

Official Journal

of the European Union

L 333



English edition

Legislation

Volume 55

5 December 2012

Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

2012/747/EU:

- ★ **Council Decision of 3 December 2012 on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 31 (on cooperation in specific fields outside the four freedoms) to the EEA Agreement** 1

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 1144/2012 of 28 November 2012 concerning the classification of certain goods in the Combined Nomenclature** 3
- ★ **Commission Implementing Regulation (EU) No 1145/2012 of 28 November 2012 concerning the classification of certain goods in the Combined Nomenclature** 5
- ★ **Commission Implementing Regulation (EU) No 1146/2012 of 3 December 2012 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community ⁽¹⁾** 7
- ★ **Commission Regulation (EU) No 1147/2012 of 4 December 2012 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of beeswax (E 901), carnauba wax (E 903), shellac (E 904) and microcrystalline wax (E 905) on certain fruits ⁽¹⁾** 34

Price: EUR 3

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EU) No 1148/2012 of 4 December 2012 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of sulphur dioxide — sulphites (E 220-228) and propane-1, 2-diol alginate (E 405) in fermented grape must-based drinks ⁽¹⁾	37
★ Commission Regulation (EU) No 1149/2012 of 4 December 2012 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of extracts of rosemary (E 392) in fillings of stuffed dry pasta ⁽¹⁾	40
Commission Implementing Regulation (EU) No 1150/2012 of 4 December 2012 establishing the standard import values for determining the entry price of certain fruit and vegetables	43

DECISIONS

2012/748/CFSP:

★ Political and Security Committee Decision BiH/19/2012 of 27 November 2012 on the appointment of an EU Force Commander for the European Union military operation in Bosnia and Herzegovina	45
---	----

2012/749/EU:

★ Council Decision of 3 December 2012 extending the application period of Decision 2010/371/EU concerning the conclusion of the consultation procedure with the Republic of Madagascar under Article 96 of the ACP-EU Partnership Agreement	46
---	----



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 3 December 2012

on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 31 (on cooperation in specific fields outside the four freedoms) to the EEA Agreement

(2012/747/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 189, in conjunction with Article 218(9) thereof,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, *inter alia*, Protocol 31 thereto.
- (3) Protocol 31 to the EEA Agreement contains specific provisions and arrangements concerning cooperation in specific fields outside the four freedoms.
- (4) Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013) ⁽³⁾ was incorporated into the EEA Agreement by Decision of the EEA Joint Committee No 139/2012 ⁽⁴⁾.
- (5) Decision of the EEA Joint Committee No 139/2012 provided for the suspension of the applicability of Regu-

lation (EU) No 911/2010 to Iceland, until otherwise decided by the EEA Joint Committee.

- (6) It is appropriate to terminate the suspension of the applicability of Regulation (EU) No 911/2010 to Iceland from 1 January 2013.
- (7) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (8) The position of the Union in the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the European Union, in the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 3 December 2012.

For the Council

The President

N. SYLIKOTIS

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ OJ L 276, 20.10.2010, p. 1.

⁽⁴⁾ OJ L 309, 8.11.2012, p. 21.

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2012

of ...

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013) ⁽¹⁾ was incorporated into the EEA Agreement by Decision of the EEA Joint Committee No 139/2012 ⁽²⁾.
- (2) The suspension of the applicability of Regulation (EU) No 911/2010 to Iceland should be terminated.
- (3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this termination to take effect from 1 January 2013,

HAS ADOPTED THIS DECISION:

Article 1

In paragraph 8c of Article 1 of Protocol 31 to the EEA Agreement, adaptation (e) shall be deleted.

Article 2

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

It shall apply from 1 January 2013.

Article 3

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

Done at ...,

For the EEA Joint Committee

The President

The Secretaries
to the EEA Joint Committee

⁽¹⁾ OJ L 276, 20.10.2010, p. 1.

⁽²⁾ OJ L 309, 8.11.2012, p. 21.

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

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1144/2012

of 28 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, 28 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 product consisting of modified dehydrated cane molasses presented in powder, with a light brown colour, containing (% by weight): — sucrose (including invert sugar) 82,4 — ash 1,5 — crude fibre 7 The product contains no starch and has a polarisation of 83,4°. During the production process, plant fibres and cane molasses concentrates are added and a dehydrated cane molasses is obtained. The product is not fit for human consumption and is used solely in animal feeding.	2309 90 96	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1 to Chapter 23 and the wording of CN codes 2309, 2309 90 and 2309 90 96. In spite of the high sucrose content, the product cannot be considered to be cane sugar of heading 1701 due to the addition of plant fibres during the production process. Due to the added cane molasses concentrates and the dehydration process, the content of sugar present in the product is significantly higher than in traditional cane molasses. Classification under heading 1703 is therefore excluded. The product is used in animal feeding and has lost the essential characteristics of the original material during the production process (see Note 1 to Chapter 23). The product is therefore to be classified under heading 2309 as a preparation of a kind used in animal feeding.

COMMISSION IMPLEMENTING REGULATION (EU) No 1145/2012
of 28 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, 28 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)
Sterilised wipes made of non-wovens, put up in a plastic bag for retail sale. The wipes are impregnated, amongst other ingredients with demineralised water, detergent and skin conditioning cleansing agent. The product is alcohol free. According to the information provided, the product is designed for cleaning hands and face.	3401 11 00	Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 3401 and 3401 11 00. As the wipes are impregnated with detergent which gives the product its essential character, classification under headings 3304 and 3307 is excluded. The product is therefore to be classified under heading 3401 as non-wovens, impregnated, coated or covered with soap or detergent (see also Harmonised System Explanatory Notes to heading 3401, point (IV)).

COMMISSION IMPLEMENTING REGULATION (EU) No 1146/2012**of 3 December 2012****amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air passengers of the identity of the operating carrier, and repealing Article 9 of Directive 2004/36/CE ⁽¹⁾, and in particular Article 4 thereof ⁽²⁾,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 ⁽³⁾ of 22 March 2006 established the Community list of air carriers which are subject to an operating ban within the Union referred to in Chapter II of Regulation (EC) No 2111/2005.
- (2) In accordance with Article 4(3) of Regulation (EC) No 2111/2005, some Member States and the European Aviation Safety Agency (hereinafter 'EASA') communicated to the Commission information that is relevant in the context of updating the Community list. Relevant information was also communicated by third countries. On this basis, the Community list should be updated.
- (3) The Commission informed all air carriers concerned either directly or, when this was not practicable, through the authorities responsible for their regulatory oversight, indicating the essential facts and considerations which would form the basis for a decision to impose on them an operating ban within the Union or to modify the conditions of an operating ban imposed on an air carrier which is included in the Community list.
- (4) Opportunity was given by the Commission to the air carriers concerned to consult documents provided by Member States, to submit written comments and to make an oral presentation to the Commission within 10 working days and to the Air Safety Committee established by Council Regulation (EEC) No 3922/1991 of 16 December on the harmonization of the technical requirements and administrative procedures in the field of civil aviation ⁽⁴⁾.
- (5) The Air Safety Committee has received updates from the Commission about the on-going joint-consultations

opened in the framework of Regulation (EC) No 2111/2005 and its implementing Regulation (EC) No 473/2006 ⁽⁵⁾, with competent authorities and air carriers of the following States: Algeria, Aruba, Bangladesh, Burkina Faso, Cameroon, Central African Republic, China, Comoros, Cuba, Curacao, Egypt, Ethiopia, Georgia, Guinea-Bissau, Lesotho, Malawi, Mali, Nepal, Pakistan, Russian Federation, St Maarten, Ukraine, Yemen; Eritrea, Libya; Afghanistan, Angola, Benin, Congo-Brazzaville, Democratic Republic of Congo, Djibouti, DPR of Korea, Equatorial Guinea, Gabon, Ghana, Honduras, Indonesia, Iran, Jordan, Kazakhstan, Kyrgyzstan, Liberia, Madagascar, Mauritania, Mozambique, Philippines, Rwanda, Sao Tome and Principe, Sierra Leone, Sudan, Suriname, Swaziland, Venezuela and Zambia.

- (6) The Air Safety Committee has heard presentations by EASA about the results of the analysis of audit reports carried out by the International Civil Aviation Organisation (ICAO hereafter) in the framework of ICAO's Universal Safety Oversight Audit Programme (USOAP). Member States were invited to prioritize ramp inspections on air carriers licensed on States for which significant safety concern(s) have been identified by ICAO or for which EASA concluded that there are significant deficiencies in the safety oversight system. Notwithstanding consultations undertaken by the Commission under Regulation (EC) No 2111/2005, this will permit to acquire further information regarding the safety performance on the air carriers licensed in these States.
- (7) The Air Safety Committee has heard presentations by EASA about the results of the analysis of ramp inspections carried out under the Safety Assessment of Foreign Aircraft programme (SAFA) in accordance with Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down the technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ⁽⁶⁾.
- (8) The Air Safety Committee has also heard presentations by EASA about the technical assistance projects carried out in States affected by measures under Regulation (EC) No 2111/2005. It was informed about the requests for further technical assistance and cooperation to improve the administrative and technical capability of civil aviation authorities with a view to resolving non compliances with applicable international standards. Member States were invited to respond to these requests on a bilateral basis in coordination with the Commission and EASA.

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ OJ L 143, 30.4.2004, p. 76.

⁽³⁾ OJ L 84, 23.3.2006, p. 14.

⁽⁴⁾ OJ L 373, 31.12.1991, p. 4.

⁽⁵⁾ OJ L 84, 23.3.2006, p. 8.

⁽⁶⁾ OJ L 296 25.10.2012, p. 1.

- (9) Regulation (EC) No 474/2006 should be therefore amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Air Safety Committee.

European Union air carriers

- (11) Following the analysis by EASA of information resulting from SAFA ramp checks carried out on aircraft of certain Union air carriers or from standardisation inspections carried out by EASA as well as specific inspections and audits carried out by national aviation authorities, some Member States have taken certain enforcement measures. They informed the Commission and the Air Safety Committee about these measures: Greece informed that the Air Operator Certificate (AOC) of Sky Wings was suspended further to the suspension of its continuous airworthiness management organisation approval on 7 October 2012; Luxembourg informed that the AOC of Strategic Airlines was revoked on 8 October 2012 and that the air carrier has ceased to exist; Spain informed that the air carrier IMD Airways has successfully implemented corrective actions and remains on heightened surveillance; and Slovenia informed that the AOC of Linxair Business Airlines was revoked on 2 October 2012.

Air Algérie

- (12) Having regard to the results of the ramp inspections carried out in 2008 and 2009 on the aircraft operated by the air carrier Air Algérie in the framework of the SAFA programme, the Commission had entered into formal consultations with the competent authorities of Algeria (DACM) in December 2009 as detailed in Regulations (EC) No 590/2010 ⁽¹⁾ and (EC) No 1071/2010 ⁽²⁾. These formal consultations resulted in the implementation of satisfactory solutions to redress the identified safety deficiencies in the short term as well as in the development of a solid corrective and preventive action plan by DACM and the air operator Air Algérie for sustainable solutions. The safety performance of the air carrier Air Algérie continued to be verified through the results of the SAFA programme along with the monthly reports sent by DACM to the Commission on the results of their surveillance activities on the air operator as well as on the progress made in the implementation of the aforementioned corrective and preventive plans.
- (13) Considering the favourable trend observed on the results of the SAFA inspections since November 2010, the absence of serious safety deficiencies and the implementation of the corrective and preventive actions in accordance with the planning, the Commission decided in July 2012 to close the formal consultations with DACM under Regulation (EC) No 2111/2005

Comlux Aruba N.V.

- (14) In February 2012 the competent authority of Aruba committed to introduce amendments in the national legal system and to take administrative action vis-à-vis Comlux Aruba to ensure that by 1 August 2012 the operational control of this air carrier would be exercised from Aruba.
- (15) In order to obtain updated information on this issue, the Commission, EASA and certain Members of the Air Safety Committee conducted on 15 October 2012 in Brussels consultations with the competent authority of Aruba. These authorities informed and provided evidence that the flight operations legislation has been amended to strengthen the requirements regarding the establishment of the principal place of business in Aruba. These authorities also confirmed that the operational control of Comlux Aruba N.V. had been established in Aruba to their satisfaction. Changes in the organisation and accountabilities of this carrier have been implemented in that respect. Furthermore, the AOC was limited to one aircraft of type B767 and will be renewed on a year basis only, subject to satisfactory results of the continuous oversight to ensure that the organisational changes are effective.
- (16) The Commission noted the progress made by the competent authorities of the Aruba and encourages them to continue their efforts towards strengthening their civil aviation oversight system in compliance with international safety standards.

