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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information concerning the date of entry into force of the Agreement in the form of an Exchange of Letters between the European Union, of the one part, and the State of Israel, of the other part, amending the Annexes to Protocols 1 and 2 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part

The above Agreement between the European Union and the State of Israel, signed in Brussels on 18 June 2012, will enter into force on 1 February 2013.

Information on the date of entry into force of the Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Union

On 8 November 2007 and 29 August 2011 respectively, the European Union and the Government of the Republic of São Tomé and Príncipe notified each other of the completion of the procedures necessary for entry into force of the Agreement ⁽¹⁾.

The Agreement accordingly entered into force on 29 August 2011 ⁽²⁾, in accordance with Article 17 thereof.

⁽¹⁾ OJ L 205, 7.8.2007, p. 36.

⁽²⁾ In the interim the protocol has been used on provisional basis.

COUNCIL DECISION

of 29 November 2012

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union, of the one part, and the State of Israel, of the other part, amending the Annexes to Protocols 1 and 2 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part

(2013/66/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) On 20 November 1995, the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part⁽¹⁾ (hereinafter 'the Euro-Mediterranean Agreement') was signed.
- (2) On 14 November 2005, the Council authorised the Commission to conduct negotiations in order to achieve greater liberalisation of trade in agricultural products, processed agricultural products and fish and fishery products with certain Mediterranean countries. The negotiations with Israel were successfully concluded on 18 July 2008. The results of those negotiations are contained in an Agreement in the form of an Exchange of Letters between the European Community and the State of Israel concerning reciprocal liberalisation measures on agricultural products, processed agricultural products and fish and fishery products, the replacement of Protocols 1 and 2 and their Annexes and amendments to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part⁽²⁾ (hereinafter referred to as 'the 2010 Agreement'), which entered into force on 1 January 2010.
- (3) After the entry into force of the 2010 Agreement, the European Commission and Israel held a number of technical meetings relating to its implementation. Those meetings showed that some technical adjustments to the Euro-Mediterranean Agreement were necessary in order to comply with the commitments of the previous agreements between the European Communities and the State of Israel, which entered into force in 2000 and 2006. On 19 September 2011, the Commission and Israel concluded the negotiation of the necessary

technical adjustments, which are contained in a new Agreement in the form of an Exchange of Letters between the European Union, of the one part, and the State of Israel, of the other part, amending the Annexes to Protocols 1 and 2 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part (hereinafter referred to as 'the Agreement'). The Agreement was signed on 18 June 2012, in compliance with Council Decision 2012/338/EU⁽³⁾.

- (4) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement in the form of an Exchange of Letters between the European Union, of the one part, and the State of Israel, of the other part, amending the Annexes to Protocols 1 and 2 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person empowered to proceed, on behalf of the Union, with the deposit of the instrument of approval provided for in the Agreement, in order to express the consent of the Union to be bound by the Agreement⁽⁴⁾.

Article 3

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

Done at Brussels, 29 November 2012.

For the Council

The President

N. SYLKIOTIS

⁽¹⁾ OJ L 147, 21.6.2000, p. 3.

⁽²⁾ OJ L 313, 28.11.2009, p. 83.

⁽³⁾ OJ L 166, 27.6.2012, p. 1.

⁽⁴⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT

in the form of an Exchange of Letters between the European Union, of the one part, and the State of Israel, of the other part, amending the Annexes to Protocols 1 and 2 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part

A. Letter from the European Union

Sir/Madam,

I have the honour to refer to the technical meetings relating to the implementation of the Agreement in the form of an Exchange of Letters between the European Community and the State of Israel concerning reciprocal liberalisation measures on agricultural products, processed agricultural products and fish and fishery products, the replacement of Protocols 1 and 2 and their Annexes and amendments to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, which entered into force on 1 January 2010. In these meetings it has been concluded that some technical amendments to the Euro-Mediterranean Agreement are necessary.

I therefore propose that the Annex to Protocol 1 to the Euro-Mediterranean Agreement, concerning the arrangements applicable to imports into the European Union of agricultural products, processed agricultural products and fish and fishery products originating in the State of Israel and the Annex to Protocol 2 to the Euro-Mediterranean Agreement, concerning the arrangements applicable to imports into the State of Israel of agricultural products, processed agricultural products and fish and fishery products originating in the European Union be replaced by Annex I and II respectively of this Agreement, with effect as of 1 January 2010.

This Agreement shall enter into force on the first day of the third month following the date of deposit of the last instrument of approval.

I would be grateful if you could confirm that your Government is in agreement with the content of this letter.

Please accept, Sir/Madam, the assurance of my highest consideration.

Съставено в Брюксел на
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Briselē,
Priimta Briuselyje,
Kelt Brüsszelben,
Maghmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Feito em Bruxelas,
Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den

18-06-2012

נעשה בבריסל

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen

בשם האיחוד האירופי

ANNEX I

ANNEX TO PROTOCOL 1

Table 1

Products not included in the table below are duty free. A preferential treatment for some of the products listed below is indicated in Tables 2 and 3.

CN Code ⁽¹⁾	Description ⁽²⁾
0105 12 00	Live turkeys weighing not more than 185 g
0207 27	Turkey cuts and offal, frozen
0207 33 0207 34 0207 35 0207 36	Meat of ducks, geese or guinea fowls
ex 0302 69 99 ex 0303 79 98 ex 0304 19 99 ex 0304 29 99 ex 0305 30 90	Bogue (<i>Boops boops</i>): fresh or chilled; frozen; fillets, frozen, and other fish meat, fresh or chilled; fillets, dried, salted or in brine, but not smoked
ex 0301 99 80 0302 69 61 0302 69 95 0303 79 71 ex 0303 79 98 ex 0304 19 39 ex 0304 19 99 ex 0304 29 99 ex 0304 99 99 ex 0305 10 00 ex 0305 30 90 ex 0305 49 80 ex 0305 59 80 ex 0305 69 80	Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.) and gilt-head sea breams (<i>Sparus aurata</i>): live; fresh or chilled; frozen; fish fillets and other fish meat, fresh, chilled or frozen; dried, salted or in brine; smoked; flours, meals and pellets, fit for human consumption
ex 0301 99 80 0302 69 94 ex 0303 77 00 ex 0304 19 39 ex 0304 19 99 ex 0304 29 99 ex 0304 99 99 ex 0305 10 00 ex 0305 30 90 ex 0305 49 80 ex 0305 59 80 ex 0305 69 80	Sea bass (<i>Dicentrarchus labrax</i>): live; fresh or chilled; frozen; fish fillets and other fish meat, fresh, chilled or frozen; dried, salted or in brine, smoked; flours, meals and pellets, fit for human consumption
0404 10	Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter
0408 11 80	Egg yolks, dried, for human consumption, whether or not containing added sugar or other sweetening matter
0408 19 89	Egg yolks (other than liquid), frozen or otherwise preserved, suitable for human consumption, whether or not containing added sugar or other sweetening matter (excl. dried)
0408 91 80	Dried bird's eggs, not in shell, whether or not containing added sugar or other sweetening matter, suitable for human consumption (excl. egg yolks)
0409 00 00	Natural honey

CN Code ⁽¹⁾	Description ⁽²⁾
0603 11 00 0603 12 00 0603 13 00 0603 14 00 0603 19 10 0603 19 90	Cut flowers and flower buds, fresh
0701 90 50	New potatoes, from 1 January to 30 June, fresh or chilled
0702 00 00	Tomatoes, fresh or chilled
0703 20 00	Garlic, fresh or chilled
0707 00	Cucumbers and gherkins, fresh or chilled
0709 60 10	Sweet peppers, fresh or chilled
0709 90 70	Courgettes, fresh or chilled
0710 40 00	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen
0710 90 00	Mixtures of vegetables (uncooked or cooked by steaming or boiling in water), frozen
0711 90 30	Sweet corn, provisionally preserved (for example by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
0712 90 30	Dried tomatoes, whole, cut, sliced, broken or in powder, but not further prepared
0805 10	Oranges, fresh or dried
0805 20 10	Clementines, fresh or dried
0805 20 50	Mandarins and wilkings, fresh or dried
0806 10 10	Table grapes, fresh
0807 19 00	Melons, fresh, other than watermelons
0810 10 00	Fresh strawberries
1509 10	Virgin olive oil
1602	Prepared or preserved meat, meat offal or blood (excl. sausages and similar products, and meat extracts and juices)
1604 13	Prepared or preserved sardines, sardinella and brisling or sprats, whole or in pieces, but not minced
1604 14	Prepared or preserved tunas, skipjack and bonito (<i>Sarda</i> spp.), whole or in pieces, but not minced
1604 15	Prepared or preserved mackerel, whole or in pieces, but not minced
1604 19 31	Fillets known as 'loins' of fish of the genus <i>Euthynnus</i> , other than skipjack (<i>Euthynnus (Katsuwonus) pelamis</i>), prepared or preserved, whole or in pieces, but not minced

CN Code ⁽¹⁾	Description ⁽²⁾
1604 19 39	Prepared or preserved fish of the genus <i>Euthynnus</i> , other than skipjack (<i>Euthynnus (Katsuwonus) pelamis</i>), whole or in pieces, but not minced, other than fillets known as 'loins'
1604 20 50	Prepared or preserved sardines, bonito, mackerel of species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> and fish of the species <i>Orcynopsis unicolor</i>
1604 20 70	Prepared or preserved tunas, skipjack or other fish of genus <i>Euthynnus</i>
1701	Cane or beet sugar chemically pure sucrose, in solid form
ex 1702	Other sugars, including chemically pure maltose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey, caramel, with the exception of: chemically pure lactose of CN code 1702 11 00; chemically pure glucose of CN codes ex 1702 30 50 and ex 1702 30 90; and chemically pure fructose of CN code 1702 50 00.
1704 10 90	Chewing gum whether or not sugar-coated, containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose)
ex 1704 90	Other sugar confectionery, not containing cocoa; with the exception of: — liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within CN code 1704 90 10; — white chocolate falling within CN code 1704 90 30; — pastes including marzipan, in immediate packagings of a net content of 1 kg or more falling within CN code 1704 90 51; — marshmallows, being other sugar confectionery, not containing cocoa, containing 45 % or less by weight of sugar (including invert sugar expressed as sucrose) falling within CN code ex 1704 90 99
1806 10 20	Cocoa powder containing 5 % or more but less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 10 30	Cocoa powder containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 10 90	Cocoa powder containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1806 20	Other food preparations containing cocoa in block, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packagings, of a content exceeding 2 kg
ex 1901 90 99	Other food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included, containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
1905 20 30 1905 20 90	Gingerbread and the like, containing by weight 30 % or more of sucrose (including invert sugar expressed as sucrose)
2001 90 30	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>), prepared or preserved by vinegar or acetic acid
2002 90 91 2002 90 99	Tomatoes, prepared or preserved otherwise than by vinegar or acetic acid, with a dry matter content of more than 30 % by weight
2004 90 10	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>), prepared or preserved otherwise than by vinegar or acetic acid, frozen

CN Code ⁽¹⁾	Description ⁽²⁾
2005 80 00	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>), prepared or preserved otherwise than by vinegar or acetic acid, not frozen
ex 2005 99 excluding 2005 99 50 and 2005 99 90	Other vegetables
2008 70	Canned peaches, including nectarines
2009 11 2009 12 00 2009 19	Orange juice
ex 2009 90	Mixtures of citrus juices
2101 12 98 2101 20 98	Preparations with a basis of coffee, tea or maté
ex 2106 90 98	Other food preparations not elsewhere specified or included (excluding protein concentrates and textured protein substances), containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009
2905 43 00 2905 44	Mannitol and D-glucitol (sorbitol)
3302 10 29	Preparations containing all flavouring agents characterizing a beverage, containing by weight, 1,5 % or more of milk fat, 5 % or more of sucrose or isoglucose, 5 % or more of glucose or starch
3501 10 50 3501 10 90 3501 90 90	Casein, other than for the manufacture of regenerated textile fibres, caseinates and other casein derivatives
3502 11 90	Dried egg albumin, for human consumption
3502 19 90	Other egg albumin, for human consumption
3502 20 91	Dried milk albumin, for human consumption
3502 20 99	Other milk albumin, for human consumption
ex 3505 10 3505 20	Dextrins, other modified starches, and glues based on starches or on dextrins or other modified starches, excluding esterified and etherified starches of CN code 3505 10 50
3809 10	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included, with a basis of amylaceous substances
3824 60	Sorbitol other than that of subheading 2905 44

⁽¹⁾ CN codes corresponding to Regulation (EU) No 861/2010 (OJ L 284, 29.10.2010, p. 1).

⁽²⁾ Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where 'ex' CN codes are indicated, the preferential scheme is to be determined by the application of the CN codes and corresponding description taken together.

Table 2

For the following products a preferential treatment is provided in the form of tariff quotas and calendars as listed below:

CN Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (Tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
0105 12 00	Live turkeys weighing not more than 185 g	100	129 920 pieces	—
0207 27 10	Boneless turkeys cuts, frozen	100	4 000	—
0207 27 30 0207 27 40 0207 27 50 0207 27 60 0207 27 70	Turkeys cuts with bone in, frozen			
ex 0207 33	Meat of ducks and geese, not cut in pieces, frozen			
ex 0207 35	Other meat and edible offal of ducks and geese, fresh or chilled			
ex 0207 36	Other meat and edible offal of ducks and geese, frozen			
0404 10	Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter	100	1 300	—
0603 11 00 0603 12 00 0603 13 00 0603 14 00 0603 19 10 0603 19 90	Cut flowers and flower buds, fresh	100	22 196	—
0603 19 90	Other fresh cut flowers and buds from 1 November to 15 April	100	7 840	—
0701 90 50	New potatoes, from 1 January to 30 June, fresh or chilled	100	33 936	—
ex 0702 00 00	Cherry tomatoes, fresh or chilled ⁽³⁾	100	28 000	—
ex 0702 00 00	Tomatoes, fresh or chilled, other than cherry tomatoes	100	5 000	—
0707 00 05	Cucumbers, fresh or chilled	100	1 000	—
0709 60 10	Sweet peppers, fresh or chilled	100	17 248	40
0709 90 70	Courgettes, fresh or chilled, from 1 December to end February	100	—	—

CN Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (Tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
0710 40 00 2004 90 10	Sweet corn, frozen	100 % of the ad valorem part of the duty + 30 % of the agricultural component (*)	10 600	(**)
0711 90 30 2001 90 30 2005 80 00	Sweet corn, not frozen	100 % of the ad valorem part of the duty + 30 % of the agricultural component (*)	5 400	(**)
0712 90 30	Dried tomatoes, whole, cut, sliced, broken or in powder, but not further prepared	100	1 200	—
ex 0805 10	Oranges, fresh	100	224 000 ⁽⁴⁾	60
ex 0805 20 10 ex 0805 20 50	Clementines, mandarins and wilkings, fresh	100	40 000	60
ex 0805 20 10 ex 0805 20 50	Clementines, mandarins and wilkings, fresh from 15 March to 30 September	100	15 680	60
0806 10 10	Table grapes, fresh from 1 April to 31 July	100	—	—
0807 19 00	Other fresh melons (excl. watermelons), from 1 August to 31 May	100	30 000	50
0810 10 00	Strawberries fresh, from 1 November to 30 April	100	5 000	60
1602 31 19	Prepared or preserved meat, meat offal or blood of turkeys, containing 57 % or more by weight of poultry meat or offal, other than exclusively uncooked turkey meat	100	5 000	—
1602 31 30	Prepared or preserved meat, meat offal or blood of turkeys, containing 25 % or more but less than 57 % by weight of poultry meat or offal			
1602 32 19	Prepared or preserved meat, meat offal or blood of fowls of the species <i>Gallus domesticus</i> , containing 57 % or more by weight of poultry meat or offal, other than uncooked	100	2 000	—

CN Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (Tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
1602 32 30	Prepared or preserved meat, meat offal or blood of fowls of the species <i>Gallus domesticus</i> , containing 25 % or more but less than 57 % by weight of poultry meat or offal			
1704 10 90	Chewing gum whether or not sugar-coated, not containing cocoa, containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose)	100	100	(**)
1806 10 20 1806 10 30 1806 10 90	Cocoa powder containing 5 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	100 % of the ad valorem part of the duty + 15 % of the agricultural component (*)	2 500	(**)
1806 20	Other food preparations containing cocoa in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packagings, of a content exceeding 2 kg			
1905 20 30 1905 20 90	Gingerbread and the like, containing by weight 30 % or more of sucrose (including invert sugar expressed as sucrose)	100 % of the ad valorem part of the duty + 30 % of the agricultural component (*)	3 200	(**)
2002 90 91 2002 90 99	Tomatoes, prepared or preserved otherwise than by vinegar or acetic acid, with a dry matter content of more than 30 % by weight	100	784	—
ex 2008 70 71	Slices of peaches, fried in oil	100	112	—
2009 11 2009 12 00 2009 19	Orange juice	100	35 000, of which, in packs of 2 L or less, not more than 21 280	70
ex 2009 90	Mixtures of citrus juices	100	19 656	—
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009	100	6 212 hl	—
3505 20	Glues based on starches, or on dextrins or other modified starches	100	250	(**)

⁽¹⁾ CN codes corresponding to Regulation (EU) No 861/2010 (OJ L 284, 29.10.2010, p. 1).

⁽²⁾ Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where 'ex' CN codes are indicated, the preferential scheme is to be determined by the application of the CN codes and corresponding description taken together.

- (³) Entry under this subheading is subject to the conditions laid down in the relevant Union provisions (Part 10 of Part B (Specific Marketing Standards) of Annex I to Regulation (EU) No 543/2011, as amended).
- (⁴) Within this tariff quota the specific duty provided in the Union's list of concessions to the WTO is reduced to zero for the period from 1 December to 31 May, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Commission and Israel. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.
- (*) In this respect, 'agricultural component' is the specific part of the duty established in Regulation (EU) No 861/2010 (OJ L 284, 29.10.2010, p. 1).
- (**) For those products the applicable duty beyond the tariff quota is established in Table 3 of this Annex.

