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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 8 October 2014

on the signing, on behalf of the European Union, and provisional application of a Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Senegal and the Implementation Protocol thereto

(2014/733/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Union and the Republic of Senegal have negotiated a Sustainable Fisheries Partnership Agreement ('the Agreement') and an Implementation Protocol thereto ('the Protocol'), granting Union vessels fishing opportunities in the waters over which the Republic of Senegal has sovereignty or jurisdiction in respect of fisheries.
- (2) At the end of those negotiations, the Agreement and the Protocol were initialled on 25 April 2014.
- (3) The Agreement repeals the previous Agreement that was concluded between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal ⁽¹⁾ and that entered into force on 1 June 1981.
- (4) Article 17 of the Agreement and Article 12 of the Protocol provide for their respective provisional application from the date of their signature.
- (5) The Agreement and the Protocol should be signed.
- (6) In order to guarantee the continuation of fishing activities by Union vessels, the Agreement and the Protocol should be applied on a provisional basis, pending the completion of the procedures for its conclusion,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the European Union, of the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Senegal and of the Implementation Protocol thereto is hereby authorised, subject to the conclusion of the said Agreement and Protocol.

The texts of the Agreement and Protocol are attached to this Decision.

⁽¹⁾ Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal (OJ L 226, 29.8.1980, p. 17).

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement and the Protocol on behalf of the Union.

Article 3

The Agreement shall be applied provisionally, in accordance with Article 17 thereof, from the date of its signature ⁽¹⁾, pending the completion of the procedures necessary for its conclusion.

Article 4

The Protocol shall be applied provisionally, in accordance with Article 12 thereof, from the date of its signature ⁽²⁾, pending the completion of the procedures necessary for its conclusion.

Article 5

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

Done at Luxembourg, 8 October 2014.

For the Council
The President
M. LUPI

⁽¹⁾ The date of signature of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

⁽²⁾ The date of signature of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council

AGREEMENT ON A SUSTAINABLE FISHERIES PARTNERSHIP BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF SENEGAL

THE EUROPEAN UNION, hereinafter referred to as 'the Union', and

THE REPUBLIC OF SENEGAL, hereinafter referred to as 'Senegal',

hereinafter referred to as the 'Parties',

CONSIDERING the close working relationship between the Union and Senegal, particularly in the context of the Cotonou Agreement, and their mutual desire to intensify that relationship,

HAVING REGARD TO the 1982 United Nations Convention on the Law of the Sea and the 1995 Fish Stocks Agreement,

DETERMINED to apply the decisions and recommendations taken by the relevant Regional Fisheries Management Organisations of which the Parties are members,

AWARE of the importance of the principles established by the Code of Conduct for Responsible Fisheries adopted by the Food and Agriculture Organisation (FAO) in 1995,

DETERMINED to cooperate, in their mutual interest, in promoting the establishment of responsible fisheries to ensure the long-term conservation and sustainable exploitation of marine living resources,

CONVINCED that such cooperation must take the form of initiatives and measures which, whether taken jointly or separately, are complementary and ensure consistent policies and synergy of effort,

AGREEING, for the purposes of such cooperation, to establish the dialogue with civil society operators, in particular the fishing industry, needed to implement the fishing policies of Senegal,

WISHING to establish terms and conditions governing the fishing activities of Union fishing vessels in Senegalese waters, on the one hand, and Union support for sustainable fishing in those waters on the other hand,

RESOLVED to pursue closer economic cooperation in the fishing industry and related activities by promoting cooperation between companies from both Parties,

HAVE AGREED AS FOLLOWS:

Article 1

Definitions

For the purposes of this Agreement:

- (a) 'Senegalese authorities' means the Ministry of Fisheries of the Republic of Senegal;
- (b) 'Union authorities' means the European Commission;
- (c) 'fishing activity' means searching for fish, shooting, setting, towing, hauling of a fishing gear, taking catch on board, transshipping, retaining on board, processing on board, transferring, caging, fattening and landing of fish and fishery products;
- (d) 'fishing vessel' means any ship or other vessel used, equipped or of a type normally used for fishing purposes in accordance with Senegalese law;
- (e) 'Union fishing vessel' means any fishing vessel flying the flag of a Member State and registered in the Union;
- (f) 'Senegalese waters' means the waters under the sovereignty or jurisdiction of Senegal;
- (g) 'Agreement' means the Agreement, the Protocol, and the Annex and Appendices thereto;
- (h) 'force majeure' means sudden, unforeseen and unavoidable events that may endanger or prevent normal fishing activities in Senegalese waters.

*Article 2***Subject**

This Agreement establishes the principles, rules and procedures governing:

- (a) the conditions under which Union fishing vessels may conduct fishing activities in Senegalese waters within the limits of the available surplus;
- (b) economic, financial, technical and scientific cooperation in the fisheries sector with a view to promoting sustainable fishing in Senegalese waters and developing Senegal's fisheries sector;
- (c) cooperation on the arrangements for monitoring fisheries in Senegalese waters with a view to ensuring that the above rules and conditions are complied with, that the measures for the conservation and management of fishery resources are effective and that illegal, unreported and unregulated fishing is prevented.

*Article 3***Principles**

- 1. The Parties undertake to promote responsible fishing in Senegalese waters as provided for in FAO's Code of Conduct for Responsible Fishing.
- 2. Senegal undertakes not to grant more favourable conditions than those laid down in this Agreement to segments of other foreign fleets present in its waters whose vessels have the same characteristics and target the same species as those covered by this Agreement.
- 3. The Parties undertake to ensure that this Agreement is implemented in accordance with Article 9 of the Cotonou Agreement on essential elements regarding human rights, democratic principles and the rule of law, and the fundamental element regarding good governance, following the procedure set out in Articles 8 and 96 thereof.
- 4. The Parties undertake to ensure that this Agreement is implemented in accordance with the principles of good economic and social governance, taking into account the state of fishery resources.
- 5. The International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work shall apply as of right to seamen taken on board Union fishing vessels. This concerns in particular freedom of association, effective recognition of the right to collective bargaining, and elimination of discrimination in respect of employment and occupation.
- 6. The Parties shall consult one another prior to adopting any decision that may affect the activities of Union vessels under this Agreement.

*Article 4***Access to Senegalese waters**

- 1. Union fishing vessels may only carry out their activities in Senegalese waters if they are in possession of a fishing authorisation issued under this Agreement; all other fishing activities are forbidden.
- 2. The Senegalese authorities may only issue fishing authorisations to Union fishing vessels under this Agreement; the issuing to these vessels of other authorisations, in particular private licences, is forbidden.

*Article 5***Applicable law and implementation**

- 1. The fishing activities governed by this Agreement shall, without prejudice to the provisions herein, be subject to Senegalese law.

2. The Senegalese authorities shall notify the Union authorities of any amendments to legislation that may affect the activities of Union fishing vessels. This legislation shall be enforceable against the latter as of the sixtieth day following receipt of the notification by the Union authorities.
3. Senegal undertakes to take all the appropriate steps required for the effective application of the fisheries monitoring measures provided for in this Agreement. Union fishing vessels shall cooperate with the Senegalese authorities responsible for carrying out such monitoring.
4. The Union undertakes to take all the appropriate steps required to ensure that its vessels comply with the provisions of this Agreement and of the relevant Senegalese legislation.
5. The Union authorities shall notify the Senegalese authorities of any amendments to legislation that may affect the activities of Union fishing vessels under this Agreement.