Air carriers from the Republic of Congo

- (17) All air carriers certified in the Republic of Congo have been listed in Annex A since November 2009. The Commission and EASA held a consultation meeting with the competent authorities of the Republic of Congo (ANAC) on 12 October 2012, during which ANAC presented the progress made to date in order to alleviate the safety concerns identified by the International Civil Aviation Organisation (ICAO) at the occasion of the audit carried out in 2008 in the framework of ICAO's Universal Safety Oversight Audit Program (USOAP).
- (18) ANAC provided the Commission with evidence of the expiration of the AOC of the air carrier Société Nouvelle Air Congo and confirmed that the air carrier has ceased its activities. Consequently, on the basis of the common criteria, it should be withdrawn from Annex A.
- (19) ANAC provided the Commission with information indicating that an AOC was granted to the following air carriers: Canadian Airways' Congo, Émeraude, Equajet and Mistral Aviation. However, ANAC did not provide the evidence that the safety oversight of these air carriers are ensured in compliance with international safety standards, on the basis of the common criteria, it is assessed that these air carriers should be included in Annex A.

⁽¹⁾ OJ L 170, 6.7.2010, p. 9.

⁽²⁾ OJ L 306, 23.11.2010, p. 44.

- (20) The Commission noted the progress made by the competent authorities of the Republic of Congo and encourages them to continue their efforts towards the establishment of a civil aviation oversight system in compliance with international safety standards.

Air carriers from the Democratic Republic of Congo

- (21) Air carriers certified in the Democratic Republic of Congo have been listed in Annex A since March 2006⁽¹⁾. The competent authorities of the Democratic Republic of Congo have taken the initiative of re-establishing active consultations with the Commission and EASA, indicating their firm intention of conducting a thorough review and a complete overhaul of the aviation industry as well as of the national regulatory oversight authority.
- (22) The competent authorities of the Democratic Republic of Congo informed that an AOC was granted to the following air carriers: Air Fast Congo, Fly Congo, Katanga Express, Katanga Wings, Mango Airlines, and Will Airlift. However, since ANAC did not provide the evidence that the safety oversight of these air carriers is ensured in compliance with international safety standards, on the basis of the common criteria, it is assessed that these air carriers should be included in Annex A.
- (23) The competent authorities of Democratic Republic of Congo have not provided evidence that the other air carriers mentioned in Annex A have ceased operations. Consequently, on the basis of the common criteria, it is assessed that these air carriers should remain in Annex A.
- (24) The Commission noted the progress made by the competent authorities of the Democratic Republic of Congo and encourages them to continue their efforts towards the establishment of a civil aviation oversight system in compliance with international safety standards, while remaining committed to further develop the constructive dialogue re-established recently.

Air carriers from Curaçao and St Maarten

- (25) ICAO conducted an audit of the Netherlands Antilles⁽²⁾ in 2008 and made a number of findings on all the

critical elements of their safety oversight system. In particular, the competent authorities of the Netherlands Antilles did not have sufficient technical staff in the areas of personnel licensing, aircraft operations, air navigation services and aerodromes to carry out their safety oversight functions.

- (26) In addition, following an assessment by the Federal Aviation Administration (FAA) of the United States under the IASA programme in September 2011, Curaçao and St Maarten were downgraded from Category 1 to Category 2 because the FAA considers that they did not sufficiently comply with international safety standards.
- (27) Finally, ramp checks conducted under the auspices of the SAFA programme⁽³⁾ during the period May 2011 to May 2012 identified findings amounting to an average of over one major finding per inspection.
- (28) As a result, the Commission entered into consultations with the competent authorities of Curaçao and St Maarten and wrote to them in July 2012 seeking details of what corrective actions had been put in place or are being planned. These consultations are on-going.
- (29) The Competent Authorities of both Curaçao and St Maarten responded to the Commission and detailed the corrective actions underway and planned to address the ICAO and FAA audit findings.
- (30) The Netherlands informed the Air Safety Committee that they were active in providing technical assistance to both Curaçao and St Maarten to assist them in their efforts to establish a safety oversight system that is in compliance with ICAO standards.
- (31) The Commission takes note of the actions by the competent authorities of Curaçao and St Maarten and encourages them to continue with determination with their efforts to address the shortcomings in their aviation safety oversight system, failing which the Commission will be compelled to take action under Regulation (EC) No 2111/2005. Member States will continue to closely monitor, via prioritised ramp checks in the framework of the SAFA programme, that the corrective actions are effective.

⁽¹⁾ Recitals (60) to (64) of Regulation (EC) No 474/2006 of 22 March 2006, OJ L 84, 23.3.2006, p. 18.

⁽²⁾ In October 2010 the Netherlands Antilles (being part of the Kingdom of the Netherlands) were dissolved and two new countries were created: Curaçao and Sint Maarten. The Kingdom of the Netherlands now consists of four countries: the Netherlands (in Europe), Aruba, Curaçao and Sint Maarten. Curaçao and Sint Maarten are the legal successors of the Netherlands Antilles and therefore share the same aircraft register (PJ). Since October 2010 both countries have to organize their aviation safety oversight system for themselves and each country has created its own competent authorities. Because of the interdependencies between the two countries, the cases are reviewed in parallel.

⁽³⁾ CAA-NL-2012-30, CAA-NL-2012-154, CAA-NL-2012-155, CAA-NL-2012-156, CAA-NL-2012-161, CAA-NL-2012-162; DGAC/F-2011-1628, DGAC/F-2011-1640, DGAC/F-2011-2007, DGAC/F-2011-2329, DGAC/F-2012-230, DGAC/F-2012-231, DGAC/F-2012-603, DGAC/F-2012-693.

Air carriers from Equatorial Guinea

- (32) All air carriers certified in Equatorial Guinea are subject to an operational ban within the EU and listed in Annex A since March 2006. The competent authorities of the Equatorial Guinea (DGAC) provided the Commission with information indicating that an AOC was granted to the air carrier Tango Airways. As there is no evidence of any change to the capacity of DGAC to ensure the oversight of air carriers certified in that State in compliance with the applicable safety standards, on the basis of the common criteria, it is assessed that this air carrier should equally be added to Annex A.

Air Carriers from Eritrea

- (33) As a result of findings identified during the ICAO audit of Eritrea in November 2010 ICAO notified to all Contracting States to the Chicago Convention three Significant Safety Concerns (SSC) in the areas of Operations, Airworthiness and Air Navigation Services. In addition, ICAO reported in its final audit report that the lack of effective implementation of international safety standards amounted 79,9 %.
- (34) Having regard to these results, the Commission entered into formal consultations with the competent authorities of Eritrea (ER-CAA) to seek details of what actions the ER-CAA had taken to address the safety deficiencies identified by the ICAO audit.
- (35) ER-CAA informed the Commission by letter that whilst two Significant Safety Concerns concerning Airworthiness and Air Navigation Services had been resolved, the third Significant Safety Concern concerning the certification process for the issuance of an Air Operators Certificate had yet to be resolved and would require a validation mission by ICAO for it to be removed. However, ER-CAA submissions did not contain any information concerning the corrective actions undertaken to address the outstanding Significant Safety Concern nor any information on the operational oversight of Eritrean air carriers, both of whom are authorised by Eritrea to operate into the EU.
- (36) The Commission invited repeatedly the ER-CAA to consultation meetings to seek further clarification of the oversight of Eritrean AOC holders. However, the ER-CAA declined to attend these meetings.
- (37) The ER-CAA was invited to the Air Safety Committee and made presentations on 21 November 2012. The ER-CAA informed that their Corrective Action Plan had been accepted by ICAO and, as a result of amending their primary aviation legislation and promulgating a number of civil aviation regulations, considered on their part that the Significant Safety Concern had been

addressed. It was not clear whether that Eritrea had requested an ICAO Validation Mission although they are receiving support from the ICAO Regional Office Safety Team. However, in view of the Air Safety Committee, they failed to adequately demonstrate they had taken comprehensive action to address all aspects of the Significant Safety Concern. They were also unable to provide clarity on the oversight arrangements associated with the aircraft listed on AOCs issued by Eritrea which include wet leased aircraft from foreign air carriers, a consequence of which being that these aircraft are listed on several AOCs, which does not comply with international safety standards.

- (38) Whilst all air carriers licensed in Eritrea were invited to the Air Safety Committee, one of them, Eritrean Airlines made presentations to the Air Safety Committee on 21 November 2012. This air carrier confirmed that it operates two aircraft of type A320 to Rome under a wet lease arrangement, without providing to the satisfaction of the Air Safety Committee clarity on the operational oversight and control of its operations.
- (39) The Commission and the Air Safety Committee acknowledge the efforts being made to address the safety deficiencies in the civil aviation system in Eritrea. However, on the basis of the common criteria, pending the effective implementation of adequate corrective actions to remedy the deficiencies identified by ICAO and in particular the outstanding Significant Safety Concern, it is assessed that the competent authorities of Eritrea are, at this stage, not able to implement and enforce the relevant safety standards on air carriers under their regulatory control. Therefore, all air carriers certified in Eritrea should be subject to an operating ban and included in Annex A.
- (40) Once the outstanding significant safety concern is closed to the satisfaction of ICAO, and the major findings of the ICAO audit have been satisfactorily addressed, the Commission is ready to organise, with the assistance of the EASA and the support of Member States, an on-site assessment to verify the progress achieved and prepare a review of the case at the Air Safety Committee.

Rollins Air from Honduras

- (41) The competent authorities of Honduras requested in June 2012 the removal of Rollins Air from the safety list on the basis of the suspension of its AOC. They provided evidence on 21 November 2012 that the AOC of Rollins Air, which had been suspended for six months, had expired and was eventually cancelled on 24 September 2012. Consequently, on the basis of the common criteria, Rollins Air should be removed from Annex A.

Air carriers from Indonesia

- (42) Consultations with the competent authorities of Indonesia (DGCA) continue with the view to monitoring the progress of the DGCA in ensuring that the safety oversight of all air carriers certified in Indonesia is in compliance with international safety standards.
- (43) On 18 October 2012 a videoconference was held between the Commission, EASA and the DGCA during which the DGCA provided an update regarding certain air carriers under their oversight. They informed that five new air carriers had been certified, namely Jayawijaya Dirantara on 16 April 2012, Pacific Royale Airways on 29 May 2012, Citilink Indonesia on 22 June 2012, Angkasa Super Services on 7 June 2012, and Air Born Indonesia on 6 March 2012. However, since DGCA did not provide the evidence that the safety oversight of these air carriers is ensured in compliance with international safety standards, on the basis of the common criteria, it is assessed that these carriers should be included in Annex A.
- (44) In addition, the DGCA informed that PT Sampoerna Air Nasantara had changed its name to PT Pegasus Air Services, and PT Nyaman Air had changed its name to PT Heavy Lift, and that therefore their names should be amended in Annex A.
- (45) DGCA also informed and provided confirmation that the AOC of Dirgantara Air Service had been revoked on 25 May 2012. Therefore, on the basis of the common criteria, it is assessed that this air carrier should be removed from Annex A.
- (46) The DGCA also briefed on the results of a US Federal Aviation Administration (FAA) assessment visit to Indonesia which took place in September 2012. Whilst the FAA noted improvements in the aviation safety oversight system over the past years, the FAA made a number of observations and recommendations in relation to inspector training, the surveillance of foreign aviation activities, enforcement policy and procedures, particularly concerning the use of fines, and the need to improve some local facilities. The DGCA agreed to provide a copy of the formal report of the assessment visit as soon as it became available.
- (47) The Commission and the Air Safety Committee noted the sound progress made by the Competent Authorities of Indonesia and continue to encourage their efforts towards completing their work of establishing an aviation system fully compliant with ICAO Standards.

Air carriers from Kazakhstan

- (48) Consultations with the competent authorities of Kazakhstan have continued actively. The competent authorities of Kazakhstan made several submissions, based on which the Commission, assisted by EASA, held a consultation meeting on 17 October 2012. The competent authorities of Kazakhstan were also heard by the Air Safety Committee on 21 November 2012 and made presentations in that respect.

orities of Kazakhstan made several submissions, based on which the Commission, assisted by EASA, held a consultation meeting on 17 October 2012. The competent authorities of Kazakhstan were also heard by the Air Safety Committee on 21 November 2012 and made presentations in that respect.