Table 3

For the following products customs duties shall be bound as listed below:

CN Code (¹)	Description (²)	a	b (³)
		Ad valorem component of the duty (%)	Specific component of the duty
0710 40 00	Sweet corn, uncooked or cooked by steaming or boiling in water, frozen	0	EUR 9,4/100 kg net eda
0711 90 30	Sweet corn, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	0	EUR 9,4/100 kg net eda
1704 10 90	Chewing gum whether or not sugar-coated, containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose)	0	EUR 30,90/100 kg net MAX 18,20 %
ex 1704 90	Other sugar confectionery, not containing cocoa; with the exception of: — liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within CN code 1704 90 10; — white chocolate falling within CN code 1704 90 30; — pastes including marzipan, in immediate packagings of a net content of 1 kg or more falling within CN code 1704 90 51.	0	EA MAX 18,7 % + AD S/Z
1806 10 20	Cocoa powder containing 5 % or more but less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	0	EUR 25,2/100 kg net
1806 10 30	Cocoa powder containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	0	EUR 31,4/100 kg net
1806 10 90	Cocoa powder containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	0	EUR 41,9/100 kg net

CN Code ⁽¹⁾	Description ⁽²⁾	a	b ⁽³⁾
		Ad valorem component of the duty (%)	Specific component of the duty
ex 1806 20	Other food preparations containing cocoa in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packagings, of a content exceeding 2 kg; with the exception of chocolate milk crumb falling within CN code 1806 20 70	0	EA MAX 18,7 % + AD S/Z
1806 20 70	Chocolate milk crumb	0	EA
ex 1901 90 99	Other food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included, containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	0	EA
1905 20 30	Gingerbread and the like, containing by weight 30 % or more but less than 50 % of sucrose (including invert sugar expressed as sucrose)	0	EUR 24,6/100 kg net
1905 20 90	Gingerbread and the like, containing by weight 50 % or more of sucrose (including invert sugar expressed as sucrose)	0	EUR 31,4/100 kg net
2001 90 30	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>), prepared or preserved by vinegar or acetic acid	0	EUR 9,4/100 kg, net eda
2004 90 10	Sweet corn, (<i>Zea mays</i> var. <i>saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, frozen	0	EUR 9,4/100 kg, net eda
2005 80 00	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>), prepared or preserved otherwise than by vinegar or acetic acid, not frozen	0	EUR 9,4/100 kg, net eda
2101 12 98	Preparations with a basis of coffee	0	EA
2101 20 98	Preparations with a basis of tea or maté	0	EA
ex 2106 90 98	Other food preparations not elsewhere specified or included (excluding protein concentrates and textured protein substances), containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	0	EA
2905 43 00	Mannitol	0	EUR 125,8/100 kg net

CN Code ⁽¹⁾	Description ⁽²⁾	a	b ⁽³⁾
		Ad valorem component of the duty (%)	Specific component of the duty
2905 44 11	D-glucitol (sorbitol) in aqueous solution, containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 16,1/100 kg net
2905 44 19	D-glucitol (sorbitol) in aqueous solution, containing more than 2 % by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 37,8/100 kg net
2905 44 91	D-glucitol (sorbitol) other than in aqueous solution, containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 23/100 kg net
2905 44 99	D-glucitol (sorbitol) other than in aqueous solution, containing more than 2 % by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 53,7/100 kg net
3302 10 29	Preparations containing all flavouring agents characterising a beverage, containing, by weight, 1,5 % or more of milk fat, 5 % or more of sucrose or isoglucose, 5 % or more of glucose or starch	0	EA
3501 10 50	Casein, for industrial uses other than the manufacture of foodstuffs or fodder and other than for the manufacture of regenerated textile fibres	3 %	—
3501 10 90	Other casein	9 %	—
3501 90 90	Caseinates and other casein derivates (other than casein glues)	6,4 %	—
3505 10 10	Dextrins	0	EUR 17,7/100 kg net
3505 10 90	Other modified starches, other than esterified or etherified	0	EUR 17,7/100 kg net
3505 20 10	Glues based on starches, or on dextrins or other modified starches, containing, by weight, less than 25 % of starches or dextrins or other modified starches	0	EUR 4,5/100 kg net MAX 11,5 %
3505 20 30	Glues based on starches, or on dextrins or other modified starches, containing, by weight, 25 % or more but less than 55 % of starches or dextrins or other modified starches	0	EUR 8,9/100 kg net MAX 11,5 %
3505 20 50	Glues based on starches, or on dextrins or other modified starches, containing, by weight, 55 % or more but less than 80 % of starches or dextrins or other modified starches	0	EUR 14,2/100 kg net MAX 11,5 %
3505 20 90	Glues based on starches, or on dextrins or other modified starches, containing by weight 80 % or more of starches or dextrins or other modified starches	0	EUR 17,7/100 kg net MAX 11,5 %

CN Code ⁽¹⁾	Description ⁽²⁾	a	b ⁽³⁾
		Ad valorem component of the duty (%)	Specific component of the duty
	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included, with a basis of amyloseous substances:		
3809 10 10	– Containing by weight of such substances less than 55 %	0	EUR 8,9/100 kg net MAX 12,8 %
3809 10 30	– Containing by weight of such substances 55 % or more but less than 70 %	0	EUR 12,4/100 kg net MAX 12,8 %
3809 10 50	– Containing by weight of such substances 70 % or more but less than 83 %	0	EUR 15,1/100 kg net MAX 12,8 %
3809 10 90	– Containing by weight of such substances 83 % or more	0	EUR 17,7/100 kg net MAX 12,8 %
	Sorbitol other than that of subheading 2905 44:		
3824 60 11	– in aqueous solution: -- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 16,1/100 kg net
3824 60 19	– in aqueous solution: -- Containing more than 2 % by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 37,8/100 kg net
3824 60 91	– Other than in aqueous solution: -- Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 23/100 kg net
3824 60 99	– Other than in aqueous solution: -- Containing more than 2 % by weight of D-mannitol, calculated on the D-glucitol content	0	EUR 53,7/100 kg net

⁽¹⁾ CN codes corresponding to Regulation (EU) No 861/2010 (OJ L 284, 29.10.2010, p. 1).

⁽²⁾ Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where 'ex' CN codes are indicated, the preferential scheme is to be determined by the application of the CN codes and corresponding description taken together.

⁽³⁾ Where indicated, 'EA' and 'AD S/Z' refer to the agricultural component and additional duties for sugar, the amounts of which are fixed in Annex 1 to Regulation (EU) No 861/2010 (OJ L 284, 29.10.2010, p. 1).

ANNEX II

ANNEX TO PROTOCOL 2

Table 1

Products not included in the table below are duty free. A preferential treatment for some of the products listed below is indicated in Tables 2 and 3.

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
ex 0102 90	Live calves for slaughter
0104 10	Live sheep:
0104 10 20	– Within the framework of the Fifth Addition
0104 10 90	– Other
0104 20	Live goats:
0104 20 90	– Other
0105 12	Live turkeys, weighing not more than 185 g:
0105 12 10	– Whose value does not exceed NIS 12 each
0105 12 80	– Within the framework of the Fifth Addition
0105 19	Live ducks, geese and guinea fowls, weighing not more than 185 g:
0105 19 10	– Whose value does not exceed NIS 12 each
0105 19 80	– Within the framework of the Fifth Addition
	Other:
0105 94	– Fowls of the species <i>Gallus domesticus</i>
0105 99	– Other
0106 32 90	Live psittaciformes (including parrots, parakeets, macaws and cockatoos)
0106 39	Live birds, other than birds of prey and psittaciformes:
0106 39 19	– Ornamental birds, song birds and pet birds
0201	Meat of bovine animals, fresh or chilled
0204	Meat of sheep or goats, fresh, chilled or frozen
0206 10	Edible offal of bovine animals, fresh or chilled
0206 80 00	Edible offal of sheep, goats, horses, asses, mules or hinnies, fresh or chilled
0207	Meat and edible offal, of the poultry of heading 0105, fresh, chilled or frozen
0210 20 00	Meat of bovine animals, salted, in brine, dried or smoked
0210 91	Of primates, salted, in brine, dried or smoked:
0210 91 10	– Meat and meat offal

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
0301 excluding: 0301 10 10 0301 91 10 0301 92 10 0301 92 90 0301 93 10 0301 94 10 0301 94 90 0301 95 10 0301 95 90 0301 99 10	Live fish
0302 excluding: 0302 40 20 0302 50 20 0302 62 20 0302 63 20 0302 64 10 0302 65 20 0302 66 10 0302 68 10 0302 70 10	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading 0304
0303 excluding: 0303 11 10 0303 19 10 0303 22 10 0303 29 10 0303 43 30 0303 51 10 0303 52 10 0303 71 30 0303 72 10 0303 73 10 0303 74 10 0303 75 10 0303 76 10 0303 78 10 0303 79 30 0303 79 51 0303 80 10	Fish, frozen, excluding fish fillets and other fish meat of heading 0304
0304 excluding: 0304 11 10 0304 12 10 0304 19 22 0304 19 92 0304 22 00 0304 29 22 0304 29 42 0304 29 92 0304 91 10 0304 92 10 0304 99 20	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen
0305 41 00	Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>), smoked including fillets
0305 49 00	Other smoked fish, including fillets, other than Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>), Danube salmon (<i>Hucho hucho</i>) and Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
0306 excluding: 0306 11 10 0306 12 10 0306 14 20 0306 19 20 0306 21 10 0306 22 10 0306 24 20 0306 29 10 0306 29 92	Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boil water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption
0307 excluding: 0307 10 20 0307 21 20 0307 29 20 0307 31 20 0307 39 20 0307 60 10 0307 60 92 0307 91 20 0307 99 20	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa
0404	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included
0405	Butter and other fats and oils derived from milk; dairy spreads:
0405 10	– Butter:
	-- In packings of net content exceeding 1 kg:
0405 10 31	--- Within the framework of the Fifth Addition
0405 10 39	--- Others
	-- In packings of a net content not exceeding 1 kg:
0405 10 91	--- Within the framework of the Fifth Addition
0405 10 99	--- Other
0405 20	– Dairy spreads:
0405 20 10	-- Within the framework of the Fifth Addition
0405 20 90	-- Other
	– Other fats and oils derived from milk:
0405 90 19	-- Within the framework of the Fifth Addition
0405 90 90	-- Others
0406	Cheese and curd
0407 excluding 0407 00 10	Birds' eggs, in shell, fresh, preserved or cooked

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
0408	Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter
0409	Natural honey
0701	Potatoes, fresh or chilled:
0701 90	– Other than seed
0702	Tomatoes, fresh or chilled
0703	Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled
0704	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled
0705 11 0705 19	Lettuce, fresh or chilled
0706	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled
0707	Cucumbers and gherkins, fresh or chilled
0708 excluding 0708 90 20	Leguminous vegetables, shelled or unshelled, fresh or chilled
0709 20	Asparagus, fresh or chilled
0709 30	Aubergines (egg plants), fresh or chilled
0709 40	Celery other than celeriac, fresh or chilled
0709 51 0709 59	Mushrooms, fresh or chilled:
0709 51 90	– Mushrooms of the genus <i>Agaricus</i>
0709 59 90	– Other
0709 60	Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , fresh or chilled
0709 70	Spinach, New Zealand spinach and orache spinach (garden spinach), fresh or chilled
0709 90	Other fresh vegetables, fresh or chilled
0710 10	Potatoes (uncooked or cooked by steaming or boiling in water), frozen
0710 21	Shelled or unshelled peas (<i>Pisum sativum</i>) (uncooked or cooked by steaming or boiling in water), frozen
0710 22	Shelled or unshelled beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (uncooked or cooked by steaming or boiling in water), frozen
0710 29 excluding 0710 29 20	Other leguminous vegetables, shelled or unshelled (uncooked or cooked by steaming or boiling in water), frozen
0710 30	Spinach, New Zealand spinach and orache spinach (garden spinach) (uncooked or cooked by steaming or by boiling in water), frozen
0710 40	Sweetcorn (uncooked or cooked by steaming or by boiling in water), frozen
0710 80 10	Frozen carrots, cauliflower, broccoli, (leek), cabbage, peppers, celery (eu 5)
0710 80 40	Frozen carrots
	Others frozen vegetables:

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
0710 80 80	– Within the framework of the Fifth Addition
0710 80 90	– Others
0710 90	Mixtures of vegetables (uncooked or cooked by steaming or boiling in water), frozen
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:
0711 20	– Olives
0711 40	– Cucumbers and gherkins
0711 90	– Other vegetables and mixtures of vegetables
0712	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared:
0712 20	– Onions
0712 90 excluding 0712 90 40 0712 90 70	– Other dried vegetables, mixtures of vegetables
0713 20	Dried chickpeas (garbanzos)
0714 20	Sweet potatoes, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets
0802 11 90	Almonds in shell, fresh or dried
0802 12 90	Shelled almonds, fresh or dried
0802 31 0802 32	Walnuts, fresh or dried, whether or not shelled or peeled
0802 60	Macadamia nuts, fresh or dried, whether or not shelled or peeled
0802 90 20	Pecans, fresh or dried, whether or not shelled or peeled
	Other nuts:
0802 90 92	– Within the framework of the Fifth Addition
0802 90 99	– Other nuts
0803 00 10	Bananas, including plantains, fresh
0804 10	Dates fresh
0804 20	Fresh and dried figs
0804 30 10	Fresh pineapples
0804 40 10	Fresh avocados
0804 50 excluding 0804 50 90	Fresh guavas, mangos and mangosteens
0805 10 10	Fresh oranges
0805 20 10	Fresh mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids
0805 40 10	Fresh grapefruit, including pomelos
0805 50 10	Fresh lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>) and limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>)
0805 90 11	Fresh ethrogs (<i>Citrus medica</i>), kumquats, and limes

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
0805 90 19	Others fresh citrus fruit
0806	Grapes, fresh or dried
0807	Melons (including watermelons) and papaws (papayas), fresh
0808	Apples, pears and quinces, fresh
0809	Apricots, cherries, peaches (including nectarines), plums and sloes, fresh
0810 10	Fresh strawberries
0810 20	Fresh raspberries, blackberries, mulberries and loganberries
0810 50	Fresh kiwifruit
0810 60	Fresh durians
0810 90	Other fresh fruits
0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter:
0811 10	– Strawberries
	– Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries:
0811 20 20	-- Within the framework of the Fifth Addition
0811 20 90	-- Others
0811 90	– Others, fruit and nuts
0812	Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
0813 20	Dried prunes:
0813 20 20	– Within the framework of the Fifth Addition
0813 20 99	– Other
0813 40 00	Other dried fruit
0813 50	Mixtures of nuts or dried fruits of chapter 08
0904	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>
0910 10 91	Ginger which will be released from the months October to January
0910 99 90	Other spices
1001	Wheat and meslin
1005 90 10	Maize (corn) of the popcorn kind
1105 20 00	Flakes, granules and pellets of potatoes
1108 11 1108 12 1108 13 1108 14 1108 19	Starches
1202 10 00	Groundnuts, not roasted or otherwise cooked, whether or not shelled or broken, in shell
1202 20 90	Shelled ground nuts, not roasted or otherwise cooked, whether or not shelled or broken

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
1206 00 90	Other sunflower seeds, whether or not broken
1207 20 00	Cotton seeds
1207 99 20	Castor oil seeds
1209 91 29	Pumpkin seeds
1209 99 20	Watermelon seeds
1404 90 19	Other pollen-not intended for animal feeding
1501	Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503
1507	Soya bean oil and its fractions, whether or not refined, but not chemically modified
1508 10 00	Crude groundnut oil and its fractions, whether or not refined, but not chemically modified
1508 90 90	Others, groundnut oil and its fractions, whether or not refined, but not chemically modified – non crude and non edible
1509	Olive oil and its fractions, whether or not refined, but not chemically modified
1510	Other oils and their fractions, obtained solely from olives, whether or not refined, but not chemically modified, including blends of these oils or fractions with oils or fractions of heading 1509
1511 10 20	Crude palm oil and its fractions, whether or not refined, but not chemically modified
1511 90 90	Palm oil and its fractions, whether or not refined, but not chemically modified, non crude and not edible
1512 11 1512 19	Sunflower seed or safflower oil and fractions thereof
1512 21 90	Crude cotton-seed oil and its fractions, wheter or not gossypol has been removed
1512 29 90	Cotton-seed oil and its fractions, wheter or not gossypol has been removed, non crude and not edible
1513	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified
1514 excluding 1514 91 19 1514 99 19	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified
1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified:
	– Linseed oil and its fractions:
1515 11 90	-- Crude oil, non edible
1515 19 90	-- Other, non edible
	– Maize (corn) oil and its fractions:
1515 21 20	-- Crude oil, non edible
1515 29 90	-- Other, non edible
1515 30 00	– Castor oil and its fractions
1515 50 90	– Others non edible, sesame oil and its fractions
1515 90	– Other:

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
1515 90 22	-- Other oils, of nuts or fruits pips or stones of detailed headings 0802 or 1212
1515 90 30	-- Others
1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or refined, but not further prepared:
1516 10	- Animal fats and oils and their fractions:
1516 10 11	-- Solid edible fats
1516 10 19	-- Others, solid fats
1516 20	- Vegetable fats and oils and their fractions:
1516 20 19	-- Others, solid fats
1516 20 91	-- Castor oil
1516 20 92	-- Linseed oil
1516 20 99	-- Other
1517 90 21	Edible mixtures or preparations of animal or vegetable fats or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading 1516, containing olive oil
1517 90 22	Edible mixtures or preparations of animal or vegetable fats or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading 1516, containing soybean oil, sunflower oil, sunflower oil, cottonseed oil, maize (corn) oil or rape oil
1518 00 21	Castor oil
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products
1602	Other prepared or preserved meat, meat offal or blood:
1602 20 91	- Of liver of any animal containing chicken liver
1602 20 99	- Of liver of any animal, others
1602 31 90	- Of turkeys
1602 32 90	- Of fowls of the species <i>Gallus domesticus</i>
1602 39 90	- Of other of poultry of heading 0105
	- Of swine:
1602 41 00	-- Hams and cuts thereof
1602 42 00	-- Shoulders and cuts thereof
1602 49 90	-- Other, including mixture
ex 1602 50	- Of bovine animals:
1602 50 80	-- Within the framework of the Fifth Addition
1602 50 91	-- Containing more than 20 % chicken meat by weight
1602 50 99	-- Other

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
1602 90 90	– Others, including preparations of blood of any animal
1603	Extracts and juices of meat, fish or crustaceans, mollusc or other aquatic invertebrates
1604 excluding 1604 11 20 1604 12 10 1604 19 20 1604 15 20 1604 20 10 1604 20 20	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs
1702 30 10	Glucose in liquid state
1704 10 90	Other chewing gum, whether or not sugar-coated containing less than 10 % gum base by weight
1905 31 10	Sweet biscuits – Containing eggs at a rate of 10 % or more of the weight, but not less than 1,5 % of milk fats and not less than 2,5 % of milk proteins
1905 32 20	Waffles and wafers – others, without filling
1905 32 30	Waffles and wafers – with filling containing not less than 1,5 % of milk fats, and not less than 2,5 % milk proteins
1905 32 90	Waffles and wafers – others, with filling
1905 90	Bread, pastry, cakes, biscuits and other bakers wares whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products, Others:
1905 90 30	– Pre cooked dough for the preparation of the products of heading 1905
1905 90 91	– Others, containing eggs at a rate of 10 % or more of the weight, but not less than 1,5 % of milk fats and not less than 2,5 % of milk proteins
1905 90 92	– Others, containing flour, which is not wheat flour, in a quantity exceeding 15 % of the total flour weight
2001	Vegetables, fruit, nuts and other edible parts of plants prepared or preserved by vinegar or acetic acid
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:
2004 10 10	– Potatoes – products made from flour or of meal
2004 10 90	– Potatoes, others
	– Other vegetables products made from flour or of meal:
2004 90 11	-- Within the framework of the Fifth Addition
2004 90 19	-- Others
	– Others vegetables:
2004 90 91	-- Within the framework of the Fifth Addition
2004 90 93	-- Sweet corn
2004 90 94	-- Legumes
2004 90 99	-- Others vegetables
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
2005 20 10	– Potatoes – products made from flour, meal, powder, flakes, granules and pellets
2005 20 90	– Others, potatoes
2005 40 10	– Peas (<i>Pisum sativum</i>) – products made from flour or of meal
2005 40 90	– Others, peas (<i>Pisum sativum</i>)
2005 51 00	– Beans, shelled
2005 59 10	– Others beans, products made from flour or meal
2005 59 90	– Others beans
2005 60 00	– Asparagus
2005 70	– Olives
2005 80	– Baby corn, and others, sweet corn
	– Others vegetables:
2005 99 10	-- Products made from flour or of meal
2005 99 30	-- Carrots, except those of subheading 9020
2005 99 40	-- Chickpeas
2005 99 50	-- Cucumbers
2005 99 80	-- Within the framework of the Fifth Addition
2005 99 90	-- Others
2006 00	Vegetables, fruit, nuts, fruit peel and other parts of plants, preserved by sugar (drained, glaze or crystallised)
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter:
2007 91 00	– Citrus fruit
2007 99 excluding 2007 99 93	– Other
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:
2008 11	– Groundnuts:
2008 11 20	-- Roasted
2008 11 90	-- Others
2008 19 32	-- Other almond, roasted
2008 19 39	-- Others, nuts, and other roasted seeds
2008 19 40	– Others, nuts, and other seeds — of an actual alcoholic strength by mass exceeding 2 % mas
2008 19 91	– Others, almonds
2008 19 99	– Others, nuts, and other seeds
2008 20	– Pineapples
2008 30	– Citrus fruit:

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
2008 30 20	-- Of an alcoholic strength by mass exceeding 2 % mas
2008 30 90	-- Other
2008 40	- Pears
2008 50	- Apricots
2008 60	- Cherries
2008 70	- Peaches including nectarines:
2008 70 20	-- Of an actual alcoholic strength by mass exceeding 2 % mas
2008 70 80	-- Within the framework of the Fifth Addition
2008 80	- Strawberries
2008 91	- Palm hearts
2008 92	- Mixtures
	- Plums:
2008 99 12	-- Of an alcoholic strength by mass exceeding 2 % mas
2008 99 19	-- Others
	- Others, fruit, nuts and other edible parts of plants:
2008 99 30	-- Of an alcoholic strength by mass exceeding 2 % mas
2008 99 90	-- Others
2009 11 2009 12 2009 19 excluding 2009 11 11 2009 11 40 2009 19 11	Orange juice
2009 21 2009 29 excluding 2009 29 11	Grapefruit juice
2009 31 2009 39	Juice of any other single citrus fruit
2009 50	Tomato juice
2009 61 2009 69	Grape juice (including grape must),
2009 71 2009 79	Apple juice
2009 80	Juice of any other single fruit or vegetable:
2009 80 10	- Within the framework of the Fifth Addition
2009 80 29	- Other condensed juice
2009 80 90	- Other, juice
2009 90	Mixtures of juices

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
2104 10 10	Soups and broths and preparations thereof
2105 00	Ice cream and other edible ice, whether or not containing cocoa:
2105 00 11	– Containing less than 3 % milk fat
2105 00 12	– Containing 3 % or more milk fat but less than 7 % milk fat
2105 00 13	– Containing 7 % or more milk fat
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances
2206	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included
2207 10	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; intended for the use in the production of an alcoholic beverage by a licensed manufacturer of alcoholic beverages, provided it is intended a purpose as stated:
2207 10 51	– Grape alcohol
2207 10 80	– Within the framework of the Fifth Addition
2207 10 90	Un denatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher, other:
2207 10 91	– Grape alcohol
2208 20 91	Spirits obtained by distilling grape wine or grape marc, containing 17 % or more alcohol by volume and whose price per centilitre does not exceed the Shekel equivalent of 0,05 USD, Within the framework of the Fifth Addition
2208 20 99	Spirits obtained by distilling grape wine or grape marc, containing 17 % or more alcohol by volume and whose price per centilitre does not exceed the Shekel equivalent of 0,05 USD
2304	Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil
2306	Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading 2304 or 2305
2309 10 excluding 2309 10 90	Dog or cat food, put up for retail sale
2309 90	Preparations of a kind used in animal feeding, other than dog or cat food, put up for retail sale:
2309 90 20	– Containing, by weight, not less than 15 % and not more than 35 % protein substances and not less than 4 % fatty substances
3502 11 3502 19	Egg albumin:
3502 11 10	– Dried, within the framework of the Fifth Addition
3502 11 90	– Dried, other
3502 19 10	– Other than dried, within the framework of the Fifth Addition
3502 19 90	– Other than dried, other
3505	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches:

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾
3505 10 21	– Starches — on a wheat or corn base (excluding for waxy corn)
3505 20 00	– Glues

⁽¹⁾ Israeli codes corresponding to the Israeli Customs file, published in Jerusalem on 1.1.2010 Version 1590.