Article 6

Financial contribution

1. The Union shall grant Senegal a financial contribution under this Agreement in order to:
 - (a) cover part of the costs of access by Union fishing vessels to Senegalese fishery resources, irrespective of the part of the access costs due by vessel owners;
 - (b) improve Senegal's capacity to formulate and implement a sustainable fisheries policy through sectoral support.
2. The financial contribution for sectoral support shall be separate from the payments for access costs. It shall be determined by and conditional on the achievement of Senegalese sectoral fisheries policy objectives in accordance with the procedures laid down in the Protocol to this Agreement following annual and multiannual implementation programming.
3. The financial contribution granted by the Union shall be paid annually in accordance with the procedure laid down in the Protocol. The amount of this contribution may be reviewed in the following cases:
 - (a) force majeure;
 - (b) a reduction in the fishing opportunities granted to Union fishing vessels, in particular for the purposes of managing the stocks concerned, where this is considered necessary for the conservation and sustainable exploitation of resources on the basis of the best available scientific advice;
 - (c) an increase in the fishing opportunities granted to Union fishing vessels, where the best available scientific advice concurs that the state of resources so permits;
 - (d) a reassessment of the terms of the financial contribution for sectoral support, where this is warranted by the results of the annual and multiannual programming observed by both Parties;
 - (e) suspension of this Agreement under Article 13;
 - (f) termination of this Agreement under Article 14.

Article 7

Joint Committee

1. A Joint Committee, consisting of representatives of the Union and Senegal authorities, shall be set up to monitor the application of this Agreement. It may also adopt amendments to the Protocol, Annex and Appendices.
2. The Joint Committee's monitoring role shall mainly consist of:
 - (a) monitoring the performance, interpretation and application of this Agreement and, in particular, the definition of the annual and multiannual programming referred to in Article 6(2) and evaluation of its implementation;
 - (b) providing the necessary liaison for matters of mutual interest relating to fisheries;
 - (c) acting as a forum for the amicable settlement of any disputes regarding the interpretation or application of the Agreement.

3. The Committee's decision-making role shall consist of approving amendments to the Protocol, Annex and Appendices to this Agreement with regard to:

- (a) reassessing the fishing opportunities and, consequently, the amount of the financial contribution;
- (b) the sectoral support procedures;
- (c) the conditions for the exercise of fishing activities by Union fishing vessels.

Decisions shall be taken by consensus and set out in the annex to the minutes of the meeting.

4. The Joint Committee shall carry out its functions in accordance with the aims of this Agreement and the relevant rules adopted by the regional fisheries organisations.

5. The Joint Committee shall meet at least once a year, alternately in Senegal and in the Union, or in another mutually-agreed location, and shall be chaired by the Party hosting the meeting. It shall hold a special meeting at the request of either Party.

Article 8

Cooperation on surveillance and combating illegal, unreported and unregulated fishing

The Parties undertake to work closely together in combating illegal, unreported and unregulated fishing with a view to establishing responsible fishing and sustainable fisheries.

Article 9

Scientific cooperation

1. The Parties shall encourage scientific cooperation so as to better monitor the state of marine living resources in Senegalese waters.

2. The Parties shall consult one another, in particular within a joint scientific working group and the relevant international organisations, with a view to enhancing management and conservation of living resources in the Atlantic Ocean and cooperating with respect to the relevant scientific research.

Article 10

Cooperation between professional fisheries organisations, the private sector and civil society

1. The Parties shall encourage economic and technical cooperation in the fisheries sector and related sectors. They may consult one another with a view to facilitating and coordinating the various measures that might be taken to this end.

2. The Parties undertake to promote the exchange of information on fishing techniques and gear, preservation methods and the industrial processing of fisheries products.

3. The Parties shall endeavour to create conditions favourable to the promotion of relations between their enterprises in the technical, economic and commercial spheres, by encouraging the establishment of an environment favourable to the development of business and investment. Where appropriate, they shall encourage the creation of joint ventures.

Article 11

Area of application

This Agreement shall apply, on the one hand, to the territories in which the Treaty on European Union is applied and under the conditions laid down in that Treaty, and on the other hand to Senegal.