- (49) The competent authorities of Kazakhstan reported that they are progressing in an ambitious reform of the aviation sector undertaken since 2009 with a view to enhancing air safety. Following the adoption of a new civil aviation code in July 2010 and the adoption of more than 100 specific aviation regulations, the competent authorities are now progressing in their implementation. They are also progressing in their capacity building with the establishment of a Flight Safety Assessment Centre and the recruitment of additional qualified inspectors, to be continued in the coming months. They are also progressing in the recertification of aircraft and operators.
- (50) The competent authorities of Kazakhstan informed that they continued to take enforcement actions. By order of the Minister of Transport and Communications of 3 July 2011 on the establishment of flight operations rules for the civil aviation of the Republic of Kazakhstan, from 1 November 2012 onwards Soviet-built aircraft not in compliance with ICAO safety standards are not allowed to operate anymore within the Kazakh airspace; consequently the competent authorities of Kazakhstan banned the operations of 7 aircraft of type Yak-40, 2 aircraft of type Antonov 12, 5 aircraft of type Antonov 24 and 1 aircraft of type Tu-134 ⁽¹⁾.
- (51) The competent authorities of Kazakhstan also informed the Commission that 5 air carriers had terminated their operations and provided evidence that their AOC had expired and were not renewed; these air carriers are: Asia Wings, Minas, Skybus, Skyjet and Saykhat Airlines. Consequently, on the basis of the common criteria, these air carriers should be withdrawn from Annex A.
- (52) The competent authorities of Kazakhstan further informed the Commission that 4 airlines previously involved in commercial air transport have ceased this activity, reduced their fleet and have been recertified under aerial work; these airlines are: Aero Aircompany, AK Suncare Aircompany, Kazair West, Ust-Kamenogorsk Air division of EKA. Consequently, on the basis of the common criteria, these air carriers should be withdrawn from Annex A.
- (53) The competent authorities of Kazakhstan informed that by order of the Prime Minister no new AOC can be granted until the competent authorities are in position to fully discharge their responsibilities towards ICAO.

⁽¹⁾ 7 aircraft of type Yak-40; 2 aircraft of type Antonov 12; 5 aircraft of type Antonov 24; 1 aircraft of type Tu-134.

- (54) Air Astana was heard by the Air Safety Committee on 21 November 2012 with the view to provide updates on its fleet which is currently undergoing a renewal and made submissions in that respect. They informed that several aircraft had been phased out and that new aircraft are being phased in within the existing B767, B757 A320 series and Fokker 50 fleets, fleets that are already mentioned under Annex B. Air Astana stated and provided evidence that the safety performance of its fleet has improved. The competent authorities of Kazakhstan stated that the operations of the aircraft currently on the AOC are subject to a certain continuing oversight. The competent authorities of Aruba also provided evidence that the airworthiness of the Aruban registered aircraft currently on the AOC of Air Astana are subject to continuing oversight in accordance with international safety standards and that they are satisfied with the airworthiness standards demonstrated. In addition, Member States and EASA confirmed that no specific concern arose from ramp checks carried out at European airports in the framework of the SAFA programme. Consequently, in accordance with the common criteria, Annex B should be amended to allow, within the current level of operations, the operation of aircraft of type B767, B757, A320 series and Fokker 50 that are or will be listed on the AOC of Air Astana provided such aircraft are registered in Aruba and the AOC and all changes thereto are timely submitted to the Commission and Eurocontrol.
- (55) Member States will verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of Air Astana pursuant to Regulation (EU) No 965/2012. Should the results of such checks, or any other relevant safety information, indicate that international safety standards are not being met, the Commission will be forced to take action under the auspices of Regulation (EC) No 2111/2005.
- (56) The Commission continues to support the ambitious reform of the civil aviation system undertaken by the authorities of Kazakhstan and invites these authorities to continue with determination their efforts towards the establishment of a civil aviation oversight system in compliance with international safety standards. To that end, it encourages these authorities to continue the implementation of the corrective action plan agreed with ICAO, focusing in priority on the two outstanding Significant Safety Concerns and the recertification of all operators under their responsibility. Once those significant safety concerns are closed to the satisfaction of ICAO, the Commission is ready to organise, with the assistance of the EASA and the support of Member States, an on-site assessment to verify the progress achieved and prepare a review of the case at the Air Safety Committee.

Air carriers from Kyrgyzstan

- (57) The air carriers established in the Kyrgyz Republic have been subject to an operating ban since 2006. The Commission, assisted by EASA, held a consultation meeting on 5 October 2012 with the competent authorities of Kyrgyzstan, during which these authorities indicated that the Kyrgyzstan had adopted a new legal framework and that the exit from the safety list was a priority for the government.

- (58) The competent authorities of Kyrgyzstan provided information indicating that the following air carriers had changed their names: Eastok Avia into Air Bishkek and Dames into State Aviation Enterprise under the Ministry of Emergency Situations (SAEMES). Therefore, Annex A should be amended accordingly.
- (59) The competent authorities of Kyrgyzstan informed that an AOC has been granted to the following air carriers: Manas Airways, Supreme Aviation and Sky KG Airlines. However, they did not provide the evidence that the safety oversight of these air carriers are ensured in compliance with international safety standards. Therefore, on the basis of the common criteria, it is assessed that these air carriers should be included in Annex A.
- (60) The competent authorities of Kyrgyzstan provided the Commission with evidence of the revocation of the following AOCs: Trast Aero, Asian Air and Kyrgyzstan Airlines. In addition, they informed that the AOCs of Aerostan and Itek Air had expired and had not been renewed. Consequently, on the basis of the common criteria, these air carriers should be withdrawn from Annex A.
- (61) Upon agreement with the competent authorities of Kyrgyzstan, the Commission remains committed to organise, with the assistance of EASA and the support of Member States, a safety assessment mission to Kyrgyzstan to verify on-site the implementation of the new rules and the satisfactory oversight of certain air carriers certified in Kyrgyzstan.

Air carriers from Libya

- (62) Consultations with the competent authorities of Libya (LCAA) continue with the aim of confirming that Libya is progressing in its work to reform its civil aviation safety system, and in particular ensuring that the safety oversight of all air carriers certified in Libya is in compliance with international safety standards.
- (63) The LCAA, and representatives of Afriqiyah, Libyan Airlines and Buraq Air, met with the Commission, EASA, and certain members of the Air Safety Committee on 15 October 2012 to brief on progress. The LCAA informed that they had taken regulatory action by revoking the AOCs⁽¹⁾ of 16 of the 26 Libyan air carriers. They had employed consultants in

⁽¹⁾ International Company, Tobruk Air Transport, Awsaj Aviation Service, Kalat Aleker Air Company, Alajniha Air Transport, Nayzak Air Transport, Qurina Air Services, Libyan Air Cargo, Air One Nine, Gulf Pearl Airlines, Horizon Airline, North African Air Transport, Madina Air, Assanad Aviation, Benina Air, Awass Aviation.

the short term and ICAO assistance in the long term to provide technical support, and that they were in the process of recruiting a number of additional pilots and engineers to act as inspecting staff.

time as a full five stage recertification has been completed and any significant findings closed, following which, and in agreement with the Commission, individual air carriers could be permitted to recommence commercial flights to the EU, Norway, Switzerland and Iceland.

(64) The LCAA further informed that they were embarking on a five stage recertification process of all Libyan air carriers, commencing with Libyan Airlines and Afriqiyah, and would report on progress and provide the audit reports when they became available. At the same time they would develop and implement an annual oversight system to ensure continued compliance of ICAO standards by their air carriers.

(69) Furthermore, for each air carrier recertified, the LCAA committed to submit to the Commission detailed information on the recertification process and meet with the Commission and Member States to discuss in detail the relevant audits, findings, remedial actions taken and closure actions, together with details of the plans for continuing oversight before any relaxations of restrictions are agreed. Should this information fail to demonstrate to the satisfaction of the Commission and Member States that the recertification process had been effectively completed and a sustainable continued oversight is in place in accordance with ICAO standards, the Commission would be compelled to take measures to prevent air carriers from operating into the EU, Norway, Switzerland and Iceland airspace. If further clarification is needed the Commission may decide to conduct an on-site visit prior to any relaxation in restrictions.

(65) The Air Safety Committee heard presentations from the LCAA, Libyan Airlines and Afriqiyah on 21 November 2012. The LCAA stated clearly that unsafe operations would not be tolerated in Libya. They confirmed the details provided at the meeting of the 16 October, in particular that the investigation report on the Afriqiyah A330 accident would be published before February 2013, that the recertification process is planned to be completed in the case of Libyan Airlines and Afriqiyah by December 2012 and for the remaining air carriers by December 2013. They also informed that they would continue to take enforcement action where necessary to contain safety risks, as they did in the case of the temporary grounding of an A320.

(70) For air carriers that are subsequently permitted to operate into the EU, the Member States will verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier pursuant to Regulation (EU) No 965/2012. Should the results of such checks, or any other relevant safety information, indicate that international safety standards are not being met the Commission will be forced to take action under the auspices of Regulation (EC) No 2111/2005.

(66) Libyan Airlines informed its safety management processes had been improved as well as the training of its crew.

Air carriers from the Islamic Republic of Mauritania

(67) Afriqiyah informed the Air Safety Committee about its quality assurance system and the use of external training organisations. The air carrier also stated that, as a result of the A330 accident, the flight schedules were modified to reduce the risk of pilot fatigue, a pilot training programme on 'go-around' procedures was carried out and external expertise was brought in to assist in developing safety programmes. The air carrier also expressed the desire to operate to Spain, France, the United Kingdom, Italy, Germany and Austria, once the LCAA had lifted their current restrictions.

(71) Air carriers certified in Mauritania have been listed in Annex A since November 2010 ⁽¹⁾. The competent authorities of Mauritania (ANAC) have since then engaged in active consultations with the Commission with the view to update on progress made in the reform of the regulation of civil aviation and made numerous submissions in that respect. Two meetings were held with ANAC and Mauritania Airlines on 24 September and 10 October 2012. ANAC and Mauritania Airlines International were also heard by the Air Safety Committee on 21 November 2012.

(68) The Commission and Air Safety Committee were encouraged by the sound plan of the LCAA to address the safety deficiencies in their aviation system, the realistic timescales for actions, and the progress made to date. They noted that the LCAA would retain the current restrictions on each Libyan air carriers operations into the EU, Norway, Switzerland and Iceland until such

(72) ANAC informed that decisive actions were undertaken to reform the safety oversight system and that a number of achievement have already been obtained: in particular, the establishment of a new civil air code, the

⁽¹⁾ Recitals (43) to (51) of Regulation (EU) No 1071/2010 of 22 November 2010, OJ L 306, 23.11.2010, p. 49.

amendment of the civil aviation legislation to align it with the Annexes to the Chicago Convention, changes to the ANAC's management, structure and staffing and the establishment of a complete set of procedures for the certification and the continuous surveillance of air carriers.

(73) ANAC informed that they have taken effective enforcement actions. ANAC confirmed in particular that the AOC of Mauritania Airways expired on 15 December 2010 and was not renewed as the air carrier ceased its activity. ANAC also informed that the certificates and derogations held by the air carrier Class Aviation were revoked in January 2011.

(74) ICAO carried out two coordination and validations missions (ICVM) in Mauritania in April and September 2012 to validate the progress made by the State. The final reports stemming from these missions confirm that major progress has been achieved, with a 47 % improvement in the overall compliance with international safety standards. ICAO confirmed to the Commission on 1 October 2012 the exceptional progress made by ANAC. However, these missions also concluded on the need to continue the effective implementation of all corrective actions, notably with regard to the surveillance obligations and the resolution of identified safety concerns, where ICAO reports the lack of effective implementation of international safety standards reaches 51 % and 58 % respectively. ANAC indicated it intends to pursue its actions with determination to improve further the compliance with ICAO standards.

(75) In its consultations with ANAC, the Commission specifically assessed the robustness of the safety oversight of Mauritania Airlines International. Deficiencies had been identified in the initial certification of Mauritania Airlines International as its AOC was issued on 8 May 2011 without providing evidence that the non-compliance identified during the initial certification of the airline, in particular the RVSM (reduced vertical separation minima) authorisations, the lack of flight data monitoring and the lack of ground personnel, had been effectively rectified prior to the issuance of the AOC. However, ANAC and Mauritania Airlines International reported and provided evidence that all deficiencies were resolved on 25 October 2012. ANAC also stated and provided evidence that the air carrier is now subject to adequate continuous oversight in accordance with international safety standards.

(76) The Air Safety Committee welcomes the major progress reported by the competent authorities of Mauritania in the rectification of the deficiencies identified by ICAO and the resolution of the deficiencies identified in the initial certification of Mauritania Airlines International. Taking into account the effective enforcement actions decided and implemented by ANAC with regard to the other air carriers which are no longer in existence, on the basis of the common criteria, it is assessed that all air carriers certified in Mauritania should be removed from Annex A.

(77) ANAC stated and confirmed in writing that Mauritania Airlines International does not intend to resume flights to the EU in the short term, except to Las Palmas de Gran Canaria (Spain) and not before February 2013.