⁽²⁾ Notwithstanding the rules for the interpretation of the Harmonised System (HS) or of the Israeli tariff nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the HS codes or of the Israeli tariff codes. Where 'ex' HS codes or 'ex' Israeli tariff codes are indicated, the preferential scheme is to be determined by the application of the HS codes or Israeli tariff codes and corresponding description taken together.

Table 2

For the following products a preferential treatment is provided in the form of tariff quotas as listed below:

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
ex 0102 90	Live calves for slaughter	100	1 200	—
ex 0105 12 0105 19	Live ducks, geese, turkeys and guinea fowls, weighing not more than 185 g	100	2 060 000 pieces	—
0201	Meat of bovine animals, fresh or chilled	100	1 120	—
0204	Meat of sheep or goats, fresh, chilled or frozen	100	800	—
ex 0207	Meat and edible offal of poultry of heading 0105, fresh, chilled or frozen, not including ducks (meat or liver)	100	1 200	—
ex 0207 34	Goose fatty liver	100	100	—
ex 0207 36	Goose meat and liver, frozen	100	500	—
0302 31 20	Of the kind detailed in subheading 0302 31 00 only albacore or long finned tunas (<i>Thunnus alalunga</i>)	100	250	—
0303 31 10	Of the kind detailed in subheading 0303 31 00 only halibut (<i>Reinhardtius hippoglossoides</i> , <i>Hippoglossus hippoglossus</i> , <i>Hippoglossus stenolepis</i>)	100	100	25
0303 33 10	Of the kind detailed in subheading 0303 33 00 only sole (<i>Solea</i> spp.)			
0303 39 10	Of the kind detailed in subheading 0303 39 00 only (Other than <i>Reinhardtius hippoglossoides</i> , <i>Hippoglossus hippoglossus</i> , <i>Hippoglossus stenolepis</i> , <i>Pleuronectes platessa</i> , <i>Solea</i> spp.)			
0303 79 91	Approved by the Director-General of the Ministry of Agriculture as fish of the kinds that do not grow or are not fished in Israel or in the Mediterranean Sea	10	—	—
0304 19 41	Of the kind detailed in subheading 0304 19 40 only (<i>Pleuronectidae</i> , <i>Bothidae</i> , <i>Cynoglossidae</i> , <i>Thunnus</i> , Skipjack, <i>Euthynnus pelamis</i> , Herrings, Cod, Sardines, Haddock, Coalfish, Mackerel, Dogfish, Anguilla, Hake, Red Fish, Nile Perch)	100	50	—

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
0402 10 21	Milk and cream in powder, granules or other solid form, of a fat content, by weight, not exceeding 1,5 %	100	2 180	—
0402 10 10	Milk and cream in powder, granules or other solid form, of a fat content, by weight, not exceeding 1,5 %	55	2 180	—
0402 21	Milk and cream in powder, granules or other solid form, of a fat content, by weight, exceeding 1,5 %, not containing added sugar or other sweetening matter	100	4 420	—
ex 0402 91 ex 0402 99	Condensed milk	100	100	—
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa	100	200	— for yogurts containing cocoa, flavouring materials and/or added sugar – only agricultural component apply (**)
0404	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included	100	1 400	—
0405	Butter and other fats and oils derived from milk; dairy spreads:	100	650	—
0405 10	– Butter:			
	– – In packings of net content exceeding 1 kg:			
0405 10 31	– – – Within the framework of the Fifth Addition			
0405 10 39	– – – Others			
	– – In packings of a net content not exceeding 1 kg:			
0405 10 91	– – – Within the framework of the Fifth Addition			
0405 10 99	– – – Other			
0405 20	– Dairy spreads:			
0405 20 10	– – Within the framework of the Fifth Addition			
0405 20 90	– – Other			
	– Other fats and oils derived from milk:			
0405 90 19	– – Within the framework of the Fifth Addition			
0405 90 90	– – Others			

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
0406	Cheese and curd	100	830	—
ex 0407	Bird's eggs, in shell, fresh, preserved or cooked for consumption	100	8 004 800 pieces	—
ex 0407	Bird's eggs, in shell, fresh, for hatching	100	50 000 pieces	—
ex 0409	Natural honey	100	180	—
ex 0409	Natural honey in packages exceeding 50 kg	100	300	—
0701 90	Potatoes, fresh or chilled, other than seed	100	6 380	—
0703 10	Onions and shallots, fresh or chilled	100	2 300	—
0703 20	Garlic, fresh or chilled	100	230	25
ex 0709 20	Asparagus, white, fresh or chilled	100	100	—
ex 0709 51 ex 0709 59	Mushrooms, fresh or chilled, other than released in the months June to September	100	200	—
0710 10	Potatoes (uncooked or cooked by steaming or boiling in water), frozen	100	250	—
0710 21	Shelled or unshelled peas (<i>Pisum sativum</i>) (uncooked or cooked by steaming or boiling in water), frozen	100	1 090	—
0710 22	Shelled or unshelled beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (uncooked or cooked by steaming or boiling in water), frozen	100	1 460	—
0710 29	Other leguminous vegetables, shelled or unshelled (uncooked or cooked by steaming or boiling in water), frozen	100	660	—
0710 30	Spinach, New Zealand spinach and orache spinach (garden spinach) (uncooked or cooked by steaming or by boiling in water), frozen	100	650	—
0710 80	Other vegetables (uncooked or cooked by steaming or boiling in water), frozen	100	1 580	—
0710 90	Mixtures of vegetables (uncooked or cooked by steaming or boiling in water), frozen			
ex 0712 90	Other vegetables and mixtures of vegetables, dried, whole, cut, sliced, broken or in powder, but not further prepared, other than sweet corn, beans with shell, broccoli, garlic and dried tomatoes	100	350	—
0712 90 81	Garlic, dried, whole, cut, sliced, broken or in powder, but not further prepared	100	60	—

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
ex 0712 90 30	Dried tomatoes, whole, cut, sliced, broken or in powder, but not further prepared	100	1 230	—
2002 90 20	Tomatoes, other than whole or in pieces, prepared or preserved otherwise than by vinegar or acetic acid, in powder form			
ex 0802 60	Macadamia nuts, fresh or dried, whether or not shelled or peeled	100	560	15
0802 90	Pecan and other nuts, fresh or dried, whether or not shelled or peeled excluding pecans, macadamia and pine nuts			
ex 0804 20	Figs, dried	100	560	20
0805 10 10	Oranges, fresh	100	1 000	—
0805 20 10	Fresh mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids	100	2 000	—
0805 50 10	Fresh lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>) and limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>)	100	500	—
0806 10	Grapes, fresh	100	500	—
0806 20	Grapes, dried	100	120	25
0807 11	Watermelons, fresh	100	750	—
0807 19	Melons, fresh	100	300	—
0808 10	Apples, fresh	100	3 280	—
ex 0808 20	Pears, fresh	100	2 140	—
ex 0808 20	Quinces, fresh	100	380	—
0809 10	Apricots, fresh	100	300	—
0809 20	Cherries, fresh	100	100	—
0809 30	Peaches, including nectarines	100	300	—
0809 40	Plums and sloes	100	500	—
0810 50	Fresh kiwifruit	100	200	—
ex 0811 20	Raspberries, blackcurrants, redcurrants, blackberries and mulberries uncooked or cooked by steaming or boiling in water, frozen, unsweetened	100	160	—
0811 90	Other fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter	100	660	—
0812 10	Cherries, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	100	620	—

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
0812 90 10	Strawberries, provisionally preserved, but unsuitable in that state for immediate consumption	100	100	—
0813 20	Prunes, dried	100	730	—
0904 20	Fruits of genus <i>Capsicum</i> or <i>Pimenta</i> , dried, crushed or ground	100	110	—
1001 10	Durum wheat	100	10 640	—
1001 90	Other wheat and meslin	100	190 840	—
ex 1001 90	Other wheat and meslin ⁽³⁾ , for feed	100	300 000	—
1209 99 20	Watermelon seeds	100	560	—
1507 10 10 1507 90 10	Soya bean oil, whether or not degummed, edible	100	5 000	40
1509 10 1509 90 30	Olive oil, virgin Olive oil, other than virgin, edible	100	300	—
1509 90 90	Olive oil, other than virgin, other than edible	100	700	—
ex 1512	Sunflower-seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified, edible	40	unlimited	—
ex 1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified, edible	40	unlimited	—
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	100	500	—
1602 31	Prepared or preserved meat or meat offal of turkeys	100	5 000	—
1602 32	Prepared or preserved meat or meat offal of fowls of the species <i>Gallus domesticus</i>	100	2 000	—
1602 50	Prepared and preserved meat offal of bovine animal	100	340	—
1604 11 10	Salmon, in airtight containers	100	100	—
1604 12 90	Others	50	unlimited	—
1604 13	Sardines	100	230	—
1604 14	Tuna	100	330	—
ex 1604 15 90	Mackerel	100	80	—
1604 16 00	Anchovies	50	unlimited	—
ex 1604 19 90	Cod, coalfish, hake, Alaska Polack	100	150	—
ex 1604 20 90	Herring, swordfish, mackerel	100	100	—
1604 30	Caviar and caviar substitutes	100	25	—

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
1702 30 10	Glucose in liquid state	15	unlimited	—
1704 10 90	Chewing gum, whether or not sugar coated not containing 10 % or more gum base by weight	100	75	(*)
1905 31 10	Sweet biscuits, containing eggs at a rate of 10 % or more of the weight, but not less than 1,5 % of milk fats and not less than 2,5 % of milk protein	100	1 200	(*)
1905 32 20	Waffles and wafers, others, without filling			(*)
1905 32 30	Waffles and wafers with filling containing not less than 1,5 % of milk fats, and not less than 2,5 % milk proteins			(*)
1905 32 90	Others			(*)
2001 10	Cucumbers and gherkins, prepared or preserved by vinegar or acetic acid	17	60	—
2001 90 90	Other, than cucumbers and gherkins, olives, sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>), yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, prepared or preserved by vinegar or acetic acid	100	1 000	—
2002 10	Tomatoes whole or in pieces prepared or preserved otherwise than by vinegar or acetic acid	100	100	—
ex 2002 90 10 ex 2002 90 90	Tomato paste, approved by the Director-General Ministry of Industry, for ketchup producers	50	1 030	—
ex 2004 90	Other vegetables and mixtures of vegetables, other than homogenised preparations, in the form of flour or meal	100	340	—
ex 2004 90	Other vegetables, other than homogenised preparations	65	unlimited	—
2005 20 90	Potatoes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100	250	—
2005 40 90	Peas, other than homogenised preparations, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100	300	—
2005 51	Beans, shelled, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100	300	—
2005 70	Olives, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100	250	—
2005 99 90	Other vegetables and mixtures of vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen	100	1 310	—

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
2006 00	Vegetables, fruit, nuts, fruit peel and other parts of plants, preserved by sugar (drained, glaze or crystallised)	100	100	—
ex 2007 99	Other jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking with a sugar content exceeding 30 % by weight, excluding strawberries	100	1 430	—
2008 40	Pears, otherwise prepared or preserved	100	500	—
2008 50	Apricots, otherwise prepared or preserved	100	520	—
ex 2008 60	Sour cherries, prepared or preserved, containing no spirit but with added sugar	92	270	—
2008 70	Peaches including nectarines otherwise prepared or preserved	100	2 240	—
ex 2008 80	Strawberries, otherwise prepared or preserved in packings of not less than 4,5 kg (excl. added sugar or spirit)	100	220	—
ex 2008 92	Mixtures of tropical fruit, without strawberries, nuts and citrus	100	560	—
2008 99	Other, fruit, nut and other edible part of plants, otherwise prepared whether or not containing added sugar or other sweetening matter or spirit not elsewhere specified or included	100	500	—
ex 2009 11 ex 2009 19	Orange juice, frozen and not frozen, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, of a Brix value not exceeding 67, in packings of more than 230 kg	100	unlimited	—
ex 2009 29	Grapefruit juice, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, of a Brix value not exceeding 67, in packings of more than 230 kg			
ex 2009 31	Lemon juice, unfermented and not containing added spirit, not containing added sugar or other sweetening matter, of a Brix value not exceeding 20	100	560	—
ex 2009 39 11	Other lemon juice, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, of a Brix value exceeding 50	100	1 080	—

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
2009 61	Grape juice, (incl. grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, of a Brix value not exceeding 30	100	230	—
ex 2009 69	Other grape juice (incl. grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, of a Brix value exceeding 67			
2009 71	Apple juice, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, of a Brix value not exceeding 20	100	790	—
ex 2009 79	Other apple juice, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter of a Brix value exceeding 20	100	1 670	—
ex 2009 80	Juice of any other single fruit or vegetable, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, of a Brix value exceeding 67	100	880	—
ex 2009 90	Mixtures of juices excluding grapes and tomatoes, of a Brix value exceeding 20	100	600	—
2105 00	Ice cream and other edible ice, whether or not containing cocoa	100 % reduction of the ad valorem part of the duty and 30 % reduction of the agricultural component (**)	500	(*)
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009	100	4 300 hl	—
2205 10 2205 90	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances	100	2 000 hl	(*)
2207 10 51 2207 10 91	Undenatured ethyl alcohol obtained from grapes of an alcoholic strength by volume of 80 % vol or higher	100	3 450	(*)
2208 20 91	Spirits obtained by distilling grape wine or grape marc, containing 17 % or more alcohol by volume, whose price per centilitre exceeds the shekel equivalent of 0,05 dollar	100	2 000 Hpa	(*)
2304	Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	100	5 220	—

HS or Israeli Code ⁽¹⁾	Description ⁽²⁾	a	b	c
		Reduction of the MFN customs duty (%)	Tariff quota (tonnes net weight, unless otherwise indicated)	Reduction of the MFN customs duty beyond current tariff quota (%)
2306 30 00	Oilcake and other solid residues	Applicable duty: 2,5 %	10 000	—
2306 41	Rape seed meal	Applicable duty: 4,5 %	3 920	—
2309 10 20	Dog or cat food, put up in packing for retail sale, containing, by weight, not less than 15 % and not more than 35 % protein materials and not less than 4 % fat materials	100	1 150	—
2309 90 20	Other preparations of a kind used in animal feeding, containing, by weight, not less than 15 % and not more than 35 % protein materials and not less than 4 % fat materials and prepared food for ornamental fishes and birds	100	1 610	—
3502 11 3502 19	Egg Albumin	100	50	(*)

⁽¹⁾ Israeli codes corresponding to the Israeli Customs file, published in Jerusalem on 1.1.2010 Version 1590.

⁽²⁾ Notwithstanding the rules for the interpretation of the Harmonised System (HS) or of the Israeli tariff nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the HS codes or of the Israeli tariff codes. Where 'ex' HS codes or 'ex' Israeli tariff codes are indicated, the preferential scheme is to be determined by the application of the HS codes or Israeli tariff codes and corresponding description taken together.

⁽³⁾ Approved by the Director-General of the Ministry of Agriculture.

^(*) Preferential duties beyond the tariff quota established in Table 3 of this Annex.

^(**) The Agricultural Component shall continue to be fixed according to the guidelines set in the Memorandum concerning the Price Compensation System to be applied by Israel for Processed Agricultural Products covered by the EC-Israel Trade Agreement, published by the State of Israel, Ministry of Industry and Trade, Foreign Trade Administration, and dated September 1995 (ref. No 2536/G). Israel will inform the Union of any new fixation of these Agricultural Components.

