	VIIIc, IX and X; EU waters of CECAF 34.1.1	260,20	335,30	128,9	75,10	1	a		112,65	
PT	BET	ATLANT	Bigeye tuna	Atlantic Ocean	6 879,70	7 022,40	102,1	142,70	1			142,70	
PT	BSF	8910-	Black scabbardfish	EU and international waters of VIII, IX and X	3 305,00	3 547,20	107,3	242,20	1,1			266,42	
PT	BUM	ATLANT	Blue marlin	Atlantic Ocean	69,00	72,30	104,8	3,30	1			0	3,30
PT	COD	N3M.	Cod	NAFO 3M	2 525,70	2 753,80	109,0	228,10	1,1			250,91	

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multi- plying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
PT	GFB	89-	Forkbeards	EU and international waters of VIII and IX	10,00	12,00	120,0	2,00	1	a		3,00	
PT	GHL	1N2AB	Greenland halibut	Norwegian waters of I and II	0,00	0,00	—	0,00	—		11	0	11,00
PT	GHL	N3LMNO.	Greenland halibut	NAFO 3LMNO	2 413,80	2 508,20	103,9	94,40	1			94,40	
PT	HAD	1N2AB	Haddock	Norwegian waters of I and II	78,00	30,00	38,5	– 48,00	—		458	26,07	383,93
PT	POK	1N2AB	Saithe	Norwegian waters of I and II	80,00	40,90	51,1	– 39,10	—		294	31,84	223,06
PT	RED	51214D	Redfish	EU and international waters of V; international waters of XII and XIV	603,00	719,10	119,3	116,10	1,2	a		208,98	
PT	RED	N3LN.	Redfish	NAFO 3LN	932,80	983,50	105,4	50,70	1			50,70	
PT	WHB	8C3411	Blue whiting	VIIIc, IX and X; EC waters of CECAF 34.1.1	483,00	711,90	147,4	228,90	1,8			412,02	
PT	WHG	08.	Whiting	VIII	0,00	1,20	—	1,20	1			1,20	

Member State	Species code	Area code	Species name	Area name	Permitted landings 2011 (total adapted quantity in tons) ⁽¹⁾	Total catches 2011 (quantity in tons)	Quota consumption (%)	Overfishing related to permitted landing (quantity in tons)	Multi-plying factor ⁽²⁾	Additional multiplying factor ⁽³⁾ ⁽⁴⁾	Remaining deduction from 2011 ⁽⁵⁾ (quantity in tons)	Deductions 2012 (quantity in tons)	Outstanding balance (quantity in tons)
UK	COD	N01514	Cod	Greenland waters of NAFO 0 and 1; Greenland waters of V and XIV	717,00	724,60	101,1	7,60	1			7,60	
UK	BET	ATLANT	Bigeye tuna	Atlantic Ocean	10,00	0,00	0,0	- 10,00	—		10	0,00	
UK	BLI	24-	Blue ling	EU waters and waters not under the sovereignty or jurisdiction of third countries of II, IV and V	1,50	1,50	100,0	0,00	—		2	2,00	
UK	HAD	1N2AB	Haddock	Norwegian waters of I and II	781,00	781,60	100,1	0,60	1			0,60	
UK	HER	4AB.	Herring	EU and Norwegian waters of IV north of 53° 30' N	27 687,00	27 887,40	100,7	200,40	1			200,40	
UK	MAC	2CX14-	Mackerel	VI, VII, VIIIa, VIIIb, VIIIc and VIIIe; EU and international waters of Vb; international waters of IIa, XII and XIV	173 520,50	179 960,30	103,7	6 439,80	1			6 439,80	

⁽¹⁾ Quotas available to a Member State pursuant to the relevant fishing opportunities Regulations after taking into account exchanges of fishing opportunities in accordance with Article 20(5) of Council Regulation (EC) No 2371/2002 (OJ L 358, 31.12.2002, p. 59), quota transfers in accordance with Article 4(2) of Council Regulation (EC) No 847/96 (OJ L 115, 9.5.1996, p. 3) and/or reallocation and deduction of fishing opportunities in accordance with Articles 37 and 105 of Regulation (EC) No 1224/2009.

⁽²⁾ As set out in Article 105(2) of Regulation (EC) No 1224/2009.

⁽³⁾ As set out in Article 105(3) of Regulation (EC) No 1224/2009.