(78) The competent authorities of Spain indicated that they had provided technical assistance to ANAC and confirmed that they were satisfied with the flights resuming to Las Palmas de Gran Canaria.

(79) Member States will verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of air carriers licensed in Mauritania pursuant to Regulation (EU) No 965/2012.

(80) The Commission intends to carry out, with the assistance of EASA and the support of Member States, an on-site safety assessment visit to confirm the satisfactory implementation of the measures taken by ANAC.

(81) Should the results of ramp checks or any other relevant safety information indicate that international safety standards are not being met, the Commission will be forced to take actions under the auspices of Regulation (EC) No 2111/2005.

Air carriers from the Philippines

(82) Air carriers certified in the Philippines have been listed in Annex A since 31 March 2010 ⁽¹⁾. Consultations with the competent authorities of the Philippines (CAAP) have since then been pursued with the view to obtain updates on progress made in the reform of the regulation of civil aviation. Several submissions were made and a videoconference was held on 18 November 2012 between the Commission, assisted by EASA, and the CAAP.

(83) CAAP informed that ICAO carried out an on-site coordination and validation mission (ICVM) in October 2012, and gave a view on its preliminary results, which reveal a 7 % improvement in the overall compliance to ICAO standards. However, the Significant Safety Concern notified by ICAO to all Contracting Parties to the Chicago Convention with regard to the safety oversight of air operators would remain open and further safety concerns were raised by ICAO regarding the aircraft registry.

(84) CAAP confirmed that AviaTour Fly'In was involved in a second fatal accident on 18 August 2012, in addition to the fatal accident occurred on March 2012 ⁽²⁾. The CAAP did not respond adequately to requests for information by the Commission, failing in particular to provide

⁽¹⁾ Recitals (74) to (87) of Regulation (EU) No 273/2010 of 30 March 2010, OJ L 84, 31.3.2010, p. 32.

⁽²⁾ Recital (43) of Regulation (EU) No 295/2012 of 3 April 2012, OJ L 98, 4.4.2012, p. 17.

information on the validity of the AOC of this air carrier which, according to previous submissions, was due to expire on 14 August 2012, and on the on-going results of the accident investigations on both accidents.

- (85) Whilst the Commission had received information that the air carriers South West Air Corporation, Airgurus and Skyjet would have started commercial air transport, the CAAP did not respond adequately to requests for information by the Commission, failing in particular to provide the AOCs of these air carriers together with the complete operations specifications; the CAAP also failed to demonstrate that the certification and continuous oversight of these air carriers comply fully with the applicable international safety standards. Therefore, on the basis of the common criteria, it is assessed that these air carriers should be equally included in Annex A.
- (86) The Commission continues to support the reform of the civil aviation system undertaken by the competent authorities of the Philippines and invites these authorities to continue with determination their efforts towards the establishment of a civil aviation oversight system in compliance with international safety standards. To that end, it encourages these authorities to continue the implementation of the corrective action plan agreed with the FAA and ICAO, focusing in priority on the outstanding Significant Safety Concerns, the recertification of all operators under their responsibility and effective enforcement actions in case of safety concerns or violations of the applicable legislation. Once the FAA has modified its assessment of the Philippines compliance with international safety standards and all Significant Safety Concerns are closed to the satisfaction of ICAO, the Commission is ready to organise, with the assistance of the EASA and the support of Member States, an on-site assessment to verify the progress achieved and prepare a review of the case at the Air Safety Committee.

Jordan Aviation

- (87) The Commission, assisted by EASA, carried out a safety assessment visit to the Hashemite Kingdom of Jordan between 30 September and 4 October 2012 in order to verify the satisfactory implementation of the measures undertaken by the competent authorities for civil aviation (Civil Aviation Regulatory Commission — CARC) and the air carrier Jordan Aviation (PSC) to address the safety concerns described in Regulation (EC) No 1197/2011.
- (88) During the visit, CARC provided the assessment team with evidence of the effectiveness of its corrective and preventive action plan developed and implemented after the imposition of the EU operational restrictions on the air carrier Jordan Aviation. It also demonstrated that it was now capable of discharging its obligations under ICAO standards for the oversight of operators to whom it had issued an AOC. The assessment team reported a credible commitment by CARC to implement its corrective and preventive action plan, significant improvements achieved to date as well as its open, cooperative and constructive approach in addressing shortfalls identified in their procedures. While receiving confirmation that the existing procedures for oversight can guarantee that the air carriers undertake timely effective corrective actions in case safety deficiencies would be identified, the assessment team identified however areas for improvements, notably with regard to the procedure related to the approval of Minimum Equipment List (MEL) as well as the one related to the approval of the transport of dangerous goods.
- (89) Since November 2011 the air carrier Jordan Aviation was subject to heightened surveillance by CARC through an intensive focus on ramp inspections, en-route inspections, aircraft airworthiness reviews and Continuous Airworthiness Management Organisation reviews. Jordan Aviation was also assessed for compliance with Jordan Civil Aviation Regulations during an annual audit. The results of these audits pointed to a significant improvement in the field of the management of the continuing airworthiness. In addition, further to the request of the air operator to add a new type of aircraft (Airbus A330-200) to its fleet, CARC proceeded with an assessment of the ability of Jordan Aviation for the induction of a new aircraft type. The variation of the AOC was completed on 9 May 2012 and the Airbus A330-200 was added to Jordan Aviation AOC Operations Specifications.
- (90) During the visit the assessment team was provided with evidence of the effectiveness of the corrective and preventive action plan developed and implemented by Jordan Aviation. Whilst the air carrier was able to demonstrate that the system put in place for management of continuing airworthiness is now adequate to ensure the air carrier's aircraft remain airworthy, the team identified however areas for improvement, notably with regard to the procedures for the operation of a new route and the crew planning.
- (91) Following the request made by CARC and Jordan Aviation for the reassessment of the operating restrictions imposed by Regulation (EC) No 1197/2011 and considering that the conditions therefore were met, CARC and Jordan Aviation were invited to make presentations to the Air Safety Committee. The hearing took place on 21 November 2012. During the meeting CARC and Jordan Aviation also provided the details of the corrective action plan set up to address the observations made during the on-site visit.
- (92) The Air Safety Committee welcomed the improvements achieved by CARC and Jordan Aviation in the implementation of international safety standards and considered that further limitations of this air carrier are no longer necessary. Therefore, on the basis of the common criteria, it is assessed that Jordan Aviation should be removed from Annex B.

- (93) Member States will verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier pursuant to Regulation (EU) No 965/2012.

Air Madagascar

- (94) The air carrier Air Madagascar is subject to operational restrictions and is listed in Annex B pursuant to Regulation (EC) No 390/2011. Consultations with the competent authorities of Madagascar (ACM) and the Air Madagascar have since been pursued with the view to get updates on progress made in the implementation of corrective actions.
- (95) ICAO carried out a Coordinated Validation Mission (ICVM) from 21 to 25 May 2012 which confirmed some progress as the lack of effective implementation of ICAO standards was evaluated at 44,4 % down from 70,7 %. However the mission also concluded on the need to continue the effective implementation of all corrective actions, notably with regard to the provisions for the training and qualification of technical personnel, the surveillance obligations and the resolutions of safety concerns where respectively 67 %, 58 % and 86 % of ICAO standards were not effectively implemented.
- (96) ACM and the air carrier Air Madagascar requested to be heard by the Air Safety Committee and did so on 20 November 2012. They presented the progress made in the implementation of their respective action plans. ACM also informed they have entered into a two-year contract to obtain external technical assistance to support their safety oversight. The Air Safety Committee took note of the progress reported and welcomed the efforts made by ACM to improve its capacity to fulfil its obligations with regard to the ICAO requirements.
- (97) The Air Safety Committee encourages ACM to continue its efforts towards resolution of all non-compliance findings identified during the ICVM audit carried out by ICAO and especially in the field of the surveillance of the air operators certified in Madagascar. The Commission, assisted by the EASA and with the support of the Member States, is ready to carry out an assessment on site once the implementation of the action plans by ACM and Air Madagascar has sufficiently advanced.

Vim Avia from the Russian Federation

- (98) The Commission, assisted by the EASA and certain Member States, carried out a safety assessment visit to the Russian Federation from 4 to 8 June 2012 in order to verify the satisfactory implementation of the measures undertaken by the competent authorities of the Russian

Federation (FATA) and the air carrier VIM AVIA certified in the Russian Federation to address the safety concerns described in Commission Implementing Regulations (EC) No 1197/2011 ⁽¹⁾ and (EU) No 295/2012 ⁽²⁾. This safety assessment included visits to FATA headquarters as well as VIM AVIA headquarters, to the air carrier's maintenance facilities at Domodedovo airport and a ramp check of one aircraft of its fleet. The results of this assessment revealed that overall VIM AVIA has progressed with the establishment of a safety management system. With regard to VIM AVIA's corrective action plans, however, it appeared that three out of the 12 corrective actions could not be considered to be effectively implemented. VIM AVIA was invited to review and complete its action plan accordingly before resuming flights into the EU.

- (99) On 20 June 2012, FATA informed the Commission that the air carrier had been reauthorized, with effect from that date, to fly to and from the EU on grounds that it had successfully completed additional corrective actions related to these three areas.
- (100) The Commission, after reviewing the additional measures reported, expressed concerns that the company could have completed them effectively in such a short time. The attention of the Russian competent authorities was also drawn to the unsatisfactory results of a ramp inspection carried out in Spain on 26 June 2012 ⁽³⁾, which pointed to deficiencies in VIM AVIA's continuous airworthiness and maintenance departments. The Russian competent authorities were also invited to provide information on a serious incident occurred to VIM AVIA on 24 June 2012.
- (101) In view of the above, the Commission, EASA and certain Members of the Air Safety Committee held a meeting on 19 October 2012 with the Russian competent authorities and VIM AVIA. VIM AVIA reported that corrective measures had been undertaken and closed with regard to all open issues identified in the final report of the safety assessment mission in Russia carried out in June 2012 and provided evidence for closure actions after the meeting. FATA informed that two investigations had been opened following a serious incident occurred to VIM AVIA on 24 June 2012 and provided a summary of their conclusions.
- (102) Spain confirmed to the Air Safety Committee that all findings of the later ramp inspections performed in Spain to VIM AVIA had been closed. Spain also informed about a meeting held in Madrid with VIM AVIA representatives and noted the cooperative attitude of this company.

⁽¹⁾ OJ L 303, 22.11.2011, p. 14.

⁽²⁾ OJ L 98, 4.4.2012, p. 13.

⁽³⁾ No AESA-E-2012-392

- (103) Member States will verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of this carrier at European airports. Should the results of these ramp inspections show a repetition of safety concerns regarding the operations of VIM AVIA, the Commission will be compelled to take action under in the framework of Regulation (EC) No 2111/2005.

Air carriers from Rwanda

- (104) On 9 May 2012 the Competent Authorities of Rwanda wrote to the Commission and provided evidence that Silverback Cargo Freighters' AOC had been revoked on 30 October 2009. Therefore, on the basis of the common criteria, it is assessed that Silverback Cargo Freighters should be removed from Annex A.
- (105) The Commission and the Air Safety Committee notes, however, that Rwanda remains subject to a Significant Safety Concern issued following the ICAO USOAP audit in 2007 and notified by ICAO to all States Party to the Chicago Convention. The Commission therefore encourages the competent authorities of Rwanda to

continue their efforts in addressing the safety issues and will continue to closely monitor the aviation safety situation in Rwanda to ensure that any remaining safety concern is effectively addressed.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 474/2006 is amended as follows:

1. Annex A is replaced by the text set out in Annex A to this Regulation.
2. Annex B is replaced by the text set out in Annex B to this Regulation.

Article 2

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

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

Done at Brussels, 3 December 2012.