Table 3

For the following products customs duties shall be bound as listed below:

Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾	Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾	Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾
	(a)	(b)		(a)	(b)		(a)	(b)
0104 10 90	110		0204 23 19	50		0207 13 00	110	
0105 12 10	60		0204 23 99	50		0207 14 10	110	
0105 19 10	60		0204 30 90	50		0207 14 90	110	
0105 94 00	110		0204 41 90	50		0207 24 00	80	
0105 99 00	110		0204 42 90	50		0207 25 00	80	
0204 10 19	50		0204 43 90	50		0207 26 00	110	
0204 10 99	50		0204 50 19	50		0207 27 10	110	
0204 21 19	50		0206 80 00	60		0207 27 90	110	
0204 21 99	50		0207 11 10	80		0210 20 00	110	
0204 22 19	50		0207 11 90	80		0408 91 00	110	
0204 22 99	50		0207 12 10	80		0408 99 00	110	
			0207 12 90	80		0702 00 10	150	

Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾
	(a)	(b)
0702 00 90	150	
0703 90 00	75	
0704 10 10	75	
0704 10 20	75	
0704 10 90	75	
0704 20 00	75	
0704 90 10	75	
0704 90 20	75	
0704 90 30	75	
0704 90 90	75	
0705 11 00	60	
0705 19 00	60	
0706 90 10	75	
0706 90 30	75	
0706 90 50	110	
0706 90 90	75	
0708 10 00	75	
0708 20 00	75	
0708 90 10	75	
0709 20 00	75	
0709 40 00	60	
0709 51 90	60	
0709 59 90	60	
0709 70 00	80	
0709 90 31	75	
0709 90 33	75	
0709 90 90	75	
0710 29 90	20	
0710 30 90	30	
0710 40 00	0	0,63 NIS per kg
0711 90 41	0	0,55 NIS per kg
0805 40 10	90	
0805 50 10	120	
0805 90 11	100	
0805 90 19	75	

Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾
	(a)	(b)
0806 10 00	150	
0806 20 90	150	
0807 11 10	50	
0807 19 90	70	
0808 20 19	80	
0809 10 90	60	
0809 30 90	50	
0809 40 90	60	
0810 20 00	30	
ex 0810 90	30	
0811 20 90	12	
0811 90 11	20	
0811 90 19	30	
0812 90 90	12	
0813 40 00	20	
0904 11 00	8	
0904 12 00	15	
0904 20 90	12	
0910 99 90	15	
1001 10 90	50	
1001 90 90	50	
1105 20 00	14,4	
1108 11 00	15	
1108 12 10	8	
1108 12 90	12	
1108 13 00	8	
1108 14 00	8	
1108 19 00	8	
1209 91 29	12	
1404 90 19	19,5	
1501 00 00	12	
1507 10 90	8	
1507 90 90	8	
1508 10 00	8	
1508 90 90	8	

Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾
	(a)	(b)
1510 00 90	8	
1511 10 20	8	
1511 90 90	8	
1512 11 90	8	
1512 19 90	8	
1512 21 90	8	
1512 29 90	8	
1513 11 90	8	
1513 19 90	8	
1513 21 20	8	
1513 29 90	8	
1514 11 90	8	
1514 19 90	8	
1514 91 90	8	
1514 99 90	8	
1515 11 90	4	
1515 19 90	4	
1515 21 20	8	
1515 29 90	8	
1515 30 00	8	
1515 50 90	8	
1515 90 22	8	
1515 90 30	8	
1516 10 11	28	
1516 20 19	8	
1516 20 91	12	
1516 20 92	4	
1516 20 99	8	
1601 00 90	12	
1602 20 99	12	
1602 41 00	12	
1602 42 00	12	
1602 49 90	12	
1602 50 91	12	
1602 50 99	12	

Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾
	(a)	(b)
1602 90 90	12	
1603 00 00	12	
1704 10 90	0	0,11 NIS per kg
1905 31 10	0	1,05 NIS per kg BNM than 112 %
1905 32 20	0	0,42 NIS per kg BNM than 112 %
1905 32 30	0	1,05 NIS per kg BNM than 112 %
1905 32 90	0	0,42 NIS per kg BNM than 112 %
1905 90 30	6,3	
1905 90 91	0	1,05 NIS per kg BNM than 112 %
1905 90 92	0	0,17 NIS per kg BNM than 112 %
2001 90 30	0	0,71 NIS per kg
2001 90 40	0	1,95 NIS per kg
2004 10 10	8	
2004 90 19	8	
2004 90 93	0	0,71 NIS per kg
2005 20 10	8	
2005 40 10	5,8	
2005 51 00	12	
2005 59 10	6,3	
2005 60 00	12	
2005 80 20	0	0,71 NIS per kg BNM than 12 %
2005 80 91	12	—
2005 80 99	0	0,71 NIS per kg
2005 99 10	6	
2006 00 00	12	

Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾
	(a)	(b)
2007 91 00	12	
2007 99 91	12	
2007 99 92	12	
2008 19 32	40	
2008 19 40	12	
2008 19 91	30	
2008 20 20	12	
2008 20 90	12	
2008 30 20	12	
2008 40 20	12	
2008 50 20	12	
2008 60 20	12	
2008 70 20	12	
2008 80 20	12	
2008 91 00	12	
2008 92 30	12	
2008 99 12	12	
2008 99 19	40	
2008 99 30	12	
2009 11 19	30	
2009 11 20	45	
2009 11 90	30	
2009 12 90	30	
2009 19 19	30	
2009 19 90	45	
2009 21 90	30	
2009 29 19	30	
2009 29 90	45	

Israeli Code ⁽¹⁾	ad valorem rates to be bound (%)	specific duties to be bound ⁽²⁾
	(a)	(b)
2009 31 10	12	
2009 31 90	12	
2009 39 11	12	
2009 39 19	12	
2009 39 90	12	
2009 71 10	25	
2009 71 90	30	
2009 79 30	20	
2009 79 90	45	
2009 90 21	35	
2009 90 24	30	
2104 10 10	8	
2105 00 11	0	0,24 NIS per kg BNM than 85 %
2105 00 12	0	1,22 NIS per kg BNM than 85 %
2105 00 13	0	1,87 NIS per kg BNM than 85 %
2205 10 00	20	
2205 90 00	20	
2207 10 51	0	8,90 NIS per Lt. Kohl.
2207 10 91	0	8,90 NIS per Lt. Kohl.
2208 20 99	0	7,5 NIS per Lt. Kohl.
3502 11 90	0	8,4 NIS per kg. BNM than 50 %
3502 19 90	0	3,25 NIS per kg. BNM than 50 %
3505 10 21	8	
3505 20 00	8	

⁽¹⁾ Israeli codes corresponding to the Israeli Customs file, published in Jerusalem on 1.1.2010 Version 1590.

⁽²⁾ BNM stands for 'but not more'.

B. Letter from the State of Israel

Sir/Madam,

I have the honour to acknowledge receipt of your letter of 18 June 2012 which reads as follows:

I have the honour to refer to the technical meetings relating to the implementation of the Agreement in the form of an Exchange of Letters between the European Community and the State of Israel concerning reciprocal liberalisation measures on agricultural products, processed agricultural products and fish and fishery products, the replacement of Protocols 1 and 2 and their Annexes and amendments to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, which entered into force on 1 January 2010. In these meetings it has been concluded that some technical amendments to the Euro-Mediterranean Agreement are necessary.

I therefore propose that the Annex to Protocol 1 to the Euro-Mediterranean Agreement, concerning the arrangements applicable to imports into the European Union of agricultural products, processed agricultural products and fish and fishery products originating in the State of Israel and the Annex to Protocol 2 to the Euro-Mediterranean Agreement, concerning the arrangements applicable to imports into the State of Israel of agricultural products, processed agricultural products and fish and fishery products originating in the European Union be replaced by Annex I and II respectively of this Agreement, with effect as of 1 January 2010.

This Agreement shall enter into force on the first day of the third month following the date of deposit of the last instrument of approval.

I would be grateful if you could confirm that your Government is in agreement with the content of this letter.’.

I have the honour to inform you that the State of Israel is in agreement with the content of your letter.

Please accept, Sir/Madam, the assurance of my highest consideration.

Съставено в Брюксел на
 Hecho en Bruselas, el
 V Bruselu dne
 Udfærdiget i Bruxelles, den
 Geschehen zu Brüssel am
 Brüssel,
 Έγινε στις Βρυξέλλες, στις
 Done at Brussels,
 Fait à Bruxelles, le
 Fatto a Bruxelles, addì
 Briselē,
 Priimta Briuselyje,
 Kelt Brüsszelben,
 Maghmul fi Brussell,
 Gedaan te Brussel,
 Sporządzono w Brukseli, dnia
 Feito em Bruxelas,
 Întocmit la Bruxelles,
 V Bruseli
 V Bruslju,
 Tehty Brysselissä
 Utfärdat i Bryssel den

נעשה בבריסל

18-06-2012

За Държавата Израел
 Por el Estado de Israel
 Za Stát Izrael
 For Staten Israel
 Für den Staat Israel
 Iisraeli Riigi nimel
 Για το Κράτος του Ισραήλ
 For the State of Israel
 Pour l'État d'Israël
 Per lo Stato d'Israele
 Izraēlas Valsts vārdā –
 Izraelio Valstybės vardu
 Izrael Állam részéről
 Għall-Istat tal-Iżrael
 Voor de Staat Israël
 W imieniu Państwa Izrael
 Pelo Estado de Israel
 Pentru Statul Israel
 Za Izraelský štát
 Za Državo Izrael
 Israelin valtion puolesta
 För Staten Israel

בשם מדינת ישראל

Ronen Gof-Duk.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 84/2013

of 30 January 2013

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 30 January 2013.

*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	MA	55,6
	PS	161,2
	TN	73,6
	TR	120,5
	ZZ	102,7
0707 00 05	EG	206,0
	MA	124,7
	TR	175,0
	ZZ	168,6
0709 91 00	EG	82,2
	ZZ	82,2
0709 93 10	EG	194,1
	MA	62,4
	TR	154,9
	ZZ	137,1
0805 10 20	EG	52,9
	MA	53,8
	TN	57,4
	TR	69,1
	ZZ	58,3
0805 20 10	MA	86,1
	ZZ	86,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	153,7
	IL	108,8
	KR	135,6
	MA	124,5
	TR	77,3
	ZZ	120,0
0805 50 10	EG	87,0
	TR	70,4
	ZZ	78,7
0808 10 80	AR	86,6
	BR	86,6
	CN	101,5
	MK	36,4
	US	170,0
	ZZ	96,2
0808 30 90	CN	68,0
	TR	176,8
	US	131,6
	ZZ	125,5

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

DIRECTIVES

COMMISSION DIRECTIVE 2012/47/EU

of 14 December 2012

amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community ⁽¹⁾, and in particular Article 13 thereof,

Whereas:

- (1) Directive 2009/43/EC covers all defence-related products which correspond to those listed in the Common Military List of the European Union, adopted by the Council on 19 March 2007.
- (2) On 27 February 2012 the Council adopted an updated Common Military List of the European Union ⁽²⁾.
- (3) Therefore, Directive 2009/43/EC should be amended accordingly.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee on EU Transfers of Defence-related Products,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 2009/43/EC is replaced by the text set out in the Annex to this Directive.

Article 2

Transposition

1. Member States shall adopt and publish, by 20 March 2013 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 14 December 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 146, 10.6.2009, p.1, as amended by Commission Directive 2010/80/EU of 22 November 2010 and Commission Directive 2012/10/EU of 22 March 2012 amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products, OJ L 308, 24.11.2010, p. 11 and OJ L 85, 24.3.2012, p.3.

⁽²⁾ OJ C 85, 22.3.2012, p. 1.

ANNEX

The Annex to Directive 2009/43/EC is replaced by the following:

'ANNEX

LIST OF DEFENCE-RELATED PRODUCTS

Note 1 Terms in "quotations" are defined terms. Refer to 'Definitions of Terms used in this List' annexed to this List.

Note 2: In some instances chemicals are listed by name and CAS number. The list applies to chemicals of the same structural formula (including hydrates) regardless of name or CAS number. CAS numbers are shown to assist in identifying a particular chemical or mixture, irrespective of nomenclature. CAS numbers cannot be used as unique identifiers because some forms of the listed chemical have different CAS numbers, and mixtures containing a listed chemical may also have different CAS numbers.

ML1 **Smooth-bore weapons with a calibre of less than 20 mm, other arms and automatic weapons with a calibre of 12,7 mm (calibre 0,50 inches) or less and accessories, as follows, and specially designed components therefor:**

a. Rifles, carbines, revolvers, pistols, machine pistols and machine guns;

Note ML1.a. does not apply to the following:

- a. Muskets, rifles and carbines manufactured earlier than 1938;
- b. Reproductions of muskets, rifles and carbines the originals of which were manufactured earlier than 1890;
- c. Revolvers, pistols and machine guns manufactured earlier than 1890, and their reproductions;

b. Smooth-bore weapons, as follows:

1. Smooth-bore weapons specially designed for military use;
2. Other smooth-bore weapons as follows:
 - a. Fully automatic type weapons;
 - b. Semi-automatic or pump-action type weapons;

c. Weapons using caseless ammunition;

d. Silencers, special gun-mountings, clips, weapons sights and flash suppressors for arms specified by ML1.a., ML1.b. or ML1.c.

Note 1 ML1 does not apply to smooth-bore weapons used for hunting or sporting purposes. These weapons must not be specially designed for military use or of the fully automatic firing type.

Note 2 ML1 does not apply to firearms specially designed for dummy ammunition and which are incapable of firing any ammunition specified by ML3.

Note 3 ML1 does not apply to weapons using non-centre fire cased ammunition and which are not of the fully automatic firing type.

Note 4 ML1.d. does not apply to optical weapon sights without electronic image processing, with a magnification of 4 times or less, provided they are not specially designed or modified for military use.

ML2

Smooth-bore weapons with a calibre of 20 mm or more, other weapons or armament with a calibre greater than 12,7 mm (calibre 0,50 inches), projectors and accessories, as follows, and specially designed components therefor:

- a. Guns, howitzers, cannon, mortars, anti-tank weapons, projectile launchers, military flame throwers, rifles, recoilless rifles, smooth-bore weapons and signature reduction devices therefor;

Note 1 ML2.a. includes injectors, metering devices, storage tanks and other specially designed components for use with liquid propelling charges for any of the equipment specified by ML2.a.

Note 2 ML2.a. does not apply to weapons as follows:

- a. Muskets, rifles and carbines, manufactured earlier than 1938;
- b. Reproductions of muskets, rifles and carbines, the originals of which were manufactured earlier than 1890.
- c. Guns, howitzers, cannons and mortars, manufactured earlier than 1890.

Note 3 ML2.a. does not apply to hand-held projectile launchers specially designed to launch tethered projectiles having no high explosive charge or communications link, to a range of less than or equal to 500 m.

- b. Smoke, gas and pyrotechnic projectors or generators, specially designed or modified for military use;

Note ML2.b. does not apply to signal pistols.

- c. Weapons sights and weapon sight mounts, having all of the following:

- 1. Specially designed for military use; and
- 2. Specially designed for weapons specified in ML2.a.;

- d. Mountings specially designed for the weapons specified in ML2.a

ML3

Ammunition and fuse setting devices, as follows, and specially designed components therefor:

- a. Ammunition for weapons specified by ML1, ML2 or ML12;
- b. Fuse setting devices specially designed for ammunition specified by ML3.a.

Note 1 Specially designed components specified by ML3 include:

- a. Metal or plastic fabrications such as primer anvils, bullet cups, cartridge links, rotating bands and munitions metal parts;
- b. Safing and arming devices, fuses, sensors and initiation devices;
- c. Power supplies with high one-time operational output;
- d. Combustible cases for charges;
- e. Submunitions including bomblets, minelets and terminally guided projectiles.

Note 2 ML3.a. does not apply to ammunition crimped without a projectile (blank star) and dummy ammunition with a pierced powder chamber.

ML3 b. (continued)

Note 3 ML3.a. does not apply to cartridges specially designed for any of the following purposes:

- a. Signalling;
- b. Bird scaring; or
- c. Lighting of gas flares at oil wells.

ML4 **Bombs, torpedoes, rockets, missiles, other explosive devices and charges and related equipment and accessories, as follows, and specially designed components therefor:**

N.B.1: For guidance and navigation equipment, see ML11.

N.B.2: For Aircraft Missile Protection Systems (AMPS), see ML4.c.

- a. Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition-charges, demolition-devices, demolition-kits, "pyrotechnic" devices, cartridges and simulators (i.e. equipment simulating the characteristics of any of these items), specially designed for military use;

Note ML4.a. includes:

- a. Smoke grenades, fire bombs, incendiary bombs and explosive devices;
- b. Missile rocket nozzles and re-entry vehicle nosetips.

- b. Equipment having all of the following:

- 1. Specially designed for military use; and
- 2. Specially designed for 'activities' relating to any of the following:
 - a. Items specified by ML4.a.; or
 - b. Improvised Explosive Devices (IEDs).

Technical Note:

For the purpose of ML4.b.2. 'activities' applies to handling, launching, laying, controlling, discharging, detonating, activating, powering with one-time operational output, decoying, jamming, sweeping, detecting, disrupting or disposing.

Note 1 ML4.b. includes:

- a. Mobile gas liquefying equipment capable of producing 1 000 kg or more per day of gas in liquid form;
- b. Buoyant electric conducting cable suitable for sweeping magnetic mines.

Note 2 ML4.b. does not apply to hand-held devices, limited by design solely to the detection of metal objects and incapable of distinguishing between mines and other metal objects.

- c. Aircraft Missile Protection Systems (AMPS).

Note ML4.c. does not apply to AMPS having all of the following:

- a. Any of the following missile warning sensors:
 - 1. Passive sensors having peak response between 100-400 nm; or
 - 2. Active pulsed Doppler missile warning sensors;

ML4

c. Note (continued)

- b. Countermeasures dispensing systems;
- c. Flares, which exhibit both a visible signature and an infrared signature, for decoying surface-to-air missiles; and
- d. Installed on "civil aircraft" and having all of the following:
 - 1. The AMPS is only operable in a specific "civil aircraft" in which the specific AMPS is installed and for which any of the following has been issued:
 - a. A civil Type Certificate; or
 - b. An equivalent document recognised by the International Civil Aviation Organisation (ICAO);
 - 2. The AMPS employs protection to prevent unauthorised access to "software"; and
 - 3. The AMPS incorporates an active mechanism that forces the system not to function when it is removed from the "civil aircraft" in which it was installed.

ML5

Fire control, and related alerting and warning equipment, and related systems, test and alignment and countermeasure equipment, as follows, specially designed for military use, and specially designed components and accessories therefor:

- a. Weapon sights, bombing computers, gun laying equipment and weapon control systems;
- b. Target acquisition, designation, range-finding, surveillance or tracking systems; detection, data fusion, recognition or identification equipment; and sensor integration equipment;
- c. Countermeasure equipment for items specified by ML5.a. or ML5.b.;

Note For the purposes of ML5.c., countermeasure equipment includes detection equipment.

- d. Field test or alignment equipment, specially designed for items specified by ML5.a., ML5.b. or ML5.c.

ML6

Ground vehicles and components, as follows:

N.B. For guidance and navigation equipment, see ML11.

- a. Ground vehicles and components therefor, specially designed or modified for military use;

Technical Note

For the purposes of ML6.a. the term ground vehicles includes trailers.

- b. Other ground vehicles and components, as follows:
 - 1. All-wheel drive vehicles capable of off-road use which have been manufactured or fitted with materials or components to provide ballistic protection to level III (NIJ 0108.01, September 1985, or comparable national standard) or better;
 - 2. Components having all of the following:
 - a. Specially designed for vehicles specified in ML6.b.1.; and
 - b. Providing ballistic protection to level III (NIJ 0108.01, September 1985, or comparable national standard) or better.

ML6 (continued)

N.B. See also ML13.a

Note 1 ML6.a. includes:

- a. Tanks and other military armed vehicles and military vehicles fitted with mountings for arms or equipment for mine laying or the launching of munitions specified by ML4;
- b. Armoured vehicles;
- c. Amphibious and deep water fording vehicles;
- d. Recovery vehicles and vehicles for towing or transporting ammunition or weapon systems and associated load handling equipment.

Note 2 Modification of a ground vehicle for military use specified by ML6.a. entails a structural, electrical or mechanical change involving one or more components that are specially designed for military use. Such components include:

- a. Pneumatic tyre casings of a kind specially designed to be bullet-proof;
- b. Armoured protection of vital parts, (e.g. fuel tanks or vehicle cabs);
- c. Special reinforcements or mountings for weapons;
- d. Black-out lighting.

Note 3 ML6 does not apply to civil automobiles, or trucks designed or modified for transporting money or valuables, having armoured or ballistic protection.

Note 4 ML6. does not apply to vehicles that meet all of the following:

- a. Were manufactured before 1946;
- b. Do not have items specified by the EU Common Military List and manufactured after 1945, except for reproductions of original components or accessories for the vehicle; and
- c. Do not incorporate weapons specified in ML1., ML2. or ML4. unless they are inoperable and incapable of discharging a projectile.