⁽⁴⁾ Letter "a" indicates that an additional multiplying factor of 1,5 has been applied due to consecutive overfishing in the years 2009, 2010 and 2011. Letter "c" indicates that an additional multiplying factor of 1,5 has been applied as the stock is subject to a multiannual plan.

⁽⁵⁾ Implementing Regulation (EU) No 1016/2011 operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of those stocks in the previous year and Implementing Regulation (EU) No 1021/2011 operating deductions from fishing quotas available for certain stocks in 2011, on account of overfishing of other stocks in the previous year have operated deductions from fishing quotas for certain countries and species for 2011. However, for certain Member States the deductions to be applied were higher than their respective 2011 quota and could therefore not be operated entirely in that year. To ensure that also in such cases the full amount be deducted, the remaining quantities have been taken into account when establishing deductions from 2012 and, where appropriate, subsequent quotas.'

COMMISSION IMPLEMENTING REGULATION (EU) No 1137/2012**of 30 November 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, 30 November 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	AL	53,3
	MA	53,9
	MK	37,4
	TN	74,5
	TR	74,3
	ZZ	58,7
0707 00 05	AL	65,0
	MA	141,4
	TR	101,7
	ZZ	102,7
0709 93 10	MA	107,2
	TR	112,9
	ZZ	110,1
0805 20 10	MA	75,0
	ZZ	75,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	71,3
	HR	45,0
	TR	83,9
	ZZ	66,7
0805 50 10	AR	68,7
	TR	77,8
	ZZ	73,3
0808 10 80	MK	38,5
	US	112,3
	ZA	214,1
	ZZ	121,6
0808 30 90	CN	67,7
	TR	107,9
	US	159,5
	ZZ	111,7

⁽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 1138/2012**of 30 November 2012****fixing the import duties in the cereals sector applicable from 1 December 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⁾,

Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

(1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

(2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, in order to calculate the import duty

referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

(4) Import duties should be fixed for the period from 1 December 2012 and should apply until new import duties are fixed and enter into force.

(5) 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,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 December 2012, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

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, 30 November 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 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 1 December 2012

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 19 00	Durum wheat, high quality	0,00
1001 11 00	medium quality	0,00
	low quality	0,00
ex 1001 91 20	Common wheat seed	0,00
ex 1001 99 00	High quality common wheat other than for sowing	0,00
1002 10 00	Rye	0,00
1002 90 00		
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize other than seed ⁽²⁾	0,00
1007 10 90	Grain sorghum other than hybrids for sowing	0,00
1007 90 00		

⁽¹⁾ The importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- EUR 3/t, where the port of unloading is located on the Mediterranean Sea (beyond the Strait of Gibraltar) or on the Black Sea, for goods arriving in the Union via the Atlantic Ocean or the Suez Canal,
- EUR 2/t, where the port of unloading is located in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or on the Atlantic coast of the Iberian Peninsula, for goods arriving in the Union via the Atlantic Ocean.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

15.11.2012-29.11.2012

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾
Exchange	Minneapolis	Chicago	—	—	—
Quotation	276,92	227,63	—	—	—
Fob price USA	—	—	270,21	260,21	240,21
Gulf of Mexico premium	—	26,06	—	—	—
Great Lakes premium	28,82	—	—	—	—

⁽¹⁾ Premium of EUR 14/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).⁽²⁾ Discount of EUR 10/t (Article 5(3) of Regulation (EU) No 642/2010).⁽³⁾ Discount of EUR 30/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico-Rotterdam: 14,23 EUR/t

Freight costs: Great Lakes-Rotterdam: 47,53 EUR/t

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 29 November 2012

amending Decision 2004/858/EC, as amended by Decision 2008/544/EC, establishing the Executive Agency for Health and Consumers in application of Council Regulation (EC) No 58/2003

(2012/740/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes ⁽¹⁾, and in particular Article (6)(1) thereof,

Whereas:

(1) The Executive Agency for the Public Health Programme was set up by Commission Decision 2004/858/EC ⁽²⁾ to manage the programme of Community action in the field of public health 2003-2008, as adopted by Decision No 1786/2002/EC of the European Parliament and of the Council ⁽³⁾. Decision 2004/858/EC provides for the Agency to carry out its functions until 31 December 2010 in order to execute contracts and grants signed under the Public Health Programme 2003-2008.