*For the Commission,
On behalf of the President,
Joaquín ALMUNIA
Vice-President*

ANNEX

‘ANNEX A

LIST OF AIR CARRIERS OF WHICH ALL OPERATIONS ARE SUBJECT TO A BAN WITHIN THE EU ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
BLUE WING AIRLINES	SRBWA-01/2002	BWI	Suriname
CONSORCIO VENEZOLANO DE INDUSTRIAS AERONAUTICAS Y SERVICIOS AEREOS, S.A. “CONVIASA”	VCV-DB-10	VCV	Bolivarian Republic of Venezuela
MERIDIAN AIRWAYS LTD	AOC 023	MAG	Republic of Ghana
All air carriers certified by the authorities with responsibility for regulatory oversight of Afghanistan, including			Islamic Republic of Afghanistan
ARIANA AFGHAN AIRLINES	AOC 009	AFG	Islamic Republic of Afghanistan
KAM AIR	AOC 001	KMF	Islamic Republic of Afghanistan
PAMIR AIRLINES	Unknown	PIR	Islamic Republic of Afghanistan
SAFI AIRWAYS	AOC 181	SFW	Islamic Republic of Afghanistan
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines put in Annex B, including			Republic of Angola
AEROJET	AO 008-01/11	Unknown	Republic of Angola
AIR26	AO 003-01/11-DCD	DCD	Republic of Angola
Air Gicango	009	Unknown	Republic of Angola
AIR JET	AO 006-01/11-MBC	MBC	Republic of Angola
AIR NAVE	017	Unknown	Republic of Angola
ANGOLA AIR SERVICES	006	Unknown	Republic of Angola
Diexim	007	Unknown	Republic of Angola
FLY540	AO 004-01 FLYA	Unknown	Republic of Angola
GIRA GLOBO	008	GGL	Republic of Angola

⁽¹⁾ Air carriers listed in Annex A could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
HELIANG	010	Unknown	Republic of Angola
HELIMALONGO	AO 005-01/11	Unknown	Republic of Angola
MAVEWA	016	Unknown	Republic of Angola
SONAIR	AO 002-01/10-SOR	SOR	Republic of Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Benin, including			Republic of Benin
AERO BENIN	PEA No 014/MDCTTTATP-PR/ANAC/DEA/SCS	AEB	Republic of Benin
AFRICA AIRWAYS	Unknown	AFF	Republic of Benin
ALAFIA JET	PEA No 014/ANAC/MDCTTTATP-PR/DEA/SCS	N/A	Republic of Benin
BENIN GOLF AIR	PEA No 012/MDCTTP-PR/ANAC/DEA/SCS.	BGL	Republic of Benin
BENIN LITTORAL AIRWAYS	PEA No 013/MDCTTTATP-PR/ANAC/DEA/SCS.	LTL	Republic of Benin
COTAIR	PEA No 015/MDCTTTATP-PR/ANAC/DEA/SCS.	COB	Republic of Benin
ROYAL AIR	PEA No 11/ANAC/MDCTTP-PR/DEA/SCS	BNR	Republic of Benin
TRANS AIR BENIN	PEA No 016/MDCTTTATP-PR/ANAC/DEA/SCS	TNB	Republic of Benin
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Congo, including			Republic of Congo
AERO SERVICE	RAC06-002	RSR	Republic of Congo
CANADIAN AIRWAYS CONGO	RAC06-012	Unknown	Republic of Congo
EMERAUDE	RAC06-008	Unknown	Republic of Congo
EQUAFLIGHT SERVICES	RAC 06-003	EKA	Republic of Congo
EQUAJET	RAC06-007	Unknown	Republic of Congo
EQUATORIAL CONGO AIRLINES S.A.	RAC 06-014	Unknown	Republic of Congo
MISTRAL AVIATION	RAC06-011	Unknown	Republic of Congo

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
TRANS AIR CONGO	RAC 06-001	Unknown	Republic of Congo
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (DRC), including			Democratic Republic of Congo (RDC)
AFRICAN AIR SERVICE COMMUTER	104/CAB/MIN/TVC/2012	Unknown	Democratic Republic of Congo (RDC)
AIR FAST CONGO	409/CAB/MIN/TVC/0039/2010	Unknown	Democratic Republic of Congo (RDC)
AIR KASAI	409/CAB/MIN/TVC/0053/2010	Unknown	Democratic Republic of Congo (RDC)
AIR KATANGA	409/CAB/MIN/TVC/0056/2010	Unknown	Democratic Republic of Congo (RDC)
AIR TROPIQUES	409/CAB/MIN/TVC/00625/2010	Unknown	Democratic Republic of Congo (RDC)
BLUE AIRLINES	106/CAB/MIN/TVC/2012	BUL	Democratic Republic of Congo (RDC)
BRAVO AIR CONGO	409/CAB/MIN/TC/0090/2006	BRV	Democratic Republic of Congo (RDC)
BUSINESS AVIATION	409/CAB/MIN/TVC/048/09	ABB	Democratic Republic of Congo (RDC)
BUSY BEE CONGO	409/CAB/MIN/TVC/0064/2010	Unknown	Democratic Republic of Congo (RDC)
CETRACA AVIATION SERVICE	105/CAB/MIN/TVC/2012	CER	Democratic Republic of Congo (RDC)
CHC STELLAVIA	409/CAB/MIN/TC/0050/2006	Unknown	Democratic Republic of Congo (RDC)
CONGO EXPRESS	409/CAB/MIN/TVC/083/2009	EXY	Democratic Republic of Congo (RDC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	409/CAB/MIN/TVC/0050/2010	CAA	Democratic Republic of Congo (RDC)
DOREN AIR CONGO	102/CAB/MIN/TVC/2012	Unknown	Democratic Republic of Congo (RDC)
ENTREPRISE WORLD AIRWAYS (EWA)	409/CAB/MIN/TVC/003/08	EWS	Democratic Republic of Congo (RDC)
FilaIR	409/CAB/MIN/TVC/037/08	FIL	Democratic Republic of Congo (RDC)
FLY CONGO	409/CAB/MIN/TVC/0126/2012	Unknown	Democratic Republic of Congo (RDC)
GALAXY KAVATSI	409/CAB/MIN/TVC/027/08	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
GILEMBE AIR SOUTENANCE (GISAIR)	409/CAB/MIN/TVC/053/09	Unknown	Democratic Republic of Congo (RDC)
GOMA EXPRESS	409/CAB/MIN/TC/0051/2011	Unknown	Democratic Republic of Congo (RDC)
GOMAIR	409/CAB/MIN/TVC/011/2011	Unknown	Democratic Republic of Congo (RDC)
HEWA BORA AIRWAYS (HBA)	409/CAB/MIN/TVC/038/08	ALX	Democratic Republic of Congo (RDC)
International Trans Air Business (ITAB)	409/CAB/MIN/TVC/0065/2010	Unknown	Democratic Republic of Congo (RDC)
JET CONGO AIRWAYS	Unknown	Unknown	Democratic Republic of Congo (RDC)
KATANGA EXPRESS	409/CAB/MIN/TVC/0083/2010	Unknown	Democratic Republic of Congo (RDC)
KATANGA WINGS	409/CAB/MIN/TVC/0092/2011	Unknown	Democratic Republic of Congo (RDC)
KIN AVIA	409/CAB/MIN/TVC/0059/2010	Unknown	Democratic Republic of Congo (RDC)
KORONGO AIRLINES	409/CAB/MIN/TVC/001/2011	Unknown	Democratic Republic of Congo (RDC)
Lignes Aériennes Congolaises (LAC)	Ministerial signature (ordonnance No 78/205)	LCG	Democratic Republic of Congo (RDC)
MALU AVIATION	098/CAB/MIN/TVC/2012	Unknown	Democratic Republic of Congo (RDC)
MANGO AIRLINES	409/CAB/MIN/TVC/009/2011	Unknown	Democratic Republic of Congo (RDC)
MANGO AVIATION	409/CAB/MIN/TVC/034/08	Unknown	Democratic Republic of Congo (RDC)
SAFE AIR COMPANY	409/CAB/MIN/TVC/025/08	Unknown	Democratic Republic of Congo (RDC)
SERVICES AIR	103/CAB/MIN/TVC/2012	Unknown	Democratic Republic of Congo (RDC)
STELLAR AIRWAYS	AAC/DG/DTA/TM/787/2011	Unknown	Democratic Republic of Congo (RDC)
SWALA AVIATION	409/CAB/MIN/TVC/0084/2010	Unknown	Democratic Republic of Congo (RDC)
TMK AIR COMMUTER	409/CAB/MIN/TVC/044/09	Unknown	Democratic Republic of Congo (RDC)
TRACEP CONGO/TRACEP CONGO AVIATION	409/CAB/MIN/TVC/0085/2010	Unknown	Democratic Republic of Congo (RDC)

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
TRANS AIR CARGO SERVICES	409/CAB/MIN/TVC/ 073/2011	Unknown	Democratic Republic of Congo (RDC)
WILL AIRLIFT	409/CAB/MIN/TVC/ 0247/2011	Unknown	Democratic Republic of Congo (RDC)
WIMBI DIRA AIRWAYS	409/CAB/MIN/TVC/ 039/08	WDA	Democratic Republic of Congo (RDC)
ZAABU INTERNATIONAL	409/CAB/MIN/TVC/ 049/09	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Djibouti, including			Djibouti
DAALLO AIRLINES	Unknown	DAO	Djibouti
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including			Equatorial Guinea
Cronos AIRLINES	2011/0004/MTTCT/ DGAC/SOPS	Unknown	Equatorial Guinea
CEIBA INTERCONTINENTAL	2011/0001/MTTCT/ DGAC/SOPS	CEL	Equatorial Guinea
Punto Azul	2012/0006/MTTCT/ DGAC/SOPS	Unknown	Equatorial Guinea
TANGO AIRWAYS	Unknown	Unknown	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Eritrea, including			Eritrea
ERITREAN AIRLINES	AOC No 004	ERT	Eritrea
NASAIR ERITREA	AOC No 005	NAS	Eritrea
All air carriers certified by the authorities with responsibility for regulatory oversight of Indonesia, with the exception of Garuda Indonesia, Airfast Indonesia, Mandala Airlines, EkspresTransportasiAntarbenua, Indonesia Air Asia and Metro Batavia, including			Republic of Indonesia
AIR BORN INDONESIA	135-055	Unknown	Republic of Indonesia
AIR PACIFIC UTAMA	135-020	Unknown	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
ALFA TRANS DIRGANTATA	135-012	Unknown	Republic of Indonesia
ANGKASA SUPER SERVICES	135-050	Unknown	Republic of Indonesia
ASCO NUSA AIR	135-022	Unknown	Republic of Indonesia
ASI PUDJIASTUTI	135-028	Unknown	Republic of Indonesia
AVIASTAR MANDIRI	135-029	Unknown	Republic of Indonesia
CITILINK INDONESIA	121-046	Unknown	Republic of Indonesia
DABI AIR NUSANTARA	135-030	Unknown	Republic of Indonesia
DERAYA AIR TAXI	135-013	DRY	Republic of Indonesia
DERAZONA AIR SERVICE	135-010	DRZ	Republic of Indonesia
DIRGANTARA AIR SERVICE	135-014	DIR	Republic of Indonesia
EASTINDO	135-038	Unknown	Republic of Indonesia
Enggang Air Service	135-045'	Unknown	Republic of Indonesia
Ersa Eastern Aviation	135-047	Unknown	Republic of Indonesia
GATARI AIR SERVICE	135-018	GHS	Republic of Indonesia
HEAVY LIFT	135-042	Unknown	Republic of Indonesia
INDONESIA AIR TRANSPORT	121-034	IDA	Republic of Indonesia
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Republic of Indonesia
JAYAWIJAYA DIRGANTARA	121-044	Unknown	Republic of Indonesia
JOHNLIN AIR TRANSPORT	135-043	Unknown	Republic of Indonesia
KAL STAR	121-037	KLS	Republic of Indonesia
KARTIKA AIRLINES	121-003	KAE	Republic of Indonesia
KURA-KURA AVIATION	135-016	KUR	Republic of Indonesia
LION MENTARI AIRLINES	121-010	LNI	Republic of Indonesia
MANUNGAL AIR SERVICE	121-020	Unknown	Republic of Indonesia
Matthew Air Nusantara	135-048	Unknown	Republic of Indonesia
MERPATI NUSANTARA AIRLINES	121-002	MNA	Republic of Indonesia
MIMIKA AIR	135-007	Unknown	Republic of Indonesia
NATIONAL UTILITY HELICOPTER	135-011	Unknown	Republic of Indonesia