ML7 **Chemical or biological toxic agents, "riot control agents", radioactive materials, related equipment, components and materials, as follows:**

- a. Biological agents or radioactive materials, "adapted for use in war" to produce casualties in humans or animals, degrade equipment or damage crops or the environment;
- b. Chemical warfare (CW) agents, including:
 1. CW nerve agents:
 - a. O-Alkyl (equal to or less than C₁₀, including cycloalkyl) alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) -phosphonofluoridates, such as:

Sarin (GB):O-Isopropyl methylphosphonofluoridate (CAS 107-44-8); and

Soman (GD):O-Pinacolyl methylphosphonofluoridate (CAS 96-64-0);
 - b. O-Alkyl (equal to or less than C₁₀, including cycloalkyl) N,N-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphoramidocyanidates, such as:

Tabun (GA):O-Ethyl N,N-dimethylphosphoramidocyanidate (CAS 77-81-6);
 - c. O-Alkyl (H or equal to or less than C₁₀, including cycloalkyl) S-2-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl)-aminoethyl alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonothiolates and corresponding alkylated and protonated salts, such as:

VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate (CAS 50782-69-9);

ML7

b. *(continued)*

2. CW vesicant agents:

a. Sulphur mustards, such as:

1. 2-Chloroethylchloromethylsulphide (CAS 2625-76-5);
2. Bis(2-chloroethyl) sulphide (CAS 505-60-2);
3. Bis(2-chloroethylthio) methane (CAS 63869-13-6);
4. 1,2-bis (2-chloroethylthio) ethane (CAS 3563-36-8);
5. 1,3-bis (2-chloroethylthio) -n-propane (CAS 63905-10-2);
6. 1,4-bis (2-chloroethylthio) -n-butane (CAS 142868-93-7);
7. 1,5-bis (2-chloroethylthio) -n-pentane (CAS 142868-94-8);
8. Bis (2-chloroethylthiomethyl) ether (CAS 63918-90-1);
9. Bis (2-chloroethylthioethyl) ether (CAS 63918-89-8);

b. Lewisites, such as:

1. 2-chlorovinylchloroarsine (CAS 541-25-3);
2. Tris (2-chlorovinyl) arsine (CAS 40334-70-1);
3. Bis (2-chlorovinyl) chloroarsine (CAS 40334-69-8);

c. Nitrogen mustards, such as:

1. HN1: bis (2-chloroethyl) ethylamine (CAS 538-07-8);
2. HN2: bis (2-chloroethyl) methylamine (CAS 51-75-2);
3. HN3: tris (2-chloroethyl) amine (CAS 555-77-1);

3. CW incapacitating agents, such as:

a. 3-Quinuclidinyl benzilate (BZ) (CAS 6581-06-2);

4. CW defoliants, such as:

- a. Butyl 2-chloro-4-fluorophenoxyacetate (LNF);
- b. 2,4,5-trichlorophenoxyacetic acid (CAS 93-76-5) mixed with 2,4-dichlorophenoxyacetic acid (CAS 94-75-7) (Agent Orange (CAS 39277-47-9));

c. CW binary precursors and key precursors, as follows:

1. Alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) Phosphonyl Difluorides, such as:

DF: Methyl Phosphonyldifluoride (CAS 676-99-3);

2. O-Alkyl (H or equal to or less than C₁₀, including cycloalkyl) O-2-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) aminoethyl alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonites and corresponding alkylated and protonated salts, such as:

QL: O-Ethyl-2-di-isopropylaminoethyl methylphosphonite (CAS 57856-11-8);

3. Chlorosarin: O-Isopropyl methylphosphonochloridate (CAS 1445-76-7);

4. Chlorosoman: O-Pinacolyl methylphosphonochloridate (CAS 7040-57-5);

ML7 (continued)

- d. "Riot control agents", active constituent chemicals and combinations thereof, including:
1. α -Bromobenzeneacetonitrile, (Bromobenzyl cyanide) (CA) (CAS 5798-79-8);
 2. [(2-chlorophenyl) methylene] propanedinitrile, (o-Chlorobenzylidenemalononitrile (CS) (CAS 2698-41-1);
 3. 2-Chloro-1-phenylethanone, Phenylacetyl chloride (ω -chloroacetophenone) (CN) (CAS 532-27-4);
 4. Dibenz-(b,f)-1,4-oxazepine, (CR) (CAS 257-07-8);
 5. 10-Chloro-5,10-dihydrophenarsazine, (Phenarsazine chloride), (Adamsite), (DM) (CAS 578-94-9);
 6. N-Nonanoylmorpholine, (MPA) (CAS 5299-64-9);

Note 1 ML7.d. does not apply to "riot control agents" individually packaged for personal self-defence purposes.

Note 2 ML7.d. does not apply to active constituent chemicals, and combinations thereof, identified and packaged for food production or medical purposes.

- e. Equipment specially designed or modified for military use, designed or modified for the dissemination of any of the following, and specially designed components therefor:
1. Materials or agents specified by ML7.a., ML7.b. or ML7.d.; or
 2. CW agents made up of precursors specified by ML7.c.
- f. Protective and decontamination equipment, specially designed or modified for military use, components and chemical mixtures, as follows:
1. Equipment designed or modified for defence against materials specified by ML7.a., ML7.b. or ML7.d., and specially designed components therefor;
 2. Equipment designed or modified for decontamination of objects contaminated with materials specified by ML7.a. or ML7.b. and specially designed components therefor;
 3. Chemical mixtures specially developed or formulated for the decontamination of objects contaminated with materials specified by ML7.a. or ML7.b.;

Note ML7.f.1. includes:

- a. Air conditioning units specially designed or modified for nuclear, biological or chemical filtration;
- b. Protective clothing.

N.B. For civil gas masks, protective and decontamination equipment, see also entry 1A004 on the EU Dual-Use List.

- g. Equipment specially designed or modified for military use designed or modified for the detection or identification of materials specified by ML7.a., ML7.b. or ML7.d., and specially designed components therefor;

Note ML7.g. does not apply to personal radiation monitoring dosimeters.

N.B. See also entry 1A004 on the EU Dual-Use List.

ML7

(continued)

- h. “Biopolymers” specially designed or processed for the detection or identification of CW agents specified by ML7.b., and the cultures of specific cells used to produce them;
- i. “Biocatalysts” for the decontamination or degradation of CW agents, and biological systems therefor, as follows:
 - 1. “Biocatalysts” specially designed for the decontamination or degradation of CW agents specified by ML7.b. resulting from directed laboratory selection or genetic manipulation of biological systems;
 - 2. Biological systems containing the genetic information specific to the production of “biocatalysts” specified by ML7.i.1., as follows:
 - a. “Expression vectors”;
 - b. Viruses;
 - c. Cultures of cells.

Note 1 ML7.b. and ML7.d. do not apply to the following:

- a. Cyanogen chloride (CAS 506-77-4). See 1C450.a.5. on the EU Dual-Use List;
- b. Hydrocyanic acid (CAS 74-90-8);
- c. Chlorine (CAS 7782-50-5);
- d. Carbonyl chloride (phosgene) (CAS 75-44-5). See 1C450.a.4. on the EU Dual-Use List;
- e. Diphosgene (trichloromethyl-chloroformate) (CAS 503-38-8);
- f. Not used since 2004;
- g. Xylyl bromide, ortho: (CAS 89-92-9), meta: (CAS 620-13-3), para: (CAS 104-81-4);
- h. Benzyl bromide (CAS 100-39-0);
- i. Benzyl iodide (CAS 620-05-3);
- j. Bromo acetone (CAS 598-31-2);
- k. Cyanogen bromide (CAS 506-68-3);
- l. Bromo methylethylketone (CAS 816-40-0);
- m. Chloro acetone (CAS 78-95-5);
- n. Ethyl iodoacetate (CAS 623-48-3);
- o. Iodo acetone (CAS 3019-04-3);
- p. Chloropicrin (CAS 76-06-2). See 1C450.a.7. on the EU Dual-Use List.

Note 2 The cultures of cells and biological systems specified by ML7.h. and ML7.i.2. are exclusive and these sub-items do not apply to cells or biological systems for civil purposes, such as agricultural, pharmaceutical, medical, veterinary, environmental, waste management, or in the food industry.

ML8 “Energetic materials”, and related substances, as follows:

N.B.1. See also 1C011 on the EU Dual-Use List.

N.B.2. For charges and devices, see ML4 and 1A008 on the EU Dual-Use List

Technical Notes

1. For the purposes of ML8, mixture refers to a composition of two or more substances with at least one substance being listed in the ML8 sub-items.
 2. Any substance listed in the ML8 sub-items is subject to this list, even when utilised in an application other than that indicated. (e.g. TAGN is predominantly used as an explosive but can also be used either as a fuel or an oxidizer.)
- a. “Explosives”, as follows, and mixtures thereof:
1. ADNBF (aminodinitrobenzofuroxan or 7-amino-4,6-dinitrobenzofurazane-1-oxide) (CAS 97096-78-1);
 2. BNCP (cis-bis (5-nitrotetrazolato) tetra amine-cobalt (III) perchlorate) (CAS 117412-28-9);
 3. CL-14 (diamino dinitrobenzofuroxan or 5,7-diamino-4,6-dinitrobenzofurazane-1-oxide) (CAS 117907-74-1);
 4. CL-20 (HNIW or Hexanitrohexaazaisowurtzitane) (CAS 135285-90-4); clathrates of CL-20 (see also ML8.g.3. and g.4. for its “precursors”);
 5. CP (2-(5-cyanotetrazolato) penta amine-cobalt (III) perchlorate) (CAS 70247-32-4);
 6. DADE (1,1-diamino-2,2-dinitroethylene, FOX7) (CAS 145250-81-3);
 7. DATB (diaminotrinitrobenzene) (CAS 1630-08-6);
 8. DDFP (1,4-dinitrodifurazanopiperazine);
 9. DDPO (2,6-diamino-3,5-dinitropyrazine-1-oxide, PZO) (CAS 194486-77-6);
 10. DIPAM (3,3'-diamino-2,2',4,4',6,6'-hexanitrobiphenyl or dipicramide) (CAS 17215-44-0);
 11. DNGU (DINGU or dinitroglycoluril) (CAS 55510-04-8);
 12. Furazans, as follows:
 - a. DAAOF (diaminoazoxyfuran);
 - b. DAAzF (diaminoazofuran) (CAS 78644-90-3);
 13. HMX and derivatives (see also ML8.g.5. for its “precursors”), as follows:
 - a. HMX (Cyclotetramethylenetetranitramine, octahydro-1,3,5,7-tetranitro-1,3,5,7-tetrazine, 1,3,5,7-tetranitro-1,3,5,7-tetraza-cyclooctane, octogen or octogene) (CAS 2691-41-0);
 - b. difluoroaminated analogues of HMX;
 - c. K-55 (2,4,6,8-tetranitro-2,4,6,8-tetraazabicyclo [3,3,0]-octanone-3, tetranitrosemiglycouril or keto-bicyclic HMX) (CAS 130256-72-3);
 14. HNAD (hexanitroadamantane) (CAS 143850-71-9);
 15. HNS (hexanitrostilbene) (CAS 20062-22-0);

ML8

a. *(continued)*

16. Imidazoles as follows:

- a. BNNII (Octahydro-2,5-bis(nitroimino)imidazo [4,5-d]imidazole);
- b. DNI (2,4-dinitroimidazole) (CAS 5213-49-0);
- c. FDIA (1-fluoro-2,4-dinitroimidazole);
- d. NTDNIA (N-(2-nitrotriazolo)-2,4-dinitroimidazole);
- e. PTIA (1-picryl-2,4,5-trinitroimidazole);

17. NTNMH (1-(2-nitrotriazolo)-2-dinitromethylene hydrazine);

18. NTO (ONTA or 3-nitro-1,2,4-triazol-5-one) (CAS 932-64-9);

19. Polynitrocubanes with more than four nitro groups;

20. PYX (2,6-Bis(picrylamino)-3,5-dinitropyridine) (CAS 38082-89-2);

21. RDX and derivatives, as follows:

- a. RDX (cyclotrimethylenetrinitramine, cyclonite, T4, hexahydro-1,3,5-trinitro-1,3,5-triazine, 1,3,5-trinitro-1,3,5-triaza-cyclohexane, hexogen or hexogene) (CAS 121-82-4);
- b. Keto-RDX (K-6 or 2,4,6-trinitro-2,4,6-triazacyclohexanone) (CAS 115029-35-1);

22. TAGN (triaminoguanidinenitrate) (CAS 4000-16-2);

23. TATB (triaminotrinitrobenzene) (CAS 3058-38-6) (see also ML8.g.7 for its "precursors");

24. TEDDZ (3,3,7,7-tetrakis(difluoroamine) octahydro-1,5-dinitro-1,5-diazocine);

25. Tetrazoles, as follows:

- a. NTAT (nitrotriazol aminotetrazole);
- b. NTNT (1-N-(2-nitrotriazolo)-4-nitrotetrazole);

26. Tetryl (trinitrophenylmethylnitramine) (CAS 479-45-8);

27. TNAD (1,4,5,8-tetranitro-1,4,5,8-tetraazadecalin) (CAS 135877-16-6) (see also ML8.g.6. for its "precursors");

28. TNAZ (1,3,3-trinitroazetidine) (CAS 97645-24-4) (see also ML8.g.2. for its "precursors");

29. TNGU (SORGUYL or tetranitroglycoluril) (CAS 55510-03-7);

30. TNP (1,4,5,8-tetranitro-pyridazino[4,5-d]pyridazine) (CAS 229176-04-9);

31. Triazines, as follows:

- a. DNAM (2-oxy-4,6-dinitroamino-s-triazine) (CAS 19899-80-0);
- b. NNHT (2-nitroimino-5-nitro-hexahydro-1,3,5-triazine) (CAS 130400-13-4);

ML8

a. *(continued)*

32. Triazoles, as follows:

- a. 5-azido-2-nitrotriazole;
- b. ADHTDN (4-amino-3,5-dihydrazino-1,2,4-triazole dinitramide) (CAS 1614-08-0);
- c. ADNT (1-amino-3,5-dinitro-1,2,4-triazole);
- d. BDNTA ([bis-dinitrotriazole]amine);
- e. DBT (3,3'-dinitro-5,5-bi-1,2,4-triazole) (CAS 30003-46-4);
- f. DNBT (dinitrobistriazole) (CAS 70890-46-9);
- g. Not used since 2010;
- h. NTDNT (1-N-(2-nitrotriazolo) 3,5-dinitrotriazole);
- i. PDNT (1-picryl-3,5-dinitrotriazole);
- j. TACOT (tetranitrobenzotriazolobenzotriazole) (CAS 25243-36-1);

33. Explosives not listed elsewhere in ML8.a. and having any of the following:

- a. Detonation velocity exceeding 8 700 m/s, at maximum density, or
- b. Detonation pressure exceeding 34 GPa (340 kbar);

34. Organic explosives not listed elsewhere in ML8.a. and having all the following:

- a. Yielding detonation pressures of 25 GPa (250 kbar) or more and
- b. Remaining stable at temperatures of 523 K (250 °C) or higher for periods of five minutes or longer;

b. "Propellants" as follows:

1. Any United Nations (UN) Class 1.1 solid "propellant" with a theoretical specific impulse (under standard conditions) of more than 250 seconds for non-metallised, or more than 270 seconds for aluminised compositions;
2. Any UN Class 1.3 solid "propellant" with a theoretical specific impulse (under standard conditions) of more than 230 seconds for non-halogenised, 250 seconds for non-metallised compositions and 266 seconds for metallised compositions;
3. "Propellants" having a force constant of more than 1 200 kJ/kg;
4. "Propellants" that can sustain a steady-state linear burning rate of more than 38 mm/s under standard conditions (as measured in the form of an inhibited single strand) of 6,89 MPa (68,9 bar) pressure and 294 K (21 °C);
5. Elastomer Modified Cast Double Base (EMCDB) "propellants" with extensibility at maximum stress of more than 5 % at 233 K (– 40 °C);
6. Any "propellant" containing substances specified by ML8.a.
7. "Propellants", not specified elsewhere in the EU Common Military List, specially designed for military use;

ML8

(continued)

- c. "Pyrotechnics", fuels and related substances, as follows, and mixtures thereof:
1. Aircraft fuels specially formulated for military purposes;
 2. Alane (aluminium hydride) (CAS 7784-21-6);
 3. Carboranes; decaborane (CAS 17702-41-9); pentaboranes (CAS 19624-22-7 and 18433-84-6) and their derivatives;
 4. Hydrazine and derivatives, as follows (see also ML8.d.8. and d.9. for oxidising hydrazine derivatives):
 - a. Hydrazine (CAS 302-01-2) in concentrations of 70 % or more;
 - b. Monomethyl hydrazine (CAS 60-34-4);
 - c. Symmetrical dimethyl hydrazine (CAS 540-73-8);
 - d. Unsymmetrical dimethyl hydrazine (CAS 57-14-7);
 5. Metal fuels in particle form whether spherical, atomised, spheroidal, flaked or ground, manufactured from material consisting of 99 % or more of any of the following:
 - a. Metals as follows and mixtures thereof:
 1. Beryllium (CAS 7440-41-7) in particle sizes of less than 60 µm;
 2. Iron powder (CAS 7439-89-6) with particle size of 3 µm or less produced by reduction of iron oxide with hydrogen;
 - b. Mixtures containing any of the following:
 1. Zirconium (CAS 7440-67-7), magnesium (CAS 7439-95-4) or alloys of these in particle sizes of less than 60 µm; or
 2. Boron (CAS 7440-42-8) or boron carbide (CAS 12069-32-8) fuels of 85 % purity or higher and particle sizes of less than 60 µm;
 6. Military materials, containing thickeners for hydrocarbon fuels, specially formulated for use in flame throwers or incendiary munitions, such as metal stearates or palmates (e.g. octal (CAS 637-12-7)) and M1, M2, and M3 thickeners;
 7. Perchlorates, chlorates and chromates, composited with powdered metal or other high energy fuel components;
 8. Spherical aluminium powder (CAS 7429-90-5) with a particle size of 60 µm or less, manufactured from material with an aluminium content of 99 % or more;
 9. Titanium subhydride (TiH_n) of stoichiometry equivalent to n = 0,65 to 1,68.

Note 1 Aircraft fuels specified by ML8.c.1. are finished products, not their constituents.

Note 2 ML8.c.4.a. does not apply to hydrazine mixtures specially formulated for corrosion control.

Note 3 ML8.c.5. applies to explosives and fuels, whether or not the metals or alloys are encapsulated in aluminium, magnesium, zirconium, or beryllium.

Note 4 ML8.c.5.b.2. does not apply to boron and boron carbide enriched with boron-10 (20 % or more of total boron-10 content).

Note 5 ML8.c.5.b. only applies to metal fuels in particle form when they are mixed with other substances to form a mixture formulated for military purposes such as liquid propellant slurries, solid propellants, or pyrotechnic mixtures.

ML8

(continued)

d. Oxidizers as follows, and mixtures thereof:

1. ADN (ammonium dinitramide or SR 12) (CAS 140456-78-6);
2. AP (ammonium perchlorate) (CAS 7790-98-9);
3. Compounds composed of fluorine and any of the following:
 - a. Other halogens;
 - b. Oxygen; or
 - c. Nitrogen;

Note 1 ML8.d.3 does not apply to chlorine trifluoride (CAS 7790-91-2).

Note 2 ML8.d.3 does not apply to nitrogen trifluoride (CAS 7783-54-2) in its gaseous state.