*Article 12***Duration**

This Agreement shall apply for five years from the date of its entry into force. It shall be renewable by tacit agreement, unless notice of termination is given in accordance with Article 14.

*Article 13***Suspension**

1. Application of this Agreement may be suspended unilaterally by either Party in the following cases:
 - (a) force majeure;
 - (b) a dispute between the Parties as to the application or implementation of this Agreement;
 - (c) violation by one of the Parties of the provisions of this Agreement, in particular of Article 3(3) with respect to human rights.
2. Suspension of the Agreement shall be notified to the other Party in writing and shall take effect three months after receipt of the notification. On notification of suspension the Parties shall enter into consultations with a view to resolving their differences amicably within three months. These consultations may continue after suspension has taken effect. Should an amicable solution be reached, application of the Agreement shall be resumed without delay and payment of the financial contribution referred to in Article 6 shall be reduced proportionately and *pro rata temporis*.

*Article 14***Termination**

1. Application of this Agreement may be terminated unilaterally by either Party in the following cases:
 - (a) force majeure;
 - (b) degradation of the stocks concerned according to the best available independent, reliable scientific advice;
 - (c) failure by Union fishing vessels to exploit the fishing opportunities granted to them;
 - (d) failure to comply with undertakings made by the Parties with regard to combating illegal, unreported and unregulated fishing.
2. Termination of the Agreement shall be notified to the other Party in writing and shall take effect six months after receipt of the notification, unless the Parties decide by common accord to extend this period. On notification of termination, the Parties shall enter into consultations with a view to resolving their differences amicably within six months. Should an amicable solution be reached, application of the Agreement shall be resumed without delay and payment of the financial contribution referred to in Article 6 shall be reduced proportionately and *pro rata temporis*.

*Article 15***Repeal**

The Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal, which entered into force on 1 June 1981, is hereby repealed.

*Article 16***Entry into force**

This Agreement is drawn up in duplicate in the Bulgarian, Croatian, Czech, Estonian, Danish, Dutch, English, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being equally authentic.

It will enter into force on the date on which the Parties notify each other that they have completed the necessary procedures for that purpose.

*Article 17***Provisional application**

Signature of this Agreement by the Parties entails its provisional application prior to its entry into force.

For the European Union

For the Republic of Senegal

PROTOCOL
on the implementation of the sustainable fisheries partnership agreement between the European Union and the Republic of Senegal

Article 1

Field of application

1. The fishing opportunities granted to Union fishing vessels are hereby determined as follows:
 - highly migratory species (listed in Annex 1 to the 1982 United Nations Convention on the Law of the Sea), with the exception of species protected or prohibited by the International Commission for the Conservation of Atlantic Tunas (ICCAT):
 - (a) 28 freezer tuna seiners
 - (b) 8 pole-and-line vessels
 - deep-sea demersal species:
 - (c) 2 trawlers

This paragraph shall apply subject to Articles 5 and 6 of this Protocol.

2. The fishing opportunities described in the first indent concern only the Senegalese fishing zones the geographical coordinates for which are listed in the Annex.

Article 2

Duration

This Protocol and the Annex thereto shall apply for five years from the date of its entry into force or, if applicable, from the date of its provisional application.