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
NUSANTARA AIR CHARTER	121-022	Unknown	Republic of Indonesia
NUSANTARA BUANA AIR	135-041	Unknown	Republic of Indonesia
PACIFIC ROYALE AIRWAYS	121-045	Unknown	Republic of Indonesia
PEGASUS AIR SERVICES	135-036	Unknown	Republic of Indonesia
PELITA AIR SERVICE	121-008	PAS	Republic of Indonesia
PENERBANGAN ANGKASA SEMESTA	135-026	Unknown	Republic of Indonesia
PURA WISATA BARUNA	135-025	Unknown	Republic of Indonesia
RIAU AIRLINES	121-016	RIU	Republic of Indonesia
SAYAP GARUDA INDAH	135-004	Unknown	Republic of Indonesia
SKY AVIATION	135-044	Unknown	Republic of Indonesia
SMAC	135-015	SMC	Republic of Indonesia
SRIWIJAYA AIR	121-035	SJY	Republic of Indonesia
SURVEI UDARA PENAS	135-006	Unknown	Republic of Indonesia
SURYA AIR	135-046	Unknown	Republic of Indonesia
TransNusa Aviation Mandiri	121-048	Unknown	Republic of Indonesia
TRANSWISATA PRIMA AVIATION	135-021	Unknown	Republic of Indonesia
TRAVEL EXPRESS AVIATION SERVICE	121-038	XAR	Republic of Indonesia
TRAVIRA UTAMA	135-009	Unknown	Republic of Indonesia
TRI MG INTRA ASIA AIRLINES	121-018	TMG	Republic of Indonesia
TRIGANA AIR SERVICE	121-006	TGN	Republic of Indonesia
UNINDO	135-040	Unknown	Republic of Indonesia
WING ABADI AIRLINES	121-012	WON	Republic of Indonesia
All air carriers certified by the authorities with responsibility for regulatory oversight of Kazakhstan, with the exception of Air Astana, including			Republic of Kazakhstan
AIR ALMATY	AK-0453-11	LMY	Republic of Kazakhstan
AIR TRUST AIRCOMPANY	AK-0455-12	RTR	Republic of Kazakhstan
ASIA CONTINENTAL Airlines	AK-0317-12	CID	Republic of Kazakhstan

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
ATMA AIRLINES	AK-0437-10	AMA	Republic of Kazakhstan
AVIA-JAYNAR/avia-zhaynar	AK-067-12	SAP	Republic of Kazakhstan
BEYBARS AIRCOMPANY	AK-0442-11	BBS	Republic of Kazakhstan
BEK AIR	AK-0463-12	BEK	Republic of Kazakhstan
BURUNDAYAVIA AIRLINES	AK-0456-12	BRY	Republic of Kazakhstan
COMLUX-KZ	AK-0449-11	KAZ	Republic of Kazakhstan
DETA AIR	AK-0458-12	DET	Republic of Kazakhstan
EAST WING	AK-0465-12	EWZ	Republic of Kazakhstan
LUK AERO (FORMER EASTERN EXPRESS)	AK-0464-12	LIS	Republic of Kazakhstan
EURO-ASIA AIR	AK-0441-11	EAK	Republic of Kazakhstan
EURO-ASIA AIR INTERNATIONAL	AK-0445-11	KZE	Republic of Kazakhstan
FLY JET KZ	AK-0446-11	FJK	Republic of Kazakhstan
INVESTAVIA	AK-0447-11	TLG	Republic of Kazakhstan
IRTYSH AIR	AK-0439-11	MZA	Republic of Kazakhstan
JET AIRLINES	AK-0459-12	SOZ	Republic of Kazakhstan
JET ONE	AK-0468-12	JKZ	Republic of Kazakhstan
KAZAIR JET	AK-0442-11	KEJ	Republic of Kazakhstan
KAZAIRTRANS AIRLINE	AK-0466-12	KUY	Republic of Kazakhstan
KAZAVIASPAS	AK-0452-11	KZS	Republic of Kazakhstan
MEGA Airlines	AK-0462-12	MGK	Republic of Kazakhstan
Prime aviation	AK-0448-11	PKZ	Republic of Kazakhstan
SAMAL AIR	AK-0454-12	SAV	Republic of Kazakhstan
SEMEYAVIA	AK-450-11	SMK	Republic of Kazakhstan
SCAT	AK-0460-12	VSV	Republic of Kazakhstan
ZHETYSU AIRCOMPANY	AK-0438-11	JTU	Republic of Kazakhstan
All air carriers certified by the authorities with responsibility for regulatory oversight of the Kyrgyz Republic, including			Kyrgyz Republic

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
AIR MANAS	17	MBB	Kyrgyz Republic
Avia Traffic Company	23	AVJ	Kyrgyz Republic
CENTRAL ASIAN AVIATION SERVICES (CAAS)	13	CBK	Kyrgyz Republic
Click Airways	11	CGK	Kyrgyz Republic
STATE AVIATION ENTERPRISE UNDER THE MINISTRY OF EMERGENCY SITUATIONS (SAEMES)	20	DAM	Kyrgyz Republic
AIR BISHKEK (FORMERLY EASTOK AVIA)	15	EEA	Kyrgyz Republic
KYRGYZ TRANS AVIA	31	KTC	Kyrgyz Republic
Kyrgyzstan	03	LYN	Kyrgyz Republic
MANAS AIRWAYS	42	BAM	Kyrgyz Republic
S GROUP AVIATION	6	SGL	Kyrgyz Republic
SKY KG AIRLINES	41	KGK	Kyrgyz Republic
Sky Way air	39	SAB	Kyrgyz Republic
SUPREME AVIATION	40	SGK	Kyrgyz Republic
VALOR AIR	07	VAC	Kyrgyz Republic
All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia.			Liberia
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Gabon, with the exception of Gabon Airlines, Afrijet and SN2AG put in Annex B, including			Republic of Gabon
AFRIC AVIATION	010/MTAC/ANAC-G/DSA	Unknown	Republic of Gabon
AIR SERVICES SA	004/MTAC/ANAC-G/DSA	RVS	Republic of Gabon
AIR TOURIST (ALLEGIANCE)	007/MTAC/ANAC-G/DSA	LGE	Republic of Gabon
NATIONALE ET REGIONALE TRANSPORT (NATIONALE)	008/MTAC/ANAC-G/DSA	NRG	Republic of Gabon
SCD AVIATION	005/MTAC/ANAC-G/DSA	SCY	Republic of Gabon

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
SKY GABON	009/MTAC/ANAC-G/DSA	SKG	Republic of Gabon
SOLENTA AVIATION GABON	006/MTAC/ANAC-G/DSA	Unknown	Republic of Gabon
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Mozambique, including			Republic of Mozambique
Aero-Servicos sarl	MOZ-08	Unknown	Republic of Mozambique
Aerovisao de Mozambique	Unknown	Unknown	Republic of Mozambique
CFA Mozambique	MOZ-10	Unknown	Republic of Mozambique
CFM-Transportes e trabalho aereo sA	MOZ-07	Unknown	Republic of Mozambique
Emilio Air Charter lda	MOZ-05	Unknown	Republic of Mozambique
ETA Air Charter LDA	MOZ-04	Unknown	Republic of Mozambique
Helicopteros Capital	MOZ-11	Unknown	Republic of Mozambique
KAYA AIRLINES	MOZ-09	Unknown	Republic of Mozambique
Mozambique Airlines (linhas aereas de moçambique)	MOZ-01	LAM	Republic of Mozambique
Mozambique Express/MEX	MOZ-02	MXE	Republic of Mozambique
Unique Air Charter	MOZ-13	Unknown	Republic of Mozambique
Safari Air	MOZ-12	Unknown	Republic of Mozambique
VR Cropsprayers lda	MOZ-06	Unknown	Republic of Mozambique
All air carriers certified by the authorities with responsibility for regulatory oversight of the Philippines, including			Republic of the Philippines
AEROEQUIPEMENT AVIATION	Unknown	Unknown	Republic of the Philippines
AEROMAJESTIC	Unknown	Unknown	Republic of the Philippines
Aerowurks Aerial Spraying Services	2010030	Unknown	Republic of the Philippines
AIR ASIA PHILIPPINES	Unknown	Unknown	Republic of the Philippines
AIRGURUS	Unknown	Unknown	Republic of the Philippines
Air Philippines Corporation	2009006	GAP	Republic of the Philippines
AIR WOLF AVIATION INC.	200911	Unknown	Republic of the Philippines
Airtrack Agricultural Corporation	2010027	Unknown	Republic of the Philippines

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
Asia Aircraft Overseas Philippines Inc.	4AN9800036	Unknown	Republic of the Philippines
Aviation Technology Innovators, Inc.	4AN2007005	Unknown	Republic of the Philippines
AVIATOUR'S FLY'N INC.	200910	Unknown	Republic of the Philippines
AYALA aviation corp.	4AN9900003	Unknown	Republic of the Philippines
Beacon	Unknown	Unknown	Republic of the Philippines
BENDICE transport management inc.	4AN2008006	Unknown	Republic of the Philippines
Canadian helicopters philippines inc.	4AN9800025	Unknown	Republic of the Philippines
Cebu Pacific Air	2009002	CEB	Republic of the Philippines
CERTEZA INFOSYSTEMS CORP.	2011040	Unknown	Republic of the Philippines
Chemtrad Aviation Corporation	2009018	Unknown	Republic of the Philippines
CM aero SERVICES	20110401	Unknown	Republic of the Philippines
Corporate Air	Unknown	Unknown	Republic of the Philippines
Cyclone airways	4AN9900008	Unknown	Republic of the Philippines
Far East Aviation Services	2009013	Unknown	Republic of the Philippines
F.F. Cruz and Company, Inc.	2009017	Unknown	Republic of the Philippines
Huma Corporation	2009014	Unknown	Republic of the Philippines
Inaec Aviation Corp.	4AN2002004	Unknown	Republic of the Philippines
INTERISLAND AIRLINES	2010023	Unknown	Republic of the Philippines
Island Aviation	2009009	SOY	Republic of the Philippines
Island HELICOPTER SERVICES	2011043	SOY	Republic of the Philippines
ISLAND TRANSVOYAGER	2010022	Unknown	Republic of the Philippines
Lion Air, Incorporated	2009019	Unknown	Republic of the Philippines
Macro asia air taxi services	2010029	Unknown	Republic of the Philippines
MID-SEA EXPRESS		Unknown	Republic of the Philippines
Mindanao Rainbow Agricultural Development Services	2009016	Unknown	Republic of the Philippines
MISIBIS AVIATION & DEVELOPMENT CORP	2010020	Unknown	Republic of the Philippines
NORTHSKY AIR INC.	2011042	Unknown	Republic of the Philippines

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
Omni aviation corp.	2010033	Unknown	Republic of the Philippines
Pacific East Asia Cargo Airlines, Inc.	4AS9800006	PEC	Republic of the Philippines
Pacific Airways Corporation	4AN9700007	Unknown	Republic of the Philippines
Pacific Alliance Corporation	4AN2006001	Unknown	Republic of the Philippines
Philippine Airlines	2009001	PAL	Republic of the Philippines
Philippine Agricultural aviation corp.	4AN9800015	Unknown	Republic of the Philippines
Royal air charter services Inc.	2010024	Unknown	Republic of the Philippines
Royal Star Aviation, Inc.	2010021	Unknown	Republic of the Philippines
SKYJET	Unknown	Unknown	Republic of the Philippines
SOUTH EAST ASIA AIRLINE INC. (SEAIR)	2009 004	Unknown	Republic of the Philippines
SOUTHERN AIR FLIGHT SERVICES	2011045	Unknown	Republic of the Philippines
Southstar aviation company, inc.	4AN9800037	Unknown	Republic of the Philippines
SOUTHWEST AIR CORPORATION	Unknown	Unknown	Republic of the Philippines
Spirit of Manila Airlines Corporation	2009008	MNP	Republic of the Philippines
Subic international air charter	4AN9900010	Unknown	Republic of the Philippines
Subic seaplane, inc.	4AN2000002	Unknown	Republic of the Philippines
Topflite airways, inc.	4AN9900012	Unknown	Republic of the Philippines
Transglobal Airways Corporation	2009007	TCU	Republic of the Philippines
World aviation, corp.	Unknown	Unknown	Republic of the Philippines
WcC Aviation Company	2009015	Unknown	Republic of the Philippines
YOkota aviation, inc.	Unknown	Unknown	Republic of the Philippines
Zenith Air, Inc.	2009012	Unknown	Republic of the Philippines
Zest Airways Incorporated	2009003	RIT	Republic of the Philippines
All air carriers certified by the authorities with responsibility for regulatory oversight of Sao Tome and Principe, including			Sao Tome and Principe
AFRICA CONNECTION	10/AOC/2008	Unknown	Sao Tome and Principe