4. DNAD (1,3-dinitro-1,3-diazetidine) (CAS 78246-06-7);
5. HAN (hydroxylammonium nitrate) (CAS 13465-08-2);
6. HAP (hydroxylammonium perchlorate) (CAS 15588-62-2);
7. HNF (hydrazinium nitroformate) (CAS 20773-28-8);
8. Hydrazine nitrate (CAS 37836-27-4);
9. Hydrazine perchlorate (CAS 27978-54-7);
10. Liquid oxidisers comprised of or containing inhibited red fuming nitric acid (IRFNA) (CAS 8007-58-7);

Note ML8.d.10 does not apply to non-inhibited fuming nitric acid.

e. Binders, plasticisers, monomers and polymers, as follows:

1. AMMO (azidomethylmethyloxetane and its polymers) (CAS 90683-29-7) (see also ML8.g.1. for its "precursors");
2. BAMO (bisazidomethylmethyloxetane and its polymers) (CAS 17607-20-4) (see also ML8.g.1. for its "precursors");
3. BDNPA (bis (2,2-dinitropropyl)acetal) (CAS 5108-69-0);
4. BDNPF (bis (2,2-dinitropropyl)formal) (CAS 5917-61-3);
5. BTTN (butanetrioltrinitrate) (CAS 6659-60-5) (see also ML8.g.8. for its "precursors");
6. Energetic monomers, plasticizers or polymers, specially formulated for military use and containing any of the following:
 - a. Nitro groups;
 - b. Azido groups;
 - c. Nitrate groups;
 - d. Nitratiza groups; or
 - e. Difluoroamino groups;

ML8

e. *(continued)*

7. FAMA0 (3-difluoroaminomethyl-3-azidomethyl oxetane) and its polymers;
8. FEFO (bis-(2-fluoro-2,2-dinitroethyl) formal) (CAS 17003-79-1);
9. FPF-1 (poly-2,2,3,3,4,4-hexafluoropentane-1,5-diol formal) (CAS 376-90-9);
10. FPF-3 (poly-2,4,4,5,5,6,6-heptafluoro-2-tri-fluoromethyl-3-oxaheptane-1,7-diol formal);
11. GAP (glycidylazide polymer) (CAS 143178-24-9) and its derivatives;
12. HTPB (hydroxyl terminated polybutadiene) with a hydroxyl functionality equal to or greater than 2.2 and less than or equal to 2.4, a hydroxyl value of less than 0,77 meq/g, and a viscosity at 30 °C of less than 47 poise (CAS 69102-90-5);
13. Alcohol functionalised poly(epichlorohydrin) with a molecular weight less than 10 000, as follows:
 - a. Poly(epichlorohydrindiol);
 - b. Poly(epichlorohydrintriol)
14. NENAs (nitrateethylnitramine compounds) (CAS 17096-47-8, 85068-73-1, 82486-83-7, 82486-82-6 and 85954-06-9);
15. PGN (poly-GLYN, polyglycidyl nitrate or poly(nitratomethyl oxirane) (CAS 27814-48-8);
16. Poly-NIMMO (poly nitratomethylmethyloxetane) or poly-NMMO (poly[3-Nitratomethyl-3-methyloxetane]) (CAS 84051-81-0);
17. Polynitroorthocarbonates;
18. TVOPA (1,2,3-tris[1,2-bis(difluoroamino)ethoxy] propane or tris vinoxy propane adduct) (CAS 53159-39-0).

f. "Additives" as follows:

1. Basic copper salicylate (CAS 62320-94-9);
2. BHEGA (bis-(2-hydroxyethyl) glycolamide) (CAS 17409-41-5);
3. BNO (butadienenitrileoxide);
4. Ferrocene derivatives as follows:
 - a. Butacene (CAS 125856-62-4);
 - b. Catocene (2,2-bis-ethylferrocenyl propane) (CAS 37206-42-1);
 - c. Ferrocene carboxylic acids including:
Ferrocene carboxylic acid (CAS 1271-42-7),
1,1'-Ferrocenedicarboxylic acid (CAS 1293-87-4);
 - d. n-butyl-ferrocene (CAS 31904-29-7);
 - e. Other adducted polymer ferrocene derivatives;
5. Lead beta-resorcyate (CAS 20936-32-7);
6. Lead citrate (CAS 14450-60-3);
7. Lead-copper chelates of beta-resorcyate or salicylates (CAS 68411-07-4);

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f. (continued)

8. Lead maleate (CAS 19136-34-6);
9. Lead salicylate (CAS 15748-73-9);
10. Lead stannate (CAS 12036-31-6);
11. MAPO (tris-1-(2-methyl)aziridinyl phosphine oxide) (CAS 57-39-6); BOBBA 8 (bis(2-methyl aziridinyl) 2-(2-hydroxypropanoxy) propylamino phosphine oxide); and other MAPO derivatives;
12. Methyl BAPO (bis(2-methyl aziridinyl) methylamino phosphine oxide) (CAS 85068-72-0);
13. N-methyl-p-nitroaniline (CAS 100-15-2);
14. 3-Nitrazo-1,5-pentane diisocyanate (CAS 7406-61-9);
15. Organo-metallic coupling agents as follows:
 - a. Neopentyl[diallyl]oxy, tri[diocetyl]phosphato-titanate (CAS 103850-22-2); also known as titanium IV, 2,2[bis 2-propenolato-methyl, butanolato, tris (diocetyl) phosphato] (CAS 110438-25-0); or LICA 12 (CAS 103850-22-2);
 - b. Titanium IV, [(2-propenolato-1) methyl, n-propanolatomethyl] butanolato-1, tris[diocetyl] pyrophosphate or KR3538;
 - c. Titanium IV, [(2-propenolato-1)methyl, n-propanolatomethyl] butanolato-1, tris(diocetyl)phosphate;
16. Polycyanodifluoroaminoethyleneoxide;
17. Polyfunctional aziridine amides with isophthalic, trimesic (BITA or butylene imine trimesamide), isocyanuric or trimethyladipic backbone structures and 2-methyl or 2-ethyl substitutions on the aziridine ring;
18. Propyleneimine (2-methylaziridine) (CAS 75-55-8);
19. Superfine iron oxide (Fe_2O_3) (CAS 1317-60-8) with a specific surface area more than $250 \text{ m}^2/\text{g}$ and an average particle size of $3,0 \text{ nm}$ or less;
20. TEPAN (tetraethylenepentaamineacrylonitrile) (CAS 68412-45-3); cyanoethylated polyamines and their salts;
21. TEPANOL (tetraethylenepentaamineacrylonitrileglycidol) (CAS 68412-46-4); cyanoethylated polyamines adducted with glycidol and their salts;
22. TPB (triphenyl bismuth) (CAS 603-33-8).

g. "Precursors", as follows:

N.B. In ML8.g. the references are to specified "Energetic Materials" manufactured from these substances.

1. BCMO (bischloromethyloxetane) (CAS 142173-26-0) (see also ML8.e.1. and e.2.);
2. Dinitroazetidine-t-butyl salt (CAS 125735-38-8) (see also ML8.a.28.);
3. HBIW (hexabenzylhexaazaisowurtzitane) (CAS 124782-15-6) (see also ML8.a.4.);
4. TAIW (tetraacetyldibenzylhexaazaisowurtzitane) (see also ML8.a.4.) (CAS 182763-60-6);
5. TAT (1,3,5,7 tetraacetyl-1,3,5,7-tetraaza cyclo-octane) (CAS 41378-98-7) (see also ML8.a.13.);
6. 1,4,5,8-tetraazadecalin (CAS 5409-42-7) (see also ML8.a.27.);

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g. (continued)

7. 1,3,5-trichlorobenzene (CAS 108-70-3) (see also ML8.a.23.);
8. 1,2,4-trihydroxybutane (1,2,4-butanetriol) (CAS 3068-00-6) (see also ML8.e.5.).

Note 5 Not used since 2009

Note 6 ML8 does not apply to the following substances unless they are compounded or mixed with the "energetic material" specified by ML8.a. or powdered metals specified by ML8.c.:

- a. Ammonium picrate (CAS 131-74-8);
- b. Black powder;
- c. Hexanitrodiphenylamine (CAS 131-73-7);
- d. Difluoroamine (CAS 10405-27-3);
- e. Nitrostarch (CAS 9056-38-6);
- f. Potassium nitrate (CAS 7757-79-1);
- g. Tetranitronaphthalene;
- h. Trinitroanisole;
- i. Trinitronaphthalene;
- j. Trinitroxylenes;
- k. N-pyrrolidinone; 1-methyl-2-pyrrolidinone (CAS 872-50-4);
- l. Dioctylmaleate (CAS 142-16-5);
- m. Ethylhexylacrylate (CAS 103-11-7);
- n. Triethylaluminium (TEA) (CAS 97-93-8), trimethylaluminium (TMA) (CAS 75-24-1), and other pyrophoric metal alkyls and aryls of lithium, sodium, magnesium, zinc or boron;
- o. Nitrocellulose (CAS 9004-70-0);
- p. Nitroglycerin (or glyceroltrinitrate, trinitroglycerine) (NG) (CAS 55-63-0);
- q. 2,4,6-trinitrotoluene (TNT) (CAS 118-96-7);
- r. Ethylenediaminedinitrate (EDDN) (CAS 20829-66-7);
- s. Pentaerythritoltetranitrate (PETN) (CAS 78-11-5);
- t. Lead azide (CAS 13424-46-9), normal lead styphnate (CAS 15245-44-0) and basic lead styphnate (CAS 12403-82-6), and primary explosives or priming compositions containing azides or azide complexes;
- u. Triethyleneglycoldinitrate (TEGDN) (CAS 111-22-8);
- v. 2,4,6-trinitroresorcinol (styphnic acid) (CAS 82-71-3);
- w. Diethyldiphenylurea (CAS 85-98-3); dimethyldiphenylurea (CAS 611-92-7); methylethyldiphenylurea [Centralites];
- x. N,N-diphenylurea (unsymmetrical diphenylurea) (CAS 603-54-3);
- y. Methyl-N,N-diphenylurea (methyl unsymmetrical diphenylurea) (CAS 13114-72-2);
- z. Ethyl-N,N-diphenylurea (ethyl unsymmetrical diphenylurea) (CAS 64544-71-4);
- aa. 2-Nitrodiphenylamine (2-NDPA) (CAS 119-75-5);
- bb. 4-Nitrodiphenylamine (4-NDPA) (CAS 836-30-6);

ML8 Note (continued)

- cc. 2,2-dinitropropanol (CAS 918-52-5);
- dd. Nitroguanidine (CAS 556-88-7) (see 1C011.d. on the EU Dual-Use List).

Note 7 ML8. does not apply to ammonium perchlorate (ML8.d.2.) and NTO (ML8.a.18.), specially shaped and formulated for civil-use gas generation devices and meeting all of the following:

- a. Compounded or mixed, with non-active thermoset binders or plasticizers;
- b. Having a maximum of 80 % ammonium perchlorate (ML8.d.2.) in mass of active material;
- c. Having less than or equal to 4 g of NTO (ML8.a.18.); and
- d. Having an individual mass of less than 250 g.

ML9 **Vessels of war (surface or underwater), special naval equipment, accessories, components and other surface vessels, as follows:**

N.B. For guidance and navigation equipment, see ML11.

a. Vessels and components, as follows:

- 1. Vessels (surface or underwater) specially designed or modified for military use, regardless of current state of repair or operating condition, and whether or not they contain weapon delivery systems or armour, and hulls or parts of hulls for such vessels, and components therefor specially designed for military use;
- 2. Surface vessels, other than those specified in ML9.a.1., having any of the following, fixed or integrated into the vessel:
 - a. Automatic weapons having a calibre of 12,7 mm or greater specified in ML1., or weapons specified in ML2., ML4., ML12. or ML19., or 'mountings' or hard points for such weapons;

Technical Note

'Mountings' refers to weapon mounts or structural strengthening for the purpose of installing weapons.

- b. Fire control systems specified in ML5.;
- c. Having all of the following:
 - 1. 'Chemical, Biological, Radiological and Nuclear (CBRN) protection'; and
 - 2. 'Pre-wet or wash down system' designed for decontamination purposes; or

Technical Notes

- 1. 'CBRN protection' is a self contained interior space containing features such as over-pressurization, isolation of ventilation systems, limited ventilation openings with CBRN filters and limited personnel access points incorporating air-locks.
- 2. 'Pre-wet or wash down system' is a seawater spray system capable of simultaneously wetting the exterior superstructure and decks of a vessel.
- d. Active weapon countermeasure systems specified in ML4.b., ML5.c. or ML11.a. and having any of the following:
 - 1. 'CBRN protection';
 - 2. Hull and superstructure, specially designed to reduce the radar cross section;
 - 3. Thermal signature reduction devices, (e.g., an exhaust gas cooling system), excluding those specially designed to increase overall power plant efficiency or to reduce the environmental impact; or
 - 4. A degaussing system designed to reduce the magnetic signature of the whole vessel;

ML9

(continued)

- b. Engines and propulsion systems, as follows, specially designed for military use and components therefor specially designed for military use:
 - 1. Diesel engines specially designed for submarines and having all of the following:
 - a. Power output of 1,12 MW (1 500 hp) or more; and
 - b. Rotary speed of 700 rpm or more;
 - 2. Electric motors specially designed for submarines and having all of the following:
 - a. Power output of more than 0,75 MW (1 000 hp);
 - b. Quick reversing;
 - c. Liquid cooled; and
 - d. Totally enclosed;
 - 3. Non-magnetic diesel engines having all of the following:
 - a. Power output of 37,3 kW (50 hp) or more; and
 - b. Non-magnetic content in excess of 75 % of total mass;
 - 4. 'Air Independent Propulsion' (AIP) systems specially designed for submarines;

Technical Note

'Air Independent Propulsion' (AIP) allows a submerged submarine to operate its propulsion system, without access to atmospheric oxygen, for a longer time than the batteries would have otherwise allowed. For the purposes of ML9.b.4., AIP does not include nuclear power.

- c. Underwater detection devices, specially designed for military use, controls therefor and components therefor specially designed for military use;
- d. Anti-submarine nets and anti-torpedo nets, specially designed for military use;
- e. Not used since 2003;
- f. Hull penetrators and connectors, specially designed for military use, that enable interaction with equipment external to a vessel, and components therefor specially designed for military use;

Note ML9.f. includes connectors for vessels which are of the single-conductor, multi-conductor, coaxial or waveguide type, and hull penetrators for vessels, both of which are capable of remaining impervious to leakage from without and of retaining required characteristics at marine depths exceeding 100 m; and fibre-optic connectors and optical hull penetrators, specially designed for "laser" beam transmission, regardless of depth. ML9.f. does not apply to ordinary propulsive shaft and hydrodynamic control-rod hull penetrators.

- g. Silent bearings having any of the following, components therefor and equipment containing those bearings, specially designed for military use:
 - 1. Gas or magnetic suspension;
 - 2. Active signature controls; or
 - 3. Vibration suppression controls.

ML10

"Aircraft", "lighter-than-air vehicles", Unmanned Aerial Vehicles ("UAVs"), aero-engines and "aircraft" equipment, related equipment, and components, as follows, specially designed or modified for military use:

N.B. For guidance and navigation equipment, see ML11.

- a. Manned "aircraft" and "lighter-than-air vehicles", and specially designed components therefor;

ML10 (continued)

- b. Not used since 2011;
- c. Unmanned aircraft and related equipment, as follows, and specially designed components therefor:
 - 1. "UAVs", Remotely Piloted Air Vehicles (RPVs), autonomous programmable vehicles and unmanned "lighter-than-air vehicles";
 - 2. Launchers, recovery equipment and ground support equipment;
 - 3. Equipment designed for command or control;
- d. Propulsion aero-engines and specially designed components therefor;
- e. Airborne equipment, including airborne refuelling equipment, specially designed for use with the "aircraft" specified by ML10.a. or the aero-engines specified by ML10.d., and specially designed components therefor;
- f. Pressure refuellers, pressure refuelling equipment, equipment specially designed to facilitate operations in confined areas and ground equipment, developed specially for "aircraft" specified by ML10.a. or for aero-engines specified by ML10.d.;
- g. Military crash helmets and protective masks, and specially designed components therefor, pressurised breathing equipment and partial pressure suits for use in "aircraft", anti-g suits, liquid oxygen converters used for "aircraft" or missiles, and catapults and cartridge actuated devices, for emergency escape of personnel from "aircraft";
- h. Parachutes, paragliders and related equipment, as follows, and specially designed components therefor:
 - 1. Parachutes not specified elsewhere in the EU Common Military List;
 - 2. Paragliders
 - 3. Equipment specially designed for high altitude parachutists (e.g. suits, special helmets, breathing systems, navigation equipment);
- i. Controlled opening equipment or automatic piloting systems, designed for parachuted loads.

Note 1 ML10.a. does not apply to "aircraft" and "lighter-than-air vehicles" or variants of those "aircraft" specially designed for military use, and which are all of the following:

- a. Not a combat aircraft
- b. Not configured for military use and not fitted with equipment or attachments specially designed or modified for military use; and
- c. Certified for civil use by the civil aviation authority in a Member State or in a Wassenaar Arrangement Participating State.

Note 2 ML10.d. does not apply to:

- a. Aero-engines designed or modified for military use which have been certified by civil aviation authorities in a Member State or in a Wassenaar Arrangement Participating State for use in "civil aircraft", or specially designed components therefor;
- b. Reciprocating engines or specially designed components therefor, except those specially designed for "UAVs".

ML10 (continued)

Note 3 For the purposes of ML10.a. and ML10.d., specially designed components and related equipment for non-military "aircraft" or aero-engines modified for military use applies only to those military components and to military related equipment required for the modification to military use.

Note 4 For the purposes of ML10.a., military use includes: combat, military reconnaissance, assault, military training, logistics support, and transporting and airdropping troops or military equipment.

Note 5 ML10.a. does not apply to "aircraft" that meet all of the following:

- a. Were first manufactured before 1946;
- b. Do not incorporate items specified by the EU Common Military List, unless the items are required to meet safety or airworthiness standards of a Member State or of a Wassenaar Arrangement Participating State; and
- c. Do not incorporate weapons specified by the EU Common Military List, unless inoperable and incapable of being returned to operation.

ML11 **Electronic equipment, not specified elsewhere on the EU Common Military List, as follows, and specially designed components therefor:**

- a. Electronic equipment specially designed for military use;

Note ML11.a. includes:

- a. Electronic countermeasure and electronic counter-countermeasure equipment (i.e. equipment designed to introduce extraneous or erroneous signals into radar or radio communication receivers or otherwise hinder the reception, operation or effectiveness of adversary electronic receivers including their countermeasure equipment), including jamming and counter-jamming equipment;
- b. Frequency agile tubes;
- c. Electronic systems or equipment, designed either for surveillance and monitoring of the electromagnetic spectrum for military intelligence or security purposes or for counteracting such surveillance and monitoring;
- d. Underwater countermeasures, including acoustic and magnetic jamming and decoy, equipment designed to introduce extraneous or erroneous signals into sonar receivers;
- e. Data processing security equipment, data security equipment and transmission and signalling line security equipment, using ciphering processes;
- f. Identification, authentication and keyloader equipment and key management, manufacturing and distribution equipment;
- g. Guidance and navigation equipment;
- h. Digital troposcatter-radio communications transmission equipment;
- i. Digital demodulators specially designed for signals intelligence;
- j. "Automated command and control systems".

N.B. For "software" associated with military "Software" Defined Radio (SDR), see ML21.

- b. Global Navigation Satellite Systems (GNSS) jamming equipment.

ML12 **High velocity kinetic energy weapon systems and related equipment, as follows, and specially designed components therefor:**

- a. Kinetic energy weapon systems specially designed for destruction or effecting mission-abort of a target;
- b. Specially designed test and evaluation facilities and test models, including diagnostic instrumentation and targets, for dynamic testing of kinetic energy projectiles and systems.

N.B. For weapon systems using sub-calibre ammunition or employing solely chemical propulsion, and ammunition therefor, see ML1 to ML4.

ML12

(continued)

Note 1 ML12 includes the following when specially designed for kinetic energy weapon systems:

- a. Launch propulsion systems capable of accelerating masses larger than 0,1 g to velocities in excess of 1,6 km/s, in single or rapid fire modes;
- b. Prime power generation, electric armour, energy storage, thermal management, conditioning, switching or fuel-handling equipment; and electrical interfaces between power supply, gun and other turret electric drive functions;
- c. Target acquisition, tracking, fire control or damage assessment systems;
- d. Homing seeker, guidance or divert propulsion (lateral acceleration) systems for projectiles.

Note 2 ML12 applies to weapon systems using any of the following methods of propulsion:

- a. Electromagnetic;
- b. Electrothermal;
- c. Plasma;
- d. Light gas; or
- e. Chemical (when used in combination with any of the above).

ML13

Armoured or protective equipment, constructions and components, as follows:

- a. Armoured plate, having any of the following:

1. Manufactured to comply with a military standard or specification; or
2. Suitable for military use;

N.B. For body armour plate, see ML13.d.2.

- b. Constructions of metallic or non-metallic materials, or combinations thereof, specially designed to provide ballistic protection for military systems, and specially designed components therefor;
- c. Helmets manufactured according to military standards or specifications, or comparable national standards, and specially designed components therefor, (i.e. helmet shell, liner and comfort pads);
- d. Body armour or protective garments, and components therefor, as follows:
 1. Soft body armour or protective garments, manufactured to military standards or specifications, or to their equivalents, and specially designed components therefor;

Note For the purposes of ML13.d.1., military standards or specifications include, at a minimum, specifications for fragmentation protection.

2. Hard body armour plates providing ballistic protection equal to or greater than level III (NIJ 0101.06, July 2008) or national equivalents.

Note 1 ML13.b. includes materials specially designed to form explosive reactive armour or to construct military shelters.

Note 2 ML13.c. does not apply to conventional steel helmets, neither modified or designed to accept, nor equipped with any type of accessory device.

Note 3 ML13.c. and d. do not apply to helmets, body armour or protective garments, when accompanying their user for the user's own personal protection.

Note 4 The only helmets specially designed for bomb disposal personnel that are specified by ML13. are those specially designed for military use.

N.B. 1 See also entry 1A005 on the EU Dual-Use List.

N.B. 2 For "fibrous or filamentary materials" used in the manufacture of body armour and helmets, see entry 1C010 on the EU Dual Use List

ML14 **‘Specialised equipment for military training’ or for simulating military scenarios, simulators specially designed for training in the use of any firearm or weapon specified by ML1 or ML2, and specially designed components and accessories therefor.**

Technical Note

The term ‘specialised equipment for military training’ includes military types of attack trainers, operational flight trainers, radar target trainers, radar target generators, gunnery training devices, anti-submarine warfare trainers, flight simulators (including human-rated centrifuges for pilot/astronaut training), radar trainers, instrument flight trainers, navigation trainers, missile launch trainers, target equipment, drone “aircraft”, armament trainers, pilotless “aircraft” trainers, mobile training units and training equipment for ground military operations.

Note 1 ML14 includes image generating and interactive environment systems for simulators, when specially designed or modified for military use.