(2) Commission Decision 2008/544/EC ⁽⁴⁾ transformed the 'Executive Agency for the Public Health Programme' into the 'Executive Agency for Health and Consumers' and extended its mandate until 2015. Taking account of the cost-benefit analysis which was carried out and with a view to the objectives of certain Community programmes being achieved more effectively, Decision 2008/544/EC made the Agency responsible for implementing the following Community programmes and actions: the Public Health Programme 2003-2008, the Public Health Programme 2008-2013 as adopted by Decision No 1350/2007/EC of the European Parliament and of the Council ⁽⁵⁾, the Consumer Programme 2007-2013 as adopted by Decision 1926/2006/EC of the European Parliament and of the Council ⁽⁶⁾ and the

food safety training measures covered by Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽⁷⁾ and Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽⁸⁾.

(3) In the light of the expertise acquired by the Agency, it should be entrusted with the management of certain measures similar to the food safety training measures which it already manages, in particular, extending the scope of the Agency activities to training measures outside the EU Member States. Consequently, the Agency should be entrusted with managing the food safety training measures covered by Commission Decision C(2012) 1548 adopting the 2012 work programme serving as a financial decision for the funding of projects in the area of external trade relations, including access to the markets of non-European Union countries and initiatives in the field of trade-related assistance, and by Article 22(1) and (3) of Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation ⁽⁹⁾.

(4) The Agency should also be entrusted with managing the agreement with ANEC, the European consumer voice in standardisation, which is governed by the Regulation of the European Parliament and of the Council on European standardisation and amending Council Directives 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment ⁽¹⁰⁾ and 93/15/EEC of 5 April 1993 on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil uses ⁽¹¹⁾ and Directive 94/9/EC of the European Parliament and of the Council of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems

⁽¹⁾ OJ L 11, 16.1.2003, p. 1.

⁽²⁾ OJ L 369, 16.12.2004, p. 73.

⁽³⁾ OJ L 271, 9.10.2002, p. 1.

⁽⁴⁾ OJ L 173, 3.7.2008, p. 27.

⁽⁵⁾ OJ L 301, 20.11.2007, p. 3.

⁽⁶⁾ OJ L 404, 30.12.2006, p. 39.

⁽⁷⁾ OJ L 165, 30.4.2004, p. 1.

⁽⁸⁾ OJ L 169, 10.7.2000, p. 1.

⁽⁹⁾ OJ L 378, 27.12.2006, p. 41.

⁽¹⁰⁾ OJ L 399, 30.12.1989, p. 18.

⁽¹¹⁾ OJ L 121, 15.5.1993, p. 20.

intended for use in potentially explosive atmospheres ⁽¹⁾, Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft ⁽²⁾, European Parliament and Council Directive 95/16/EC of 29 June 1995 on the approximation of the laws of the Member States relating to lifts ⁽³⁾, Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment ⁽⁴⁾, Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations ⁽⁵⁾, Directive 2004/22/EC of the European Parliament and of the Council of 31 March 2004 on measuring instruments ⁽⁶⁾, Directive 2007/23/EC of the European Parliament and of the Council of 23 May 2007 on the placing on the market of pyrotechnic articles ⁽⁷⁾, Directive 2009/105/EC of the European Parliament and of the Council of 16 September 2009 relating to simple pressure vessels ⁽⁸⁾ and Directive 2009/23/EC of the European Parliament and of the Council of 23 April 2009 on non-automatic weighing instruments ⁽⁹⁾.

- (5) Decision 2004/858/EC should therefore be amended accordingly.
- (6) The measures provided for by this Decision are in accordance with the opinion of the Committee for Executive Agencies,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2004/858/EC shall be amended as follows:

- (1) in Article 4, the first sentence of paragraph 1 shall be replaced by the following:

'1. The Agency shall be responsible for carrying out the following implementation tasks for the management of the second Public Health Programme 2008-2013 as adopted by Decision No 1350/2007/EC of the European Parliament and of the Council (*), the Consumer programme for 2007-2013 as adopted by Decision No 1926/2006/EC of the

European Parliament and of the Council (**), the Regulation of the European Parliament and of the Council on European standardisation and the food safety training measures covered by Regulation (EC) No 882/2004 of the European Parliament and of the Council (***), Council Directive 2000/29/EC (****), Decision C(2012) 1548 and Regulation (EC) No 1905/2006 of the European Parliament and of the Council (*****):

(*) OJ L 301, 20.11.2007, p. 3.

(**) OJ L 404, 30.12.2006, p. 39.

(***) OJ L 165, 30.4.2004, p. 1.

(****) OJ L 169, 10.7.2000, p. 1.