Article 3

Financial contribution

1. The total value of the Protocol, for the period referred to in Article 2, is estimated at EUR 13 930 000. This amount is distributed as follows:
 - 1.1. EUR 8 690 000 by way of the financial contribution referred to in Article 6 of the Agreement, allocated as follows:
 - (1) an annual amount as financial compensation for access to resources of EUR 1 058 000 for the first year, EUR 988 000 for the second year, for the third year and for the fourth year and EUR 918 000 for the fifth year, equivalent to a reference tonnage, for highly migratory species, of 14 000 tonnes per year;
 - (2) a specific amount of EUR 750 000 per year for five years to support implementation of the Senegalese sectoral fisheries policy;
 - 1.2. EUR 5 240 000, corresponding to the estimated levies payable by the vessel owners for the fishing authorisations issued under Article 4 of the Agreement and according to the procedures set out in Chapter II, point 3.
2. Paragraph 1 shall apply subject to Articles 5, 6, 7 and 8 of this Protocol and Articles 13 and 14 of the Agreement.
3. Senegal shall ensure that the activities of the Union fishing vessels in its fishing zones are monitored in order to ensure appropriate management of the reference tonnage set out in paragraph 1.1.(1) for highly migratory species and of the total admissible catch for demersal species indicated in the corresponding technical sheet annexed to this Protocol, taking into account the state of the stocks and any available surplus. During this monitoring Senegal shall notify the

Union authorities as soon as the catch level of the Union fishing vessels operating in the Senegalese fishing zones reaches 80 % of the reference tonnage or 80 % of the total allowable catch for demersal species. On receipt of this notification the Union shall inform the Member States thereof.

4. As soon as the catch level reaches 80 % of the reference tonnage or 80 % of the total allowable catch for demersal species, Senegal shall ensure that monitoring takes place on the basis of monthly catches made by Union fishing vessels. This monitoring shall be carried out on a daily basis as soon as the Electronic Reporting System (ERS) described in Chapter IV, Section 1, of the Annex to this Protocol is in operation. Senegal shall notify the Union authorities as soon as the above-mentioned reference tonnage or total allowable catch has been reached. On receipt of this notification the Union shall likewise inform the Member States thereof.

5. If the annual quantity of catches of highly migratory species by Union fishing vessels in Senegalese waters exceeds the annual reference tonnage indicated in paragraph 1.1(1), the total amount of the annual financial contribution shall be increased by EUR 55 for the first year, EUR 50 for the second, for the third year and for the fourth year and EUR 45 for the fifth year for each additional tonne caught.

6. The total allowable catch of demersal species indicated in the corresponding technical sheet attached to the Annex of this Protocol corresponds to the maximum volume of authorised catches of these species. If the annual quantity of catches exceeds the total allowable catch, the levy indicated in the technical sheet, payable only by the vessel owners, shall be increased by 50 % for the catches exceeding the limit.

7. However, the total annual amount paid by the Union shall not be more than twice the amount indicated in paragraph 1.1(1). Where the quantities caught by Union fishing vessels exceed the quantities corresponding to twice the total annual amount, the amount due for the quantity exceeding that limit shall be paid the following year.

8. Payment of the financial contribution laid down in paragraph 1.1(1) for access by Union fishing vessels to Senegalese fishery resources shall be made by the Union no later than ninety (90) days after the date of provisional application of the Protocol for the first year, and no later than on the anniversary date of the signing of the Protocol for the following years.

9. The financial contribution indicated in paragraph 1.1(1) shall be paid into a Senegal Public Treasury account. The financial contribution indicated in paragraph 1.1(2), earmarked for sectoral support, shall be placed at the disposal of the Directorate for Maritime Fisheries in an open-deposit Public Treasury account. The Senegalese authorities shall notify the European Commission of the relevant bank account numbers on an annual basis.

Article 4

Sectoral support

1. No later than three (3) months after the entry into force or, if applicable, the provisional application of this Protocol, the Joint Committee shall agree on a multiannual sectoral programme and rules for implementing it, in particular:

- (1) annual and multiannual guidelines for using the financial contribution referred to in Article 3(1.1)(2);
- (2) the objectives, both annual and multiannual, to be achieved with a view to establishing, over time, responsible and sustainable fishing, taking account of the priorities expressed by Senegal in its national fisheries policy or other policies relating to or having an impact on the introduction of responsible and sustainable fishing, in particular with regard to small-scale fishing and the surveillance, monitoring and combating of illegal, unreported and unregulated (IUU) fishing, as well as priorities for reinforcing Senegal's scientific capacities in the fisheries sector;
- (3) the criteria and procedures, including, where appropriate, budgetary and financial indicators, to be used for evaluating the results obtained each year.

2. The Joint Committee shall identify the objectives and estimate the expected impact of the projects in order to approve the allocation by Senegal of the financial contribution for sectoral support.

3. Each year, Senegal shall present an annual achievement report, to be examined by the Joint Committee, setting out how the projects implemented with sectoral financial support have progressed. A final report shall also be drawn up by Senegal before the Protocol expires.

4. The specific financial contribution for sectoral support shall be paid in instalments based on a detailed analysis of the outcomes of the sectoral support and of the needs identified during the programming. The Union may suspend, partially or totally, payment of the specific financial contribution provided for in Article 3(1.1)(2) of this Protocol:

4.1. if the results obtained are inconsistent with the programming, following an evaluation carried out by the Joint Committee;

4.2. in the event of failure to implement this financial contribution in line with the agreed programming.

Payment of the financial contribution shall resume after consultation and agreement by the Parties, and/or if the results of the financial implementation referred to in paragraph 4 so warrant. Nevertheless, the specific financial contribution provided for in Article 3(1.1)(2) shall not be paid out beyond a period of six (6) months after the Protocol expires.

5. All proposed amendments to the multiannual sectoral programme shall be approved by the Joint Committee.

Article 5

Scientific cooperation

1. With regard to the region of West Africa, the Parties undertake to promote cooperation as regards responsible fishing. The Parties undertake to comply with the recommendations and resolutions of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and to take account of the scientific opinions of other competent regional organisations such as the Committee for Eastern Central Atlantic Fisheries (CECAF).

2. The Parties undertake to convene the Joint Scientific Working Group regularly and when required in order to examine all scientific issues relating to the implementation of this Protocol. The mandate, composition and functioning of this Joint Scientific Working Group shall be laid down by the Joint Committee.

3. Based on the recommendations and resolutions adopted by ICCAT and in the light of the best available scientific advice such as that of CECAF and, where appropriate, of the findings of the Joint Scientific Working Group meetings, the Joint Committee shall adopt measures to ensure the sustainable management of the fishery resources covered by this Protocol and concerning the activities of Union fishing vessels.

Article 6

Adjustment of fishing opportunities

1. The fishing opportunities referred to in Article 1 may be adjusted by the Joint Committee insofar as the recommendations and resolutions adopted by ICCAT and the opinions of CECAF confirm that such adjustment guarantees the sustainable management of the fish species covered by this Protocol, and subject to validation by the Joint Scientific Working Group.

2. In this case, the financial contribution referred to in Article 3(1.1)(1) shall be adjusted proportionately and *pro rata temporis*. However, the total annual amount of the financial contribution paid by the Union shall not be more than twice the amount referred to in Article 3(1.1)(1).

Article 7

New fishing opportunities and exploratory fishing

1. Should Union fishing vessels be interested in fishing activities which are not provided for in Article 1, the Parties shall consult one another in the Joint Committee with a view to the issue of an authorisation relating to these new activities. Where appropriate, the Joint Committee shall agree on the conditions applicable to these new fishing opportunities and, if necessary, make amendments to this Protocol and to the Annex hereto.

2. Authorisation for new fishing activities shall be issued taking account of the best scientific opinions and, where appropriate, on the basis of the findings of scientific surveys validated by the Joint Scientific Working Group.

3. Following the consultations laid down in paragraph 1, the Joint Committee may authorise exploratory fishing surveys in the Senegalese fishing zones to test the technical feasibility and the economic viability of new fisheries. To this end, and at Senegal's request, it shall on a case-by-case basis determine the species, conditions and all other appropriate parameters. The Parties shall carry out exploratory fishing in line with the conditions laid down by the Joint Scientific Working Group.

Article 8

Suspension

The application of this Protocol, including payment of the financial contribution, may be suspended unilaterally by either Party in the cases and on the conditions set out in Article 13 of the Agreement.

Article 9

Termination

This Protocol may be terminated unilaterally by either Party in the cases and on the conditions set out in Article 14 of the Agreement.

Article 10

Electronic communication

1. Senegal and the Union undertake to install as soon as possible the computer systems required for the electronic exchange of all the information and documents relating to the implementation of the Agreement.
2. The electronic form of a document will be considered equivalent to the paper version in every respect.
3. Senegal and the Union shall inform each other of any malfunction of a computer system as soon as possible. The information and documents relating to the implementation of the Agreement shall then be automatically replaced by their paper version.

Article 11

Confidentiality of data

1. Senegal and the Union shall undertake that all nominative data relating to Union vessels and their fishing activities obtained within the framework of the Agreement will, at all times, be processed strictly in accordance with the principles of confidentiality and data protection.
2. Both Parties shall ensure that only aggregated data related to fishing activities in Senegalese waters are made publicly available, in accordance with the relevant provisions of ICCAT and the other regional fisheries management organisations. Data which may be considered confidential must be used by the competent authorities exclusively for the purposes of implementing the Agreement and for fishery management, monitoring and surveillance.

Article 12

Provisional application

This Protocol and the Annex and Appendices thereto shall be provisionally applied as from the date of its signature by the Parties.

*Article 13***Entry into force**

This Protocol and the Annex and Appendices thereto shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for that purpose.

For the European Union

For the Republic of Senegal

ANNEX

CONDITIONS GOVERNING FISHING ACTIVITIES BY EUROPEAN UNION VESSELS IN THE SENEGALESE FISHING ZONE

CHAPTER I

GENERAL PROVISIONS**1. Designation of the competent authority**

For the purposes of this Annex and unless otherwise specified, any reference to the European Union (EU) or to the Republic of Senegal (Senegal) as a competent authority shall mean:

- for the EU: the European Commission, where applicable via the EU delegation to Senegal;
- for the Republic of Senegal: the Ministry for Fisheries and Maritime Affairs.

2. For the purposes of applying the provisions of this Annex, the term ‘fishing authorisation’ shall be equivalent to ‘licence’, as defined in Senegalese legislation.**3. Fishing zones**

Senegalese fishing zones are defined as those parts of Senegalese waters in which Senegal authorises Union fishing vessels to carry out fishing activities in accordance with Article 5.1 of the Agreement.

- 3.1. The geographical coordinates of the Senegalese fishing zones and the baselines are indicated in Appendix 4 to the Annex to this Protocol.
- 3.2. Similarly, the zones in which fishing is prohibited by the national legislation in force, such as national parks, protected marine areas and fish breeding grounds, as well as the zones closed to shipping, are indicated in Appendix 4 to the Annex to this Protocol.
- 3.3. Senegal shall notify to the vessel owners the boundaries of the fishing and closed zones when issuing the fishing authorisation.
- 3.4. Any changes to these zones shall be notified to the Commission by Senegal for information purposes at least two months before such changes apply.

4. Biological rest periods

Union fishing vessels authorised to carry out their activity under this Protocol shall respect all biological rest periods specified by Senegalese legislation.

5. Designation of a consignee

Any Union fishing vessel which plans to land or tranship in a Senegalese port must be represented by a consignee resident in Senegal.

6. Bank account for payments by vessel owners

Senegal shall notify the EU before the entry into force of the Protocol of the details of the Public Treasury account into which the financial sums payable by EU vessels under the Agreement should be paid. The associated bank transfer costs shall be borne by the vessel owners.

7. Contacts

The address of the Ministry for Fisheries and Maritime Affairs and of the Fisheries Protection and Monitoring Directorate (DPSP) of Senegal are listed in Appendix 7.

CHAPTER II

FISHING AUTHORISATIONS

1. Conditions for obtaining a fishing authorisation — eligible vessels

The fishing authorisations referred to in Article 4 of the Agreement shall be issued on the condition that the vessel is included in the Union register of fishing vessels and that all previous obligations of the vessel owner, the master, or the vessel itself arising from their fishing activities in Senegal under the Agreement have been met.

2. Application for a fishing authorisation

1. The relevant EU authorities shall submit, by electronic means, to the Ministry for Fisheries and Maritime Affairs, with a copy to the EU Delegation in Senegal, an application for each vessel wishing to fish under the Agreement, at least twenty (20) working days before the start of the period of validity requested. The original forms shall be sent directly by the relevant EU authorities to the Directorate for Sea Fishing (DPM) via the EU Delegation.
2. Applications shall be submitted to the DPM on a form drawn up in accordance with the specimen in Appendix 1.
3. All fishing authorisation applications shall be accompanied by the following documents:
 - proof of payment of the flat-rate advance for its period of validity;
 - a colour photograph of the vessel, showing a lateral view.
4. For the renewal of a fishing authorisation under the Protocol in force for a vessel whose technical specifications have not been modified, the renewal application shall be accompanied only by proof of payment of the fee.

3. Flat-rate/advance fee

1. The amount of the fee for demersal species is indicated in the technical sheet in Appendix 2. Fishing authorisations shall be issued once the advance fees indicated in this sheet have been paid to the competent national authorities.
2. The fee payable for tuna seiners and pole-and-line vessels, in EUR per tonne caught in the Senegalese fishing zones, is as follows:

EUR 55 for the first year of application;

EUR 60 for the second year of application and for the third year of application;

EUR 65 for the fourth year of application;

EUR 70 for the fifth year of application.

Fishing authorisations shall be issued once the following flat-rate fees have been paid to the competent national authorities:

— For tuna seiners:

— EUR 13 750 per vessel, equivalent to the fees due for 250 tonnes per year during the first year of application of the Protocol;

— EUR 15 000 per vessel, equivalent to the fees due for 250 tonnes per year during the second year of application of the Protocol and the third year of application of the Protocol;

— EUR 16 250 per vessel, equivalent to the fees due for 250 tonnes per year during the fourth year of application of the Protocol;

— EUR 17 500 per vessel, equivalent to the fees due for 250 tonnes per year during the fifth year of application of the Protocol;

- For pole-and-line vessels:
 - EUR 8 250 per vessel, equivalent to the fees due for 150 tonnes per year during the first year of application of the Protocol;
 - EUR 9 000 per vessel, equivalent to the fees due for 150 tonnes per year during the second year of application of the Protocol and the third year of application of the Protocol;
 - EUR 9 750 per vessel, equivalent to the fees due for 150 tonnes per year during the fourth year of application of the Protocol;
 - EUR 10 500 per vessel, equivalent to the fees due for 150 tonnes per year during the fifth year of application of the Protocol.

3. The flat-rate fee shall include all national and local charges except for port taxes and service charges.
4. If the period of validity of the fishing authorisation is less than one year, in particular, because of a biological rest period, the flat-rate fee shall be adapted *pro rata* to the period of validity requested.

4. Issue of a fishing authorisation and provisional list of vessels authorised to fish

1. Once it has received the applications for fishing authorisations in accordance with points 2.2 and 2.3, Senegal shall, within five days, draw up the provisional list of vessels authorised to fish for each category of vessel.
2. This list shall be sent immediately to the national body responsible for supervising fishing, and to the EU.
3. The EU shall forward the provisional list to the vessel owner or to the consignee. If the EU offices are closed, Senegal may send the provisional list directly to the ship owner or his agent, with a copy to the EU.
4. Vessels shall be authorised to fish as soon as they are included on the provisional list. These vessels must keep a copy of the provisional list