Note 2 ML14 does not apply to equipment specially designed for training in the use of hunting or sporting weapons.

ML15 **Imaging or countermeasure equipment, as follows, specially designed for military use, and specially designed components and accessories therefor:**

- a. Recorders and image processing equipment;
- b. Cameras, photographic equipment and film processing equipment;
- c. Image intensifier equipment;
- d. Infrared or thermal imaging equipment;
- e. Imaging radar sensor equipment;
- f. Countermeasure or counter-countermeasure equipment, for the equipment specified by ML15.a. to ML15.e.

Note ML15.f. includes equipment designed to degrade the operation or effectiveness of military imaging systems or to minimize such degrading effects.

Note 1 In ML15, the term specially designed components includes the following when specially designed for military use:

- a. Infrared image converter tubes;
- b. Image intensifier tubes (other than first generation);
- c. Microchannel plates;
- d. Low-light-level television camera tubes;
- e. Detector arrays (including electronic interconnection or read out systems);
- f. Pyroelectric television camera tubes;
- g. Cooling systems for imaging systems;
- h. Electrically triggered shutters of the photochromic or electro-optical type having a shutter speed of less than 100 µs, except in the case of shutters which are an essential part of a high-speed camera;
- i. Fibre optic image inverters;
- j. Compound semiconductor photocathodes

Note 2 ML15 does not apply to “first generation image intensifier tubes” or equipment specially designed to incorporate “first generation image intensifier tube”.

N.B. For the classification of weapons sights incorporating “first generation image intensifier tubes” see ML1., ML2. and ML5.a.

N.B. See also 6A002.a.2. and 6A002.b. on the EU Dual-Use List.

ML16 **Forgings, castings and other unfinished products, specially designed for items specified by ML1 to ML4, ML6, ML9, ML10, ML12 or ML19.**

Note ML16. applies to unfinished products when they are identifiable by material composition, geometry or function.

ML17 **Miscellaneous equipment, materials and 'libraries', as follows, and specially designed components therefor:**

- a. Self-contained diving and underwater swimming apparatus, as follows:
 1. Closed or semi-closed circuit (rebreathing) apparatus specially designed for military use (i.e. specially designed to be non magnetic);
 2. Specially designed components for use in the conversion of open-circuit apparatus to military use;
 3. Articles designed exclusively for military use with self-contained diving and underwater swimming apparatus;
- b. Construction equipment specially designed for military use;
- c. Fittings, coatings and treatments, for signature suppression, specially designed for military use;
- d. Field engineer equipment specially designed for use in a combat zone;
- e. "Robots", "robot" controllers and "robot" "end-effectors", having any of the following characteristics:
 1. Specially designed for military use;
 2. Incorporating means of protecting hydraulic lines against externally induced punctures caused by ballistic fragments (e.g. incorporating self-sealing lines) and designed to use hydraulic fluids with flash points higher than 839 K (566 °C); or
 3. Specially designed or rated for operating in an electro magnetic pulse (EMP) environment;

Technical Note

Electro-magnetic pulse does not refer to unintentional interference caused by electromagnetic radiation from nearby equipment (e.g. machinery, appliances or electronics) or lightning.

- f. 'Libraries' (parametric technical databases) specially designed for military use with equipment specified by the EU Common Military List;
- g. Nuclear power generating equipment or propulsion equipment, including "nuclear reactors", specially designed for military use and components therefor specially designed or 'modified' for military use;
- h. Equipment and material, coated or treated for signature suppression, specially designed for military use, other than those specified elsewhere in the EU Common Military List;
- i. Simulators specially designed for military "nuclear reactors";
- j. Mobile repair shops specially designed or 'modified' to service military equipment;
- k. Field generators specially designed or 'modified' for military use;
- l. Containers specially designed or 'modified' for military use;
- m. Ferries, other than those specified elsewhere in the EU Common Military List, bridges and pontoons, specially designed for military use;
- n. Test models specially designed for the "development" of items specified by ML4, ML6, ML9 or ML10;
- o. Laser protection equipment (e.g. eye and sensor protection) specially designed for military use.

ML17 (continued)

- p. "Fuel cells" other than those specified elsewhere in the EU Common Military List, specially designed or 'modified' for military use.

Technical Notes

1. For the purpose of ML17, the term 'library' (parametric technical database) means a collection of technical information of a military nature, reference to which may enhance the performance of military equipment or systems.
2. For the purpose of ML17, 'modified' means any structural, electrical, mechanical, or other change that provides a non-military item with military capabilities equivalent to an item which is specially designed for military use.

ML18 **Production equipment and components, as follows:**

- a. Specially designed or modified 'production' equipment for the 'production' of products specified by the EU Common Military List, and specially designed components therefor;
- b. Specially designed environmental test facilities and specially designed equipment therefor, for the certification, qualification or testing of products specified by the EU Common Military List.

Technical Note

For the purposes of ML18, the term 'production' includes design, examination, manufacture, testing and checking.

Note ML18.a. and ML18.b. include the following equipment:

- a. Continuous nitrators;
- b. Centrifugal testing apparatus or equipment having any of the following:
 1. Driven by a motor or motors having a total rated horsepower of more than 298 kW (400 hp);
 2. Capable of carrying a payload of 113 kg or more; or
 3. Capable of exerting a centrifugal acceleration of 8 g or more on a payload of 91 kg or more;
- c. Dehydration presses;
- d. Screw extruders specially designed or modified for military explosive extrusion;
- e. Cutting machines for the sizing of extruded propellants;
- f. Sweetie barrels (tumblers) 1,85 m or more in diameter and having over 227 kg product capacity;
- g. Continuous mixers for solid propellants;
- h. Fluid energy mills for grinding or milling the ingredients of military explosives;
- i. Equipment to achieve both sphericity and uniform particle size in metal powder listed in ML8.c.8.;
- j. Convection current converters for the conversion of materials listed in ML8.c.3.

ML19 **Directed Energy Weapon (DEW) systems, related or countermeasure equipment and test models, as follows, and specially designed components therefor:**

- a. "Laser" systems specially designed for destruction or effecting mission-abort of a target;
- b. Particle beam systems capable of destruction or effecting mission-abort of a target;
- c. High power Radio-Frequency (RF) systems capable of destruction or effecting mission-abort of a target;
- d. Equipment specially designed for the detection or identification of, or defence against, systems specified by ML19.a. to ML19.c.;

ML19 (continued)

- e. Physical test models for the systems, equipment and components, specified by ML19.
- f. "Laser" systems specially designed to cause permanent blindness to unenhanced vision, i.e. to the naked eye or to the eye with corrective eyesight devices.

Note 1 DEW systems specified by ML19 include systems whose capability is derived from the controlled application of:

- a. "Lasers" of sufficient power to effect destruction similar to the manner of conventional ammunition;
- b. Particle accelerators which project a charged or neutral particle beam with destructive power;
- c. High pulsed power or high average power radio frequency beam transmitters, which produce fields sufficiently intense to disable electronic circuitry at a distant target.

Note 2 ML19 includes the following when specially designed for DEW systems:

- a. Prime power generation, energy storage, switching, power conditioning or fuel-handling equipment;
- b. Target acquisition or tracking systems;
- c. Systems capable of assessing target damage, destruction or mission-abort;
- d. Beam-handling, propagation or pointing equipment;
- e. Equipment with rapid beam slew capability for rapid multiple target operations;
- f. Adaptive optics and phase conjugators;
- g. Current injectors for negative hydrogen ion beams;
- h. "Space-qualified" accelerator components;
- i. Negative ion beam funnelling equipment;
- j. Equipment for controlling and slewing a high energy ion beam;
- k. "Space qualified" foils for neutralising negative hydrogen isotope beams.

ML20 **Cryogenic and "superconductive" equipment, as follows, and specially designed components and accessories therefor:**

- a. Equipment specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, capable of operating while in motion and of producing or maintaining temperatures below 103 K (– 170 °C);

Note ML20.a. includes mobile systems incorporating or employing accessories or components manufactured from non-metallic or non-electrical conductive materials, such as plastics or epoxy-impregnated materials.

- b. "Superconductive" electrical equipment (rotating machinery and transformers) specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, and capable of operating while in motion.

Note ML20.b. does not apply to direct current hybrid homopolar generators that have single-pole normal metal armatures which rotate in a magnetic field produced by superconducting windings, provided those windings are the only superconducting components in the generator.

ML21

“Software”, as follows:

- a. “Software” specially designed or modified for the “development”, “production” or “use” of equipment, materials or “software”, specified by the EU Common Military List;
- b. Specific “software”, other than that specified by ML21.a., as follows:
 1. “Software” specially designed for military use and specially designed for modelling, simulating or evaluating military weapon systems;
 2. “Software” specially designed for military use and specially designed for modelling or simulating military operational scenarios;
 3. “Software” for determining the effects of conventional, nuclear, chemical or biological weapons;
 4. “Software” specially designed for military use and specially designed for Command, Communications, Control and Intelligence (C³I) or Command, Communications, Control, Computer and Intelligence (C⁴I) applications;
- c. “Software”, not specified by ML21.a., or b., specially designed or modified to enable equipment not specified by the EU Common Military List to perform the military functions of equipment specified by the EU Common Military List.

ML22

“Technology” as follows:

- a. “Technology”, other than specified in ML22.b., which is “required” for the “development”, “production” or “use” of items specified in the EU Common Military List;
- b. “Technology” as follows:
 1. “Technology” “required” for the design of, the assembly of components into, and the operation, maintenance and repair of, complete production installations for items specified in the Common Military List of The European Union, even if the components of such production installations are not specified;
 2. “Technology” “required” for the “development” and “production” of small arms even if used to produce reproductions of antique small arms;
 3. “Technology” “required” for the “development”, “production” or “use” of toxicological agents, related equipment or components specified by ML7.a. to ML7.g.;
 4. “Technology” “required” for the “development”, “production” or “use” of “biopolymers” or cultures of specific cells, specified by ML7.h.;
 5. “Technology” “required” exclusively for the incorporation of “biocatalysts”, specified by ML7.i.1., into military carrier substances or military material.

Note 1 “Technology” “required” for the “development”, “production” or “use” of items specified by the EU Common Military List remains under control even when applicable to any item not specified by the EU Common Military List.

Note 2 ML22 does not apply to:

- a. “Technology” that is the minimum necessary for the installation, operation, maintenance (checking) and repair, of those items which are not controlled or whose export has been authorised;
- b. “Technology” that is “in the public domain”, “basic scientific research” or the minimum necessary information for patent applications;
- c. “Technology” for magnetic induction for continuous propulsion of civil transport devices.

DEFINITIONS OF TERMS USED IN THIS LIST

The following are definitions of the terms used in this List, in alphabetical order.

Note 1 *Definitions apply throughout the List. The references are purely advisory and have no effect on the universal application of defined terms throughout the List.*

Note 2 *Words and terms contained in this List of Definitions only take the defined meaning where this is indicated by their being enclosed in "double quotations marks". Definitions of terms between 'single quotation marks' are given in a Technical note to the relevant item. Elsewhere, words and terms take their commonly accepted (dictionary) meanings.*

ML7 **"Adapted for use in war"**
Any modification or selection (such as altering purity, shelf life, virulence, dissemination characteristics, or resistance to UV radiation) designed to increase the effectiveness in producing casualties in humans or animals, degrading equipment or damaging crops or the environment.

ML8 **"Additives"**
Substances used in explosive formulations to improve their properties.

ML8, ML10
and ML14 **"Aircraft"**
A fixed wing, swivel wing, rotary wing (helicopter), tilt rotor or tilt-wing airborne vehicle.

ML11 **"Automated Command and Control Systems"**
Electronic systems, through which information essential to the effective operation of the grouping, major formation, tactical formation, unit, ship, subunit or weapons under command is entered, processed and transmitted. This is achieved by the use of computer and other specialised hardware designed to support the functions of a military command and control organisation. The main functions of an automated command and control system are: the efficient automated collection, accumulation, storage and processing of information; the display of the situation and the circumstances affecting the preparation and conduct of combat operations; operational and tactical calculations for the allocation of resources among force groupings or elements of the operational order of battle or battle deployment according to the mission or stage of the operation; the preparation of data for appreciation of the situation and decision-making at any point during operation or battle; computer simulation of operations.

ML22 **"Basic scientific research"**
Experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective.

ML7,
22 **"Biocatalysts"**
Enzymes for specific chemical or biochemical reactions or other biological compounds which bind to and accelerate the degradation of CW agents.

Technical Note

"Enzymes" means "biocatalysts" for specific chemical or biochemical reactions.

ML7,
22 **"Biopolymers"**
Biological macromolecules as follows:

a. Enzymes for specific chemical or biochemical reactions;

b. Antibodies, monoclonal, polyclonal or anti-idiotypic;

c. Specially designed or specially processed receptors;

Technical Notes

1. "Anti-idiotypic antibodies" means antibodies which bind to the specific antigen binding sites of other antibodies;
2. "Monoclonal antibodies" means proteins which bind to one antigenic site and are produced by a single clone of cells;
3. "Polyclonal antibodies" means a mixture of proteins which bind to the specific antigen and are produced by more than one clone of cells;
4. "Receptors" means biological macromolecular structures capable of binding ligands, the binding of which affects physiological functions.

ML4,
10**"Civil aircraft"**

Those "aircraft" listed by designation in published airworthiness certification lists by the civil aviation authorities to fly commercial civil internal and external routes or for legitimate civil, private or business use.

ML21,
22**"Development"**

Is related to all stages prior to serial production, such as: design, design research, design analyses, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design, layouts.

ML17

"End-effectors"

Grippers, active tooling units and any other tooling that is attached to the baseplate on the end of a "robot" manipulator arm.

Technical Note

"Active tooling units" are devices for applying motive power, process energy or sensing to a work piece.

ML8

"Energetic materials"

Substances or mixtures that react chemically to release energy required for their intended application. "Explosives", "pyrotechnics" and "propellants" are subclasses of energetic materials.

ML8,
18**"Explosives"**

Solid, liquid or gaseous substances or mixtures of substances which, in their application as primary, booster, or main charges in warheads, demolition and other applications, are required to detonate.

ML7

"Expression Vectors"

Carriers (e.g. plasmid or virus) used to introduce genetic material into host cells.

ML 17

"Fuel cell"

An electrochemical device that converts chemical energy directly into Direct Current (DC) electricity by consuming fuel from an external source.

ML13

"Fibrous or filamentary materials"

Include:

- a. Continuous monofilaments;
- b. Continuous yarns and rovings;
- c. Tapes, fabrics, random mats and braids;
- d. Chopped fibres, staple fibres and coherent fibre blankets;
- e. Whiskers, either monocrystalline or polycrystalline, of any length;
- f. Aromatic polyamide pulp.

- ML15 **“First generation image intensifier tubes”**
Electrostatically focused tubes, employing input and output fibre optic or glass face plates, multi-alkali photocathodes (S-20 or S-25), but not microchannel plate amplifiers.
- ML22 **“In the public domain”**
This means “technology” or “software” which has been made available without restrictions upon its further dissemination.
Note: Copyright restrictions do not remove “technology” or “software” from being “in the public domain”.
- ML9,
19 **“Laser”**
An assembly of components which produce both spatially and temporally coherent light that is amplified by stimulated emission of radiation.
- ML10 **“Lighter-than-air vehicles”**
Balloons and airships that rely on hot air or on lighter-than-air gases such as helium or hydrogen for their lift.
- ML17 **“Nuclear reactor”**
Includes the items within or attached directly to the reactor vessel, the equipment which controls the level of power in the core, and the components which normally contain or come into direct contact with or control the primary coolant of the reactor core.
- ML8 **“Precursors”**
Speciality chemicals used in the manufacture of explosives.
- ML18,
21, 22 **“Production”**
Means all production stages, such as: product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance.
- ML8 **“Propellants”**
Substances or mixtures that react chemically to produce large volumes of hot gases at controlled rates to perform mechanical work.
- ML4,
8 **“Pyrotechnic(s)”**
Mixtures of solid or liquid fuels and oxidizers which, when ignited, undergo an energetic chemical reaction at a controlled rate intended to produce specific time delays, or quantities of heat, noise, smoke, visible light or infrared radiation. Pyrophorics are a subclass of pyrotechnics, which contain no oxidizers but ignite spontaneously on contact with air.
- ML22 **“Required”**
As applied to “technology”, refers to only that portion of “technology” which is peculiarly responsible for achieving or exceeding the controlled performance levels, characteristics or functions. Such “required” “technology” may be shared by different products.
- ML7 **“Riot control agents”**
Substances which, under the expected conditions of use for riot control purposes, produce rapidly in humans sensory irritation or disabling physical effects which disappear within a short time following termination of exposure. (Tear gases are a subset of “riot control agents”).
- ML17 **“Robot”**
A manipulation mechanism, which may be of the continuous path or of the point-to-point variety, may use sensors, and has all the following characteristics:

a. Is multifunctional;

b. Is capable of positioning or orienting material, parts, tools or special devices through variable movements in three-dimensional space;

- c. Incorporates three or more closed or open loop servo-devices which may include stepping motors; and
- d. Has “user-accessible programmability” by means of the teach/playback method or by means of an electronic computer which may be a programmable logic controller, i.e. without mechanical intervention.

Note The above definition does not include the following devices:

1. Manipulation mechanisms which are only manually/teleoperator controllable;
2. Fixed sequence manipulation mechanisms which are automated moving devices, operating according to mechanically fixed programmed motions. The programme is mechanically limited by fixed stops, such as pins or cams. The sequence of motions and the selection of paths or angles are not variable or changeable by mechanical, electronic or electrical means;
3. Mechanically controlled variable sequence manipulation mechanisms which are automated moving devices, operating according to mechanically fixed programmed motions. The programme is mechanically limited by fixed, but adjustable, stops, such as pins or cams. The sequence of motions and the selection of paths or angles are variable within the fixed programme pattern. Variations or modifications of the programme pattern (e.g. changes of pins or exchanges of cams) in one or more motion axes are accomplished only through mechanical operations;
4. Non-servo-controlled variable sequence manipulation mechanisms which are automated moving devices, operating according to mechanically fixed programmed motions. The programme is variable but the sequence proceeds only by the binary signal from mechanically fixed electrical binary devices or adjustable stops;
5. Stacker cranes defined as Cartesian coordinate manipulator systems manufactured as an integral part of a vertical array of storage bins and designed to access the contents of those bins for storage or retrieval.

ML21 **“Software”**

A collection of one or more “programmes” or “microprogrammes” fixed in any tangible medium of expression.

ML19 **“Space-qualified”**

Products designed, manufactured and tested to meet the special electrical, mechanical or environmental requirements for use in the launch and deployment of satellites or high altitude flight systems operating at altitudes of 100 km or higher.

ML 20 **“Superconductive”**

Refers to materials, (i.e. metals, alloys or compounds) which can lose all electrical resistance (i.e. which can attain infinite electrical conductivity and carry very large electrical currents without Joule heating).

“Critical temperature” (sometimes referred to as the transition temperature) of a specific “superconductive” material is the temperature at which the material loses all resistance to the flow of direct electrical current.

Technical Note

The “superconductive” state of a material is individually characterised by a “critical temperature”, a critical magnetic field, which is a function of temperature, and a critical current density which is, however, a function of both magnetic field and temperature.

ML22 **“Technology”**

Specific information necessary for the “development”, “production” or “use” of a product. The information takes the form of ‘technical data’ or ‘technical assistance’.

Technical Notes

1. *Technical data* may take forms such as blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories.
2. *Technical assistance* may take forms such as instruction, skills, training, working knowledge, consulting services. *Technical assistance* may involve transfer of *technical data*.

ML 10

“Unmanned aerial vehicle” (“UAV”)

Any “aircraft” capable of initiating flight and sustaining controlled flight and navigation without any human presence on board.

ML21,
22**“Use”**

Operation, installation (including on-site installation), maintenance (checking), repair, overhaul and refurbishing.’

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 29 January 2013

amending Decision 2004/416/EC on temporary emergency measures in respect of certain citrus fruits originating in Brazil

(notified under document C(2013) 339)

(2013/67/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular the fourth sentence of Article 16(3) thereof,

Whereas:

- (1) Commission Decision 2004/416/EC ⁽²⁾ lays down temporary emergency measures aimed at providing strengthened prevention of the entry of harmful organisms, and in particular of *Guignardia citricarpa* Kiely and *Xanthomonas campestris* in respect of fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., and their hybrids, originating in Brazil.
- (2) It appears from available information that temporary emergency measures regarding *Xanthomonas campestris* are not necessary.
- (3) In view of the developments over the past years, it should be provided for that the provisions on the remaining measures still apply.
- (4) Decision 2004/416/EC should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2004/416/EC is amended as follows:

- (1) the title is replaced by the following:

‘Commission Decision 2004/416/EC of 29 April 2004 on emergency measures in respect of certain citrus fruits originating in Brazil’;

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 151, 30.4.2004, p. 76.

- (2) Articles 1, 2 and 3 are replaced by the following:

‘Article 1

By way of derogation from point 16.4 of Section I of Part A of Annex IV to Directive 2000/29/EC, fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf., and their hybrids (hereinafter referred to as citrus fruits), originating in Brazil, may only be introduced into the Union territory if they comply with the requirements laid down in the Annex to this Decision.

Article 2

Without prejudice to the provisions of Commission Directive 94/3/EC (*), each Member State importing citrus fruits originating in Brazil shall provide the Commission and the other Member States, by 31 December of each year, with a detailed technical report on the results of plant health checks carried out on those fruits in accordance with Article 13(1) of Directive 2000/29/EC between 1 May and 30 November of the same year.

Article 3

Between 1 May and 30 November of each year, the Commission shall continually follow the development of the situation. If it becomes apparent that those emergency measures are not sufficient to prevent the entry of *Guignardia citricarpa* Kiely (all strains pathogenic to Citrus) or have not been complied with, the Commission shall take more stringent or alternative measures, under the procedure laid down in Article 16(3) of Directive 2000/29/EC.

(*) OJ L 32, 5.2.1994, p. 37.;

- (3) in Article 5, the words ‘2008 at the latest’ are replaced by the words ‘of each year’;
- (4) the Annex is amended as follows:

- (a) the introductory words are replaced by the following:

‘Without prejudice to the provisions applicable to the fruits in points 16.1, 16.2, 16.3 and 16.5 of Section I of Part A of Annex IV to Directive 2000/29/EC, the following requirements shall apply:’

- (b) point 1 is deleted.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 29 January 2013.

For the Commission

Tonio BORG

Member of the Commission

III

(Other acts)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY DECISION

No 31/12/COL

of 1 February 2012

amending, for the eighty-fifth time, the procedural and substantive rules in the field of state aid by introducing a new chapter on the application, from 1 February 2012, of revised rules for assessing state aid for shipbuilding

THE EFTA SURVEILLANCE AUTHORITY ("THE AUTHORITY"),

Whereas:

Under Article 5(2)(b) of the Surveillance and Court Agreement, the Authority shall issue notices or guidelines on matters dealt with in the EEA Agreement, if that Agreement or the Surveillance and Court Agreement expressly so provides or if the Authority considers it necessary,

On 7 December 2011, the European Commission adopted a Communication on the application, from 1 January 2012, of revised rules for assessing state aid for shipbuilding (OJ C 364, 14.12.2011, p. 9),

This Communication is also of relevance for the European Economic Area,

Uniform application of the EEA state aid rules is to be ensured throughout the European Economic Area in line with the objective of homogeneity established in Article 1 of the EEA Agreement,

According to point II under the heading "GENERAL" on page 11 of Annex XV to the EEA Agreement, the Authority, after consultation with the Commission, is to adopt acts corresponding to those adopted by the European Commission,

The Authority consulted the European Commission and the EFTA States by letters dated 19 December 2011 on the subject,

HAS ADOPTED THIS DECISION:

Article 1

The State Aid Guidelines shall be amended by replacing the chapter on the rules for assessing state aid for shipbuilding.

The new chapter is set out in the Annex to this Decision.

Article 2

Only the English language version of this decision is authentic.

Done at Brussels, 1 February 2012.

For the EFTA Surveillance Authority

Oda Helen SLETNES
President

Sabine MONAUNI-TÖMÖRDY
College Member

ANNEX

STATE AID GUIDELINES FOR SHIPBUILDING ⁽¹⁾

1. Introduction

- (1) State aid to shipbuilding has been subject to a series of specific regimes, which have been gradually aligned with the horizontal state aid provisions. Compared to industrial sectors that have not been subject to specific rules, the regimes applicable to the shipbuilding sector have contained a mixture of both stricter and more lenient provisions. These guidelines provide for new rules for the assessment of state aid to shipbuilding following the expiry of the current Guidelines on state aid to shipbuilding on 31 December 2011 ⁽²⁾.
- (2) Certain features distinguish shipbuilding from other industries, such as the short production series, the size, value and complexity of the units produced and the fact that prototypes are generally used commercially.
- (3) In the light of those special characteristics, the Authority considers it appropriate to continue to apply specific provisions in respect of innovation aid for the shipbuilding sector while ensuring that such aid does not adversely affect trading conditions and competition to an extent contrary to the common interest.
- (4) State aid for innovation must lead to the recipient of aid changing its behaviour so that it increases its level of innovation activity and innovation projects or activities take place which would not otherwise be carried out, or which would be carried out in a more restricted manner. Incentive effect is identified by counterfactual analysis, comparing the levels of intended activity with aid and without aid. Therefore, these Guidelines identify specific requirements which will enable the EFTA states to ensure the presence of an incentive effect.
- (5) An informal set of rules concerning innovation aid for shipbuilding regarding, in particular, the eligible costs and the confirmation of the innovative character of the project has been developed in conjunction with the industry and is applied by the Authority in its decision-making practice. In the interests of transparency, those rules should be formally integrated into the rules on innovation aid.
- (6) As regards regional aid, the Authority will review the horizontal Guidelines on national regional aid for 2007 – 2013 ⁽³⁾ in 2013. Therefore, the Authority will not make any changes to the specific rules for regional aid in the shipbuilding sector at this point. The specific rules on regional aid to shipbuilding, found in this chapter, are therefore the same as were found in the former Chapter of State Aid to Shipbuilding. The Authority will reassess the situation in the context of the revision of the Guidelines on National Regional Aid.
- (7) With regard to export credits, the objective of these guidelines is to respect applicable international obligations.
- (8) These guidelines therefore contain specific provisions in relation to innovation aid and regional aid for shipbuilding as well as provisions on export credits. In addition, aid to the shipbuilding sector can be deemed compatible with the internal market under the EEA Agreement and under the horizontal state aid instruments ⁽⁴⁾, unless otherwise provided for in those instruments.
- (9) In accordance with Article 123 of the EEA Agreement any EFTA State may take such measures as it considers necessary for the protection of the essential interests of its security with respect to funding for military vessels.
- (10) The Authority intends to apply the principles set out in these guidelines until 31 December 2013. After that date the Authority envisages including the provisions on innovation aid in the guidelines for state aid for research and development and innovation ⁽⁵⁾ and integrating regional aid for shipbuilding into the Guidelines on national regional aid.

⁽¹⁾ These Guidelines correspond to the Commissions Framework on State Aid to Shipbuilding, OJ C 364, 14.12.2011, p. 9

⁽²⁾ OJ C 221, 14.9.2006, p. 10, EEA Supplement No 46, 14.9.2006, p. 1.

⁽³⁾ OJ L 54, 28.2.2008, p. 1, EEA Supplement No 11, 28.2.2008, p. 1.

⁽⁴⁾ For instance, the Guidelines on state aid for environmental protection (OJ L 144, 10.6.2010, p. 1) lay down the conditions under which aid to shipyards for more environmentally friendly production may be authorised. Moreover, aid for the acquisition of new transport vehicles which go beyond Community standards or which increase the level of environmental protection in the absence of Community standards can be granted to ship owners, thus contributing overall to cleaner maritime transport.

⁽⁵⁾ OJ L 305, 19.11.2009, p. 1, EEA Supplement No 60, 19.11.2009, p. 1.

2. Scope and definitions

- (11) Under these guidelines, the Authority may authorise aid to shipyards or, in the case of export credits, aid to ship owners, which is granted for building, repair or conversion of ships, as well as innovation aid granted for the construction of floating and moving offshore structures.
- (12) For the purposes of these guidelines, the following definitions shall apply:
- (a) “shipbuilding” means the building, in the EEA, of self-propelled commercial vessels;
 - (b) “ship repair” means the repair or reconditioning, in the EEA, of self-propelled commercial vessels;
 - (c) “ship conversion” means the conversion, in the EEA, of self-propelled commercial vessels of not less than 1 000 gt ⁽¹⁾, on condition that conversion operations entail radical alterations to the cargo plan, the shell, the propulsion system or the passenger accommodation;
 - (d) “self-propelled commercial vessel” means a vessel that, by means of its permanent propulsion and steering, has all the characteristics of self-navigability on the high seas or on inland waterways and belongs to one of the following categories:
 - (i) seagoing vessels of not less than 100 gt and inland waterway vessels of equivalent size used for the transportation of passengers and/or goods;
 - (ii) seagoing vessels of not less than 100 gt and inland waterway vessels of equivalent size used for the performance of a specialised service (for example, dredgers and ice breakers);
 - (iii) tugs of not less than 365 kW;
 - (iv) unfinished shells of the vessels referred to in points (i), (ii) and (iii) that are afloat and mobile;
 - (e) “floating and moving offshore structures” means structures for the exploration, exploitation or generation of oil, gas or renewable energy that have the characteristics of a commercial vessel except that they are not self-propelled and are intended to be moved several times during their operation.

3. Specific measures

3.1. Regional aid

- (13) Regional aid to shipbuilding, ship repair or ship conversion may be deemed compatible with the internal market if it fulfils, in particular, the following conditions:
- (a) the aid must be granted for investment in upgrading or modernising existing yard(s), not linked to a financial restructuring of the yard(s) concerned, with the objective of improving the productivity of existing installations;
 - (b) in regions referred to in point (a) of Article 61(3) of the EEA Agreement and complying with the map approved by the Authority for each EFTA State for the grant of regional aid ⁽²⁾, the intensity of the aid must not exceed 22,5 % gross grant equivalent;
 - (c) in regions referred to in point (c) of Article 61(3) of the EEA Agreement and complying with the map approved by the Authority for each EFTA State for the grant of regional aid, the intensity of the aid must not exceed 12,5 % gross grant equivalent or the applicable regional aid ceiling, whichever is the lower;
 - (d) the aid must be limited to support eligible expenditure as defined in the Guidelines on national regional aid for 2007–2013.

3.2. Innovation aid

3.2.1. Eligible applications

- (14) Aid granted for innovation for shipbuilding, ship repair or ship conversion may be deemed compatible with the internal market up to a maximum aid intensity of 20 % gross provided that it relates to the industrial application of innovative products and processes, that is to say, technologically new or substantially improved products and processes when compared to the state of the art that exists in the shipbuilding industry within the EEA, which carry a risk of technological or industrial failure.

⁽¹⁾ Gross tons.

⁽²⁾ Reference is made to point 15 of the Guidelines on national regional aid 2007-2013 according to which currently, “no region in the EFTA States qualifies for the Article 61(3)(a) derogation.”

- (15) Innovative products and processes within the meaning of point 14 include improvements in the environmental field related to quality and performance, such as optimising fuel consumption, emissions from engines, waste and safety.
- (16) Where the innovation has the objective of increasing environmental protection and leads to compliance with adopted EEA standards at least one year before those standards enter into force or increases the level of environmental protection in the absence of EEA standards or makes it possible to go beyond EEA standards, the maximum aid intensity can be increased to 30 % gross. The expressions “EEA standards” and “environmental protection” have the meaning set out in the Authority’s Guidelines on state aid for environmental protection ⁽¹⁾.
- (17) Provided that they comply with the criteria in point 14, innovative products will refer either to a new class of vessel as defined by the first vessel of a potential series of ships (prototype) or to innovative parts of a vessel, which can be isolated from the vessel as a separate element.
- (18) Provided that they comply with the criteria in point 14, innovative processes will refer to the development and implementation of new processes regarding production, management, logistic or engineering areas.
- (19) Innovation aid can only be deemed compatible with the internal market if it is granted for the first industrial application of innovative products and processes.

3.2.2. Eligible costs

- (20) Innovation aid for products and processes must be limited to supporting expenditure on investments, design, engineering and testing activities directly and exclusively related to the innovative part of the project and incurred after the date of the application for innovation aid ⁽²⁾.
- (21) Eligible costs include costs of the shipyard as well as costs for the procurement of goods and services from third parties (for example, system suppliers, turnkey suppliers and subcontractor companies), to the extent that those goods and services are strictly related to the innovation. The eligible costs are defined in more detail in the Appendix.
- (22) The relevant national authority, designated by the EFTA State for the purposes of the application of innovation aid, must examine the eligible costs on the basis of the estimations provided and substantiated by the applicant. Where the application includes costs for the procurement of goods and services from suppliers, the supplier must not have received state aid for the same objectives in respect of those goods or services.

3.2.3. Confirmation of the innovative character of the project

- (23) In order for innovation aid to be deemed compatible with the functioning of the EEA Agreement under these guidelines, an application for innovation aid must be submitted to the relevant national authority prior to the applicant entering into a binding agreement to implement the specific project for which innovation aid is sought. The application must include a description of the innovation, in both qualitative and quantitative terms.
- (24) The relevant national authority must seek confirmation from an independent, and technically competent expert that the aid is sought for a project that represents a technologically new or substantially improved product or process compared to the state of the art that exists in the shipbuilding industry within the EEA (qualitative appraisal). The aid may only be deemed compatible with the internal market if the independent and technically competent expert confirms to the relevant national authority that the eligible costs for the project have been calculated to cover exclusively the innovative parts of the relevant project (quantitative appraisal).

3.2.4. Incentive effect

- (25) Innovation aid within the meaning of these guidelines must have an incentive effect, that is to say, it must result in the recipient changing its behaviour so that it increases its level of innovation activity. As a result of the aid, the innovation activity must be increased in terms of size, scope, amount spent or speed.
- (26) In line with point 25, the Authority considers that aid does not present an incentive for the beneficiary where the project ⁽³⁾ has already commenced before the beneficiary submits an application for aid to the national authorities.
- (27) In order to verify that the aid would induce the aid beneficiary to change its behaviour so that it increases its level of innovation activity, the EFTA States must provide an *ex ante* evaluation of the increased innovation activity on the basis of an analysis comparing a situation without aid and a situation with aid. The criteria to

⁽¹⁾ The environmental aid guidelines adopted in July 2008 refer to the expression “Community standards”.

⁽²⁾ Except for costs for feasibility studies undertaken within 12 months prior to the aid application for an innovative process.

⁽³⁾ This does not exclude that the potential beneficiary may have already carried out feasibility studies which are not covered by the request for State aid.

be used may include the increase in innovation activities in terms of size, scope amount spent or speed, together with other relevant quantitative and/or qualitative factors submitted by the EFTA State in its notification under Article 1(3) in Part I of Protocol 3 to the Surveillance and Court Agreement.

- (28) If a significant effect on at least one of those elements can be demonstrated, taking account of the normal behaviour of an undertaking in the respective sector, the Authority will normally conclude that the aid has an incentive effect.
- (29) When assessing an aid scheme, the conditions relating to the incentive effect will be deemed to be satisfied if the EFTA State has committed itself to grant individual aid under the approved aid scheme only after it has verified that an incentive effect is present and to submit annual reports on the implementation of the approved aid scheme.
- (30) The approval of the aid application must be subject to the condition that the beneficiary enters into a binding agreement to implement the specific shipbuilding, ship repair or ship conversion project or process for which the innovation aid is sought. Payments can only be made after the relevant contract is signed. If the contract is cancelled or the project is abandoned, all aid disbursed must be reimbursed with interest from the date the aid was paid out. Equally, if the project is not completed, aid that has not been used for the eligible innovation expenditure must be reimbursed with interest. The rate of interest must be at least equal to the reference rates adopted by the Authority.

3.3. *Export credits*

- (31) Aid to shipbuilding in the form of state-supported credit facilities granted to national and non-national shipowners or third parties for the building or conversion of vessels may be deemed compatible with the internal market if it complies with the terms of the 1998 OECD Arrangement on Guidelines for Officially Supported Export Credits and with its Sector Understanding on Export Credits for Ships or any successive terms laid down in such an arrangement or replacing the Arrangement.

4. **Monitoring and reporting**

- (32) The Authority's Decision No 195/04/COL, as amended, on the implementing provisions referred to under Article 27 in Part II of Protocol 3 to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice⁽¹⁾ requires EFTA States to submit to the Authority annual reports on all existing aid schemes pursuant to the rules set forth in Part II of Protocol 3 to the Surveillance and Court Agreement and in its implementing provisions. When adopting a decision under these guidelines for all innovation aid granted under an approved scheme to large undertakings, the Authority may request EFTA States to report on how the requirement for an incentive effect has been respected in relation to aid given to large undertakings, notably using the criteria mentioned in point 3.2.4.

5. **Cumulation**

- (33) The aid ceilings stipulated in these guidelines are applicable irrespective of whether the aid in question is financed wholly or in part from state resources. Aid authorised under these guidelines may not be combined with other forms of State aid within the meaning of Article 61(1) of the EEA Agreement, the cumulation of which produces an aid intensity higher than that laid down in these guidelines.
- (34) Where aid serves different purposes and involves the same eligible costs, the most favourable aid ceiling will apply.

6. **Application of these guidelines**

- (35) The Authority will apply the principles set out in these guidelines until 31 December 2013. The Authority will apply those principles to all notified aid measures in respect of which it is called upon to take a decision after 1 February 2012, even where the projects were notified prior to that date.
- (36) In accordance with the Authority's notice on the determination of the applicable rules for the assessment of unlawful state aid, the Authority will apply the principles set out in these guidelines to non-notified aid granted after 31 December 2011.

⁽¹⁾ OJ L 340, 22.12.2010, p. 1, EEA Supplement No 72, 22.12.2010, p. 1.

*Appendix***Eligible costs for innovation aid for shipbuilding****(1) New class of vessel**

For the construction of a new class of vessel that is eligible for innovation aid, the following costs are eligible:

- (a) costs for the concept development;
- (b) costs for the concept design;
- (c) costs for the functional design;
- (d) costs for the detailed design;
- (e) costs for studies, testing, mock-ups; and similar costs related to the development and design of the vessel;
- (f) costs for the planning of the implementation of the design;
- (g) costs for tests and trials of the product;
- (h) incremental labour and overhead costs for a new class of vessel (learning curve).

For the purposes of points (a) to (g), costs related to standard engineering design equivalent to a previous class of vessel are excluded.

For the purposes of point (h), additional production costs that are strictly necessary to validate the technological innovation can be eligible to the extent that they are limited to the minimum necessary amount. Due to the technical challenges associated with constructing a prototype, production costs of the first vessel normally exceed production costs of the subsequent sister ships. Additional production costs are defined as the difference between the labour costs and associated overhead costs for the first in a new class of vessel and the production costs of the subsequent vessels of the same series (sister ships). Labour costs include wages and social costs.

Accordingly, in exceptional and duly justified cases, a maximum of 10 % of the production costs associated with the construction of a new class of vessel can be considered as eligible costs; if those costs are necessary to validate the technical innovation. A case is considered to be duly justified if the additional production costs are estimated to exceed 3 % of the production costs of the subsequent sister ships.

(2) New components or systems of a vessel

For new components or systems that are eligible for innovation aid, the following costs are eligible to the extent that they are strictly related to the innovation:

- (a) design and development costs;
- (b) costs for the testing of the innovation part, mock-ups;
- (c) costs for material and equipment;
- (d) in exceptional cases, the costs of construction and installation of a new component or system that are necessary to validate the innovation, to the extent that they are limited to the minimum necessary amount.

(3) New processes

For new processes that are eligible for innovation aid, the following costs are eligible to the extent that they are strictly related to the innovative process:

- (a) design and development costs;
 - (b) costs for material and equipment;
 - (c) costs for the testing of the new process, where applicable;
 - (d) costs for feasibility studies undertaken within 12 months prior to the aid application.
-

CORRIGENDA

Corrigendum to Directive 2012/12/EU of the European Parliament and of the Council of 19 April 2012 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption

(Official Journal of the European Union L 115 of 27 April 2012)

Page 3, Article 3(2)

for: '2. The statement "from 28 October 2015 no fruit juices contain added sugars" may appear ...'

read: '2. The statement "from 28 April 2015 no fruit juices contain added sugars" may appear ...'.

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