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
BRITISH GULF INTERNATIONAL COMPANY LTD	01/AOC/2007	BGI	Sao Tome and Principe
EXECUTIVE JET SERVICES	03/AOC/2006	EJZ	Sao Tome and Principe
GLOBAL AVIATION OPERATION	04/AOC/2006	Unknown	Sao Tome and Principe
GOLIAF AIR	05/AOC/2001	GLE	Sao Tome and Principe
ISLAND OIL EXPLORATION	01/AOC/2008	Unknown	Sao Tome and Principe
STP AIRWAYS	03/AOC/2006	STP	Sao Tome and Principe
TRANSAFRIK INTERNATIONAL LTD	02/AOC/2002	TFK	Sao Tome and Principe
TRANSCARG	01/AOC/2009	Unknown	Sao Tome and Principe
TRANSLIZ AVIATION (TMS)	02/AOC/2007	TMS	Sao Tome and Principe
All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone, including			Sierra Leone
AIR RUM, Ltd	Unknown	RUM	Sierra Leone
DESTINY AIR SERVICES, Ltd	Unknown	DTY	Sierra Leone
HEAVYLIFT CARGO	Unknown	Unknown	Sierra Leone
ORANGE AIR SIERRA LEONE LTD	Unknown	ORJ	Sierra Leone
PARAMOUNT AIRLINES, Ltd	Unknown	PRR	Sierra Leone
SEVEN FOUR EIGHT AIR SERVICES LTD	Unknown	SVT	Sierra Leone
TEEBAH AIRWAYS	Unknown	Unknown	Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Sudan, including			Republic of Sudan
ALFA AIRLINES	054	AAJ	Republic of the Sudan
ALMAJAL AVIATION SERVICE	015	MGG	Republic of the Sudan
ALMAJARA AVIATION	Unknown	MJA	Republic of the Sudan

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO airline designation number	State of the Operator
ATTICO AIRLINES (TRANS ATTICO)	023	ETC	Republic of the Sudan
AZZA TRANSPORT COMPANY	012	AZZ	Republic of the Sudan
BADER AIRLINES	035	BDR	Republic of the Sudan
FOURTY EIGHT AVIATION	054	WHB	Republic of the Sudan
GREEN FLAG AVIATION	017	Unkown	Republic of the Sudan
MARSLAND COMPANY	040	MSL	Republic of the Sudan
NOVA AIRLINES	001	NOV	Republic of the Sudan
Sudan Airways	Unknown	SUD	Republic of the Sudan
SUDANESE STATES AVIATION COMPANY	010	SNV	Republic of the Sudan
SUN AIR COMPANY	051	SNR	Republic of the Sudan
TARCO AIRLINES	056	Unknown	Republic of the Sudan
All air carriers certified by the authorities with responsibility for regulatory oversight of Swaziland, including			Swaziland
SWAZILAND AIRLINK	Unknown	SZL	Swaziland
All air carriers certified by the authorities with responsibility for regulatory oversight of Zambia, including			Zambia
ZAMBEZI AIRLINES	Z/AOC/001/2009	ZMA	Zambia

ANNEX B

LIST OF AIR CARRIERS OF WHICH OPERATIONS ARE SUBJECT TO OPERATIONAL RESTRICTIONS
WITHIN THE EU ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s)	State of registry
AIR KORYO	GAC-AOC/KOR-01	KOR	DPRK	All fleet with the exception of: 2 aircraft of type TU- 204	All fleet with the exception of: P-632, P-633	DPRK
AFRIJET ⁽¹⁾	002/MTAC/ANAC-G/DSA	ABS	Republic of Gabon	All fleet with the exception of: 2 aircraft of type Falcon 50, 2 aircraft of type Falcon 900	All fleet with the exception of: TR-LGV; TR-LGY; TR-AFJ; TR-AFR	Republic of Gabon
AIR ASTANA ⁽²⁾	AK-0443-11	KZR	Kazakhstan	All fleet with the exception of: aircraft of type B-767, aircraft of type B-757, aircraft of type A319/320/321, aircraft of type Fokker 50	All fleet with the exception of: aircraft within the B-767 fleet, as mentioned on the AOC, aircraft within the B-757 fleet, aircraft within the A319/320/321 fleet, as mentioned on the AOC aircraft within the Fokker 50 fleet, as mentioned on the AOC	Aruba (Kingdom of the Netherlands)
AIRLIFT INTERNATIONAL (GH) Ltd	AOC 017	ALE	Republic of Ghana	All fleet with the exception of: 2 aircraft of type DC8-63F	All fleet with the exception of: 9G-TOP and 9G-RAC	Republic of Ghana
AIR MADAGASCAR	5R-M01/2009	MDG	Madagascar	All fleet with the exception of: 2 aircraft of type Boeing B-737-300, 2 aircraft of type ATR 72-500, 1 aircraft of type ATR 42-500, 1 aircraft of type ATR 42-320 and 3 aircraft of type DHC 6-300	All fleet with the exception of: 5R-MFH, 5R-MFI, 5R-MJE, 5R-MJF, 5R-MJG, 5R-MVT, 5R-MGC, 5R-MGD, 5R-MGF	Republic of Madagascar
Air Service Comores	06-819/TA-15/DGACM	KMD	Comoros	All fleet with the exception of: LET 410 UVP	All fleet with the exception of: D6-CAM (851336)	Comoros
GABON AIRLINES ⁽³⁾	001/MTAC/ANAC	GBK	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Boeing B-767-200	All fleet with the exception of: TR-LHP	Republic of Gabon

⁽¹⁾ Air carriers listed in Annex B could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number	ICAO airline designation number	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s)	State of registry
IRAN AIR ⁽⁴⁾	FS100	IRA	Islamic Republic of Iran	All fleet with the exception of: 14 aircraft of type A-300, 8 aircraft of type A-310, 1 aircraft B-737	All fleet with the exception of: EP-IBA EP-IBB EP-IBC EP-IBD EP-IBG EP-IBH EP-IBI EP-IBJ EP-IBM EP-IBN EP-IBO EP-IBS EP-IBT EP-IBV EP-IBX EP-IBZ EP-ICE EP-ICF EP-IBK EP-IBL EP-IBP EP-IBQ EP-AGA	Islamic Republic of Iran
NOUVELLE AIR AFFAIRES GABON (SN2AG)	003/MTAC/ANAC-G/DSA	NVS	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Challenger CL-601, 1 aircraft of type HS-125-800	All fleet with the exception of: TR-AAG, ZS-AFG	Republic of Gabon; Republic of South Africa
TAAG ANGOLA AIRLINES	001	DTA	Republic of Angola	All fleet with the exception of: 5 aircraft of type Boeing B-777 and 4 aircraft of type Boeing B-737-700	All fleet with the exception of: D2-TED, D2-TEE, D2-TEF, D2-TEG, D2-TEH, D2-TBF, D2-TBG, D2-TBH, D2-TBJ	Republic of Angola

⁽¹⁾ Afrijet is only allowed to use the specific aircraft mentioned for its current operations within the European Union.

⁽²⁾ Air Astana is only allowed for their current operations within the EU to use the specific aircraft types listed above, provided (1) they are registered in Aruba and (2) all changes to the AOC are timely submitted to the Commission and to Eurocontrol.

⁽³⁾ Gabon Airlines is only allowed to use the specific aircraft mentioned for its current operations within the European Community.

⁽⁴⁾ Iran Air is allowed to operate to the European Union using the specific aircraft under the conditions set out in recital (69) Regulation (EU) No 590/2010, OJ L 170, 6.7.2010, p. 15.

COMMISSION REGULATION (EU) No 1147/2012**of 4 December 2012****amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of beeswax (E 901), carnauba wax (E 903), shellac (E 904) and microcrystalline wax (E 905) on certain fruits****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Article 10(3) and Article 30(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) That list may be amended in accordance with the procedure referred to in Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1331/2008, the Union list of food additives may be updated either on the initiative of the Commission or following an application.
- (4) The Commission has received several applications for the authorisation of use of beeswax (E 901) on peppers, tomatoes, cucumbers, bananas, mangos and avocados, on pomegranates and on all fruits, the use of carnauba wax (E 903) and shellac (E 904) on pomegranates and on mangoes, avocados and papayas and the use of microcrystalline wax (E 905) on pineapples. These applications have been made available to the Member States.
- (5) Beeswax (E 901), carnauba wax (E 903), shellac (E 904) and microcrystalline wax (E 905) have been requested for use as glazing agent for surface treatment on these fruits or these fruit-like vegetables in order to allow a better preservation. The treatment protects the fruits against dehydration and oxidation and has a growth inhibiting effect against moulds and certain micro-organisms. There is a technological need in particular for fruits that are mainly imported from countries with a tropical climate. These fruits need also to be protected during long transports.
- (6) These food additives are intended to be used for the external treatment and are not expected to migrate into the internal edible part of the fruits. For that reason, the treatment on fruits of which the peels are not consumed is not liable to have an effect on human health. It is

therefore appropriate to allow the use of beeswax (E 901), carnauba wax (E 903), shellac (E 904) and microcrystalline wax (E 905) on such fruits that are mainly imported from countries with a tropical climate, i.e. bananas, mangoes, avocados, pomegranates, papayas and pineapples.

- (7) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority (the Authority) in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health. Since the authorisation of use of beeswax (E 901) on bananas, mangoes and pomegranates, the use of carnauba wax (E 903) and shellac (E 904) on pomegranates, mangoes, avocados and papayas and the use of microcrystalline wax (E 905) on pineapples constitutes an update of that list which is not liable to have an effect on human health, it is not necessary to seek the opinion of the Authority.
- (8) The Commission will further consider the requests for the use of waxes on other fruits and on vegetables taking into account safety of the consumer when external parts are expected to be consumed, the technological justification and the possible misleading of the consumer, including labelling requirements.
- (9) Pursuant to the transitional provisions of Commission Regulation (EU) No 1129/2011 ⁽³⁾ the list of food additives set out in Annex II to Regulation (EC) No 1333/2008 applies in principle from 1 June 2013. In order to allow new uses of authorised food additives on the market before that date, it is necessary to specify an earlier date of application with regard to these uses.
- (10) Therefore, Annex II to Regulation (EC) No 1333/2008 should be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Regulation (EC) No 1333/2008**

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.⁽²⁾ OJ L 354, 31.12.2008, p. 1.⁽³⁾ OJ L 295, 12.11.2011, p. 1.

Article 2

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, 4 December 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Part E of Annex II to Regulation (EC) No 1333/2008, the entries for E 901, E 903, E 904 and E 905 in food category 04.1.1 'Entire fresh fruits and vegetables' are replaced by the following:

E 901	Beeswax, white and yellow	<i>quantum satis</i>		only for the surface treatment of fruit: citrus fruit, melons, apples, pears, peaches, pineapples, bananas, mangoes, avocados and pomegranates and as glazing agent on nuts	Period of application as regards bananas, mangoes, avocados and pomegranates: From 25 December 2012.
E 903	Carnauba wax	200		only for the surface treatment of fruit: citrus fruit, melons, apples, pears, peaches, pineapples, pomegranates, mangoes, avocados and papayas and as glazing agent on nuts	Period of application as regards pomegranates, mangoes, avocados and papayas: From 25 December 2012.
E 904	Shellac	<i>quantum satis</i>		only for the surface treatment of fruit: citrus fruit, melons, apples, pears, peaches, pineapples, pomegranates, mangoes, avocados and papayas and as glazing agent on nuts	Period of application as regards pomegranates, mangoes, avocados and papayas: From 25 December 2012.
E 905	Microcrystalline wax	<i>quantum satis</i>		only for the surface treatment of fruit: melons, papayas, mangoes, avocados and pineapples	Period of application pineapples: From 25 December 2012.'

COMMISSION REGULATION (EU) No 1148/2012

of 4 December 2012

amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of sulphur dioxide — sulphites (E 220-228) and propane-1, 2-diol alginate (E 405) in fermented grape must-based drinks

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Article 10(3) and Article 30(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) That list may be amended in accordance with the procedure referred to in Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1333/2008, the Union list of food additives may be updated either on the initiative of the Commission or following an application.
- (4) An application for authorisation of the use of sulphur dioxide — sulphites (E 220-228) and propane-1, 2-diol alginate (E 405) was submitted on 30 June 2011 and has been made available to the Member States.
- (5) There is a technological need for the use of sulphur dioxide — sulphites (E 220-228) and propane-1, 2-diol alginate (E 405) in fermented grape must-based drinks. Sulphur dioxide — sulphites (E 220-228) are added to stop oxidation and inhibit the growth of micro-organisms. It also prevents the growth of unwanted yeasts during the second fermentation in bottles. Propane-1, 2-diol alginate (E 405) are added to stabilise the foam, so that the carbon dioxide bubbles do not dissipate, making for a creamier and longer-lasting head.
- (6) Acceptable daily intakes have been established by the Scientific Committee for Food for sulphur dioxide — sulphites (E 220-228) ⁽³⁾ and for propane-1, 2-diol

alginate (E 405) ⁽⁴⁾. Fermented grape must-based drinks are alcoholic beverages which due to their properties are comparable to other alcoholic beverages such as beer and malt beverages. Consumption of these drinks can thus be considered as an alternative to the consumption of other alcoholic beverages, in particular beer and malt beverages. The additional exposure to sulphur dioxide — sulphites (E 220-228) and to propane-1, 2-diol alginate (E 405) based on this new use will remain limited and will not lead to an increase of the overall intake. It is therefore appropriate to allow the use of sulphur dioxide — sulphites (E 220-228) as preservatives and of propane-1, 2-diol alginate (E 405) as a foam stabiliser in fermented grape must-based drinks.