(*****) OJ L 378, 27.12.2006, p. 41.;

- (2) Article 6 shall be replaced by the following:

'Article 6

Subsidies

The Agency shall receive subsidies entered in the general budget of the European Communities from the funds allocated to the second Public Health Programme 2008-2013 as adopted by Decision No 1350/2007/EC, the Consumer programme for 2007-2013 as adopted by Decision No 1926/2006/EC, the Regulation of the European Parliament and of the Council on European standardisation and the food safety training measures covered by Regulation (EC) No 882/2004, Directive 2000/29/EC, Decision C(2012)1548 and Regulation (EC) No 1905/2006.'

Article 2

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

Done at Brussels, 29 November 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 100, 19.4.1994, p. 1.

⁽²⁾ OJ L 164, 30.6.1994, p. 15.

⁽³⁾ OJ L 213, 7.9.1995, p. 1.

⁽⁴⁾ OJ L 181, 9.7.1997, p. 1.

⁽⁵⁾ OJ L 204, 21.7.1998, p. 37.

⁽⁶⁾ OJ L 135, 30.4.2004, p. 1.

⁽⁷⁾ OJ L 154, 14.6.2007, p. 1.

⁽⁸⁾ OJ L 264, 8.10.2009, p. 12.

⁽⁹⁾ OJ L 122, 16.5.2009, p. 6.

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2012 OF THE EU-KOREA COMMITTEE ON TRADE AND SUSTAINABLE DEVELOPMENT

of 27 June 2012

**on the adoption of the rules of operation of the Civil Society Forum as required by Article 13.13 of
the Free Trade Agreement between the European Union and its Member States, of the one part, and
the Republic of Korea, of the other part**

(2012/741/EU)

THE COMMITTEE ON TRADE AND SUSTAINABLE DEVELOPMENT,

HAS ADOPTED THIS DECISION:

Having regard to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, signed in Brussels on 6 October 2010 (hereinafter referred to as the 'Agreement'), and in particular Article 13.13 thereof,

Article 1

The rules of operation of the Civil Society Forum, as set out in the Annex to this Decision, are hereby established.

Article 2

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

Whereas:

- (1) Article 13.13 of the Agreement provides that members of the Domestic Advisory Group(s) from each Party shall meet at a Civil Society Forum.
- (2) The composition of the Civil Society Forum shall ensure a balanced representation of members of the Domestic Advisory Group.
- (3) The Parties shall agree by decision of the Committee on Trade and Sustainable Development on the operation of the Civil Society Forum no later than one year after the entry into force of this Agreement,

Done at Brussels, 27 June 2012.

For the Trade and Sustainable Development Committee

*Co-chair of the Committee
on Trade and Sustainable
Development of the
Republic of Korea*

Kyungduck AN Sanghoon KIM

*Co-chair of the Committee
on Trade and Sustainable
Development of the
European Union*

Peter THOMPSON

ANNEX

RULES OF OPERATION OF THE CIVIL SOCIETY FORUM*Article 1*

The Civil Society Forum will be composed of 12 members of the EU Domestic Advisory Group and 12 members of the Domestic Advisory Groups of Korea designated by the Domestic Advisory Groups themselves. Members may be accompanied by expert advisors. Representatives of the Civil Society Forum from each Party shall include at least 3 representatives of business organisations, trade unions and environmental non governmental organisations respectively.

Article 2

The Civil Society Forum shall have an EU and a Korean co-chair. The co-chairs will be appointed by the EU Domestic Advisory Group and the Korean Domestic Advisory Group(s), respectively, among their participants in the Civil Society Forum.

The co-chairs will draw up the agenda of the Civil Society Forum meetings, based on requests by their respective Domestic Advisory Groups. In addition, the agenda shall include the following regular items:

- (a) Information by the Parties on the implementation of the Chapter on Trade and Sustainable Development;
- (b) Reports of consultations undertaken under Article 13.14 and about work undertaken by Panel of experts under Article 13.15.

Article 3

The Civil Society Forum shall meet at least once a year, alternating between Brussels and Seoul, unless otherwise agreed by the Parties. An extraordinary meeting may be held upon request of one of the Domestic Advisory Groups.

DECISION No 2/2012 OF THE EU-KOREA COMMITTEE ON TRADE AND SUSTAINABLE DEVELOPMENT**of 27 June 2012****on the establishment of a Panel of Experts referred to in Article 13.15 of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part**

(2012/742/EU)

THE COMMITTEE ON TRADE AND SUSTAINABLE DEVELOPMENT,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, signed in Brussels on 6 October 2010 ('the Parties' and 'the Agreement'), and in particular Article 13.15 thereof,

The list of experts who may serve as panellists for the purposes of Article 13.15 of the Agreement is set out in the Annex to this Decision, and is hereby agreed.

Article 2

Whereas:

This Decision shall enter into force on the date of its adoption and shall be reported to the Korea-EU Trade Committee.

(1) A Party may request that a Panel of Experts be convened to examine a matter that has not been satisfactorily addressed through government consultations.

Done at Brussels, 27 June 2012.

(2) The implementation of the recommendations of the Panel of Experts shall be monitored by the Committee on Trade and Sustainable Development.

For the Committee on Trade and Sustainable Development

(3) The Parties have developed a list of 18 names, as specified in the Annex.

*Co-chair of the Committee
on Trade and Sustainable
Development of the
Republic of Korea*

Kyungduck AN Sanghoon KIM

*Co-chair of the Committee
on Trade and Sustainable
Development of the
European Union*

Peter THOMPSON

ANNEX

LIST OF EXPERTS

Experts proposed by Korea

Kee-whahn CHAH

Young Gil CHO

Weon Jung KIM

Suh-Yong CHUNG

Taek-Whan HAN

Won-Mog CHOI

Experts proposed by the EU

Eddy LAURIJSSEN

Jorge CARDONA

Karin LUKAS

Hélène RUIZ FABRI

Laurence BOISSON DE CHAZOURNES

Geert VAN CALSTER

Chairpersons

Thomas P. PINANSKY

Nguyen Van TAI

Le HA THANH

Jill MURRAY

Ricardo MELÉNDEZ-ORTIZ

Nathalie BERNASCONI-OSTERWALDER

CORRIGENDA**Corrigendum to Commission Regulation (EU) No 833/2012 of 17 September 2012 imposing a provisional anti-dumping duty on imports of certain aluminium foils in rolls originating in the People's Republic of China**

(Official Journal of the European Union L 251 of 18 September 2012)

On page 30 in recital 14, on page 37 in table 1 in recital 82, on page 45 in recital 161 and on page 46 in Article 1(2):

for: 'CeDo Shanghai Co. Ltd.',

read: 'CeDo (Shanghai) Ltd';

for: 'Ningbo Times Co. Ltd.',

read: 'Ningbo Times Aluminium Foil Technology Co., Ltd';

for: 'Ningbo Favoured Commodity Co. Ltd.',

read: 'Ningbo Favored Commodity Co., Ltd';

on page 30 in recital 14:

for: 'Shanghai Blue Diamond Co. Ltd.',

read: 'Shanghai Blue Diamond Aluminium Foil Manufacturing Co., Ltd'.

Corrigendum to Commission Implementing Decision 2012/411/EU of 17 July 2012 amending Decision 2010/472/EU as regards animal health requirements relating to Simbu viruses and epizootic haemorrhagic disease

(Official Journal of the European Union L 192 of 20 July 2012)

On page 27, in the Annex, point (4), 'Model health certificate for imports of consignments of ova and embryos of animals of the ovine and caprine species':

for:

' ⁽¹⁾ (⁵) or	[II.2.6.1.	in which according to official findings the following serotypes of epizootic haemorrhagic disease (EHD) exist: and were subjected with negative results in each case to:
⁽¹⁾ either	[on two occasions not more than 12 months apart in a serological test (⁶) carried out in an approved laboratory on samples of blood taken prior to and not less than 21 days following collection for this consignment of ova/embryos (¹);]	
⁽¹⁾ or	[a serological test (⁶) for the detection of antibody to the EHDV group, carried out on samples taken at intervals of not more than 60 days throughout the collection period and between 21 and 60 days after the final collection for this consignment of ova/embryos (¹);]	
⁽¹⁾ or	[an agent identification test (⁶) carried out in approved laboratories on blood samples collected at commencement and conclusion of, and at least every seven days (virus isolation test) or at least every 28 days (PCR test) during collection for this consignment of ova/embryos (¹);]	
⁽¹⁾ either	[II.2.8.	meet the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001;]
⁽¹⁾ or	[II.2.8.	meet the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and are destined for a Member State which benefits, for all or part of its territory, from the provisions laid down in point (b) or (c) of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and the donor animals comply regarding scrapie with the guarantees provided for by the national scrapie control program referred to in that point and with the guarantees (⁷) requested by the Member State of destination;]
	II.2.9.	were collected/produced (¹) after the date on which the embryo collection team was approved by the competent authority of the exporting country;
	II.2.10.	were processed and stored under approved conditions for at least 30 days immediately after their collection/production (¹) and transported under conditions for ova and embryos laid down in Chapter III(II) of Annex D to Directive 92/65/EEC;
	II.2.11.	were sent to the place of loading in a sealed container in accordance with the requirements for the transport of embryos laid down in point 6 of Chapter III(II) of Annex D to Directive 92/65/EEC and bearing the number detailed in Box I.23;
	(⁹) II.2.12.	were conceived by artificial insemination/as a result of <i>in vitro</i> fertilisation (¹) using semen coming from semen collection centres.
⁽¹⁾ either	[II.2.12.1.	approved in accordance with Article 11(2) of Directive 92/65/EEC and located in a Member State of the European Union; and the semen complies with the requirements of Directive 92/65/EEC.]
⁽¹⁾ or	[II.2.12.1.	approved in accordance with Article 17(3)(b) of Directive 92/65/EEC and located in a third country or part thereof listed in Annex I to Decision 2010/472/EU, and the semen complies with the requirements set out in Part 2 of Annex II to that Decision.]

read:

' ⁽¹⁾ (⁶) or	[II.2.6.1.	in which according to official findings the following serotypes of epizootic haemorrhagic disease (EHD) exist: and the donors were subjected with negative results in each case to:
⁽¹⁾ either	[on two occasions not more than 12 months apart in a serological test (⁶) carried out in an approved laboratory on samples of blood taken prior to and not less than 21 days following collection for this consignment of ova/embryos (¹);]	
⁽¹⁾ or	[a serological test (⁶) for the detection of antibody to the EHDV group, carried out on samples taken at intervals of not more than 60 days throughout the collection period and between 21 and 60 days after the final collection for this consignment of ova/embryos (¹);]	
⁽¹⁾ or	[an agent identification test (⁶) carried out in approved laboratories on blood samples collected at commencement and conclusion of, and at least every seven days (virus isolation test) or at least every 28 days (PCR test) during collection for this consignment of ova/embryos (¹);]	
⁽¹⁾ either	[II.2.7.	meet the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001;]
⁽¹⁾ or	[II.2.7.	meet the requirements of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and are destined for a Member State which benefits, for all or part of its territory, from the provisions laid down in point (b) or (c) of Chapter A(I) of Annex VIII to Regulation (EC) No 999/2001 and the donor animals comply regarding scrapie with the guarantees provided for by the national scrapie control program referred to in that point and with the guarantees (⁷) requested by the Member State of destination;]
	II.2.8.	were collected/produced (¹) after the date on which the embryo collection team was approved by the competent authority of the exporting country;
	II.2.9.	were processed and stored under approved conditions for at least 30 days immediately after their collection/production (¹) and transported under conditions for ova and embryos laid down in Chapter III(II) of Annex D to Directive 92/65/EEC;
	II.2.10.	were sent to the place of loading in a sealed container in accordance with the requirements for the transport of embryos laid down in point 6 of Chapter III(II) of Annex D to Directive 92/65/EEC and bearing the number detailed in Box I.23;
	(⁹) II.2.11.	were conceived by artificial insemination/as a result of <i>in vitro</i> fertilisation (¹) using semen coming from semen collection centres.
⁽¹⁾ either	[II.2.11.1.	approved in accordance with Article 11(2) of Directive 92/65/EEC and located in a Member State of the European Union, and the semen complies with the requirements of Directive 92/65/EEC.]
⁽¹⁾ or	[II.2.11.1.	approved in accordance with Article 17(3)(b) of Directive 92/65/EEC and located in a third country or part thereof listed in Annex I to Decision 2010/472/EU, and the semen complies with the requirements set out in Part 2 of Annex II to that Decision.]

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

2012/741/EU:

- ★ **Decision No 1/2012 of the EU-Korea Committee on Trade and Sustainable Development of 27 June 2012 on the adoption of the rules of operation of the Civil Society Forum as required by Article 13.13 of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part** 52

2012/742/EU:

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- ★ **Corrigendum to Commission Regulation (EU) No 833/2012 of 17 September 2012 imposing a provisional anti-dumping duty on imports of certain aluminium foils in rolls originating in the People's Republic of China (OJ L 251, 18.9.2012)** 56
- ★ **Corrigendum to Commission Implementing Decision 2012/411/EU of 17 July 2012 amending Decision 2010/472/EU as regards animal health requirements relating to Simbu viruses and epizootic haemorrhagic disease (OJ L 192, 20.7.2012)** 57

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