- (7) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health. Since the authorisation of use of sulphur dioxide — sulphites (E 220-228) as preservatives and of propane-1, 2-diol alginate (E 405) as a foam stabiliser in fermented grape must-based drinks constitutes an update of that list which is not liable to have an effect on human health, it is not necessary to seek the opinion of the European Food Safety Authority.
- (8) Pursuant to the transitional provisions of Commission Regulation (EU) No 1129/2011 ⁽⁵⁾ the list of food additives set out in Annex II to Regulation (EC) No 1333/2008 applies in principle from 1 June 2013. In order to allow the use of sulphur dioxide — sulphites (E 220-228) and of propane-1, 2-diol alginate (E 405) in fermented grape must-based drinks before that date, it is necessary to specify an earlier date of application with regard to this use of those food additives.
- (9) Therefore, Annex II to Regulation (EC) No 1333/2008 should be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ http://ec.europa.eu/food/fs/sc/scf/reports/scf_reports_35.pdf

⁽⁴⁾ http://ec.europa.eu/food/fs/sc/scf/reports/scf_reports_32.pdf

⁽⁵⁾ OJ L 295, 12.11.2011, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

Article 2

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, 4 December 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Part E of Annex II to Regulation (EC) No 1333/2008 the following entries are inserted in numerical order in food category 14.2.8 'Other alcoholic drinks including mixtures of alcoholic drinks with non-alcoholic drinks and spirits with less than 15 % alcohol':

	E 220-228	Sulphur dioxide — sulphites	20	(3)	only in fermented grape must-based drinks	Period of application: From 25 December 2012.
	E 405	Propane-1, 2-diol alginate	100		only in fermented grape must-based drinks	Period of application: From 25 December 2012.
		(3): Maximum levels are expressed as SO ₂ relate to the total quantity, available from all sources, an SO ₂ content of not more than 10 mg/kg or 10 mg/l is not considered to be present.				

COMMISSION REGULATION (EU) No 1149/2012**of 4 December 2012****amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of extracts of rosemary (E 392) in fillings of stuffed dry pasta****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Article 10(3) and Article 30(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) That list may be amended in accordance with the procedure referred to in Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1331/2008, the Union list of food additives may be updated either on the initiative of the Commission or following an application.
- (4) An application for authorisation of the use of extracts of rosemary (E 392) as an antioxidant in fillings of stuffed dry pasta was submitted and has been made available to the Member States.
- (5) Antioxidants are substances which protect food against deterioration caused by oxidation, such as fat rancidity and colour changes. Extracts of rosemary (E 392) used in fillings of stuffed dry pasta improve the stability of fats and oils in the recipe (e.g. vegetable oil, fat in meat, cheese and dairy ingredients) during the whole product shelf life. The taste of filled dry pasta is more stable without organoleptic defects and off-notes caused by the fat oxidation.

(6) The European Food Safety Authority assessed the use of rosemary extracts as a food additive ⁽³⁾. Based on the margins of safety identified using the NOAELs ⁽⁴⁾ from the different studies, in which generally the NOAELs were the highest dose levels tested, and using the conservative dietary exposure estimates it was concluded that the use of the rosemary extracts described in the scientific opinion at the proposed uses and use levels would not be of safety concern. The additional intake based on the new use in fillings of stuffed dry pasta does not significantly contribute to the overall intake. It is therefore appropriate to allow the use of extracts of rosemary (E 392) as an antioxidant in fillings of stuffed dry pasta.

(7) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health. Since the authorisation of use of extracts of rosemary (E 392) as an antioxidant in fillings of stuffed dry pasta constitutes an update of that list which is not liable to have an effect on human health, it is not necessary to seek the opinion of the European Food Safety Authority.

(8) Pursuant to the transitional provisions of Commission Regulation (EU) No 1129/2011 of 11 November 2011 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council by establishing a Union list of food additives ⁽⁵⁾, Annex II establishing the Union list of food additives approved for use in foods and conditions of use applies from 1 June 2013. In order to allow the use of extracts of rosemary (E 392) in fillings of stuffed dry pasta before that date, it is necessary to specify an earlier date of application with regard to this use of that food additive.

(9) Therefore, Annex II to Regulation (EC) No 1333/2008 should be amended accordingly.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ EFSA Journal (2008) 721, 1-29.

⁽⁴⁾ NOAEL (no observed adverse effect level) — dose or concentration of a substance tested at which no adverse effect is found.

⁽⁵⁾ OJ L 295, 12.11.2011, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

Article 2

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, 4 December 2012.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Part E of Annex II to Regulation (EC) No 1333/2008, in the food category 06.4.5 'Fillings of stuffed pasta (ravioli and similar)':

(a) the following entry is inserted after the entry for E 200-203:

	E 392	Extracts of rosemary	250	(41) (46)	only in fillings of stuffed dry pasta	Period of application: From 25 December 2012.'
--	-------	----------------------	-----	-----------	---------------------------------------	---

(b) the following footnotes are added after footnote (2):

'(41): Expressed on fat basis

(46): As the sum of carnosol and carnosic acid'

COMMISSION IMPLEMENTING REGULATION (EU) No 1150/2012**of 4 December 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, 4 December 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	41,5
	MA	54,9
	TN	81,9
	TR	68,5
	ZZ	61,7
0707 00 05	AL	59,9
	MA	133,1
	TR	104,1
	ZZ	99,0
0709 93 10	MA	120,6
	TR	93,3
	ZZ	107,0
0805 10 20	AR	49,7
	ZA	62,1
	ZW	52,1
	ZZ	54,6
0805 20 10	MA	69,8
	ZZ	69,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	71,1
	HR	85,6
	MA	95,7
	TR	82,4
	ZZ	83,7
0805 50 10	TR	76,9
	ZZ	76,9
0808 10 80	MK	39,5
	US	125,2
	ZA	214,1
	ZZ	126,3
0808 30 90	CN	33,5
	TR	112,1
	US	160,6
	ZZ	102,1

⁽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'.

DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION BiH/19/2012

of 27 November 2012

**on the appointment of an EU Force Commander for the European Union military operation in
Bosnia and Herzegovina**

(2012/748/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to Council Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and Herzegovina⁽¹⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) Pursuant to Article 6(1) of Joint Action 2004/570/CFSP, the Council authorised the Political and Security Committee (PSC) to take further decisions on the appointment of the EU Force Commander.
- (2) On 2 December 2011, the PSC adopted Decision BiH/18/2011⁽²⁾ appointing Brigadier General Robert BRIEGER as EU Force Commander for the European Union military operation in Bosnia and Herzegovina.
- (3) The EU Operation Commander has recommended the appointment of Major General Dieter HEIDECKER as the new EU Force Commander for the European Union military operation in Bosnia and Herzegovina to succeed Brigadier General Robert BRIEGER.
- (4) The EU Military Committee has supported the recommendation.
- (5) In accordance with Article 5 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the

European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications.

- (6) On 12 and 13 December 2002 the Copenhagen European Council adopted a Declaration stating that the 'Berlin plus' arrangements and their implementation will apply only to those EU Member States which are also either NATO members or parties to the 'Partnership for Peace', and which have consequently concluded bilateral security agreements with NATO,

HAS ADOPTED THIS DECISION:

Article 1

Major General Dieter HEIDECKER is hereby appointed EU Force Commander for the European Union military operation in Bosnia and Herzegovina as from 3 December 2012.

Article 2

Decision BiH/18/2011 is hereby repealed.

Article 3

This Decision shall enter into force on 3 December 2012.

Done at Brussels, 27 November 2012.

For the Political and Security Committee

The Chairperson

O. SKOOG

⁽¹⁾ OJ L 252, 28.7.2004, p. 10.

⁽²⁾ Political and Security Committee Decision BiH/18/2011 of 2 December 2011 on the appointment of an EU Force Commander for the European Union military operation in Bosnia and Herzegovina (OJ L 332, 15.12.2011, p. 10).

COUNCIL DECISION

of 3 December 2012

extending the application period of Decision 2010/371/EU concerning the conclusion of the consultation procedure with the Republic of Madagascar under Article 96 of the ACP-EU Partnership Agreement

(2012/749/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Having regard to the proposal from the European Commission,

In agreement with the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) Council Decision 2010/371/EU of 7 June 2010 concerning the conclusion of consultations with the Republic of Madagascar under Article 96 of the ACP-EU Partnership Agreement ⁽⁴⁾ was adopted in order to implement appropriate measures in response to the violation of the essential elements referred to in Article 9 of the ACP-EU Partnership Agreement.
- (2) These measures were extended until 6 December 2011 by Council Decision 2011/324/EU ⁽⁵⁾ and amended and extended until 6 December 2012 by Council Decision 2011/808/EU ⁽⁶⁾.
- (3) Significant progress has been made, in particular in the establishment of the transition institutions and in the electoral process, as a result of the mediation of the Southern African Development Community (SADC), which has enabled the process of ending the crisis to

be taken forward. Such progress includes the establishment of the Independent National Electoral Commission of the Transition (INEC-T), Parliament's adoption of an amnesty law, and the announcement of election dates in line with the recommendations made by United Nations experts. Nevertheless, the roadmap for the transition has not been implemented fully.

- (4) The period of application of Decision 2010/371/EU expires on 6 December 2012. Since the parliamentary elections and the second round of presidential elections are scheduled for 3 July 2013, the appropriate measures in force should be extended until the Council decides that credible elections have taken place and that constitutional order has returned to Madagascar, subject to regular review during this period,

HAS ADOPTED THIS DECISION:

Article 1

In Article 3 of Decision 2010/371/EU, the second sentence is replaced by the following:

'It shall remain in force until the Council decides, on the basis of a proposal made by the Commission, that credible elections have taken place and that constitutional order has returned to Madagascar, subject to regular review during this period.'

Article 2

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

Done at Brussels, 3 December 2012.

For the Council

The President

N. SYLIKOTIS

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ L 287, 4.11.2010, p. 3.

⁽³⁾ OJ L 317, 15.12.2000, p. 376.

⁽⁴⁾ OJ L 169, 3.7.2010, p. 13.

⁽⁵⁾ OJ L 146, 1.6.2011, p. 2.

⁽⁶⁾ OJ L 324, 7.12.2011, p. 1.

ANNEX

DRAFT LETTER TO THE INTERIM PRESIDENT

Sir,

Welcoming the progress made towards resolving the political crisis with the signing in September 2011 by the Malagasy political stakeholders of the roadmap to help Madagascar emerge from the crisis, on 5 December 2011 the European Union (EU) eased the appropriate measures laid down for Madagascar by Decision 2010/371/EU of 7 June 2010.

You were informed of the new decision by letter of 8 December 2011 specifying the preconditions for any measure by the EU to assist the transition. To that end, over the past year the EU has taken measures to assist the population and support the electoral process, as provided for in the schedule of commitments set out in the aforementioned letter.

Considerable progress has been made in the implementation of the roadmap, and that progress has been taken into account in the framework of the appropriate measures in force. Given that the roadmap has not been implemented in full, and pending the parliamentary elections and the second round of the presidential elections, scheduled for 3 July 2013, the appropriate measures will continue to apply, without any change in the reciprocal EU-Madagascar commitments and conditions, which remain fully valid until the EU decides that credible elections have taken place and that constitutional order has returned to Madagascar.

The EU, which attaches the greatest importance to the essential elements concerning respect for human rights, democratic institutions and the rule of law in accordance with Article 9 of the ACP-EU Partnership Agreement, urges you and all the stakeholders in the roadmap to redouble your efforts with a view to rapidly overcoming the political obstacles currently jeopardising its implementation.

The EU also encourages everyone to persevere in your efforts to ensure a peaceful political environment conducive to the holding of credible elections in May and July 2013 and the completion of the transition process agreed by the Malagasy authorities and endorsed by the international community.

The EU confirms its continued commitment to assisting the transition process and to rapidly introducing post-transition support measures, the details of which will be decided upon in the political dialogue with your Government.

The appropriate measures can be reviewed at any time in the light of developments — positive or negative — in the political situation in Madagascar.

Yours sincerely,

For the European Union

Catherine ASHTON

Andrís PIEBALGS

2012 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 200 per year
EU Official Journal, L + C series, paper + annual DVD	22 official EU languages	EUR 1 310 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 840 per year
EU Official Journal, L + C series, monthly DVD (cumulative)	22 official EU languages	EUR 100 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, DVD, one edition per week	multilingual: 23 official EU languages	EUR 200 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual DVD.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our sales agents. The list of sales agents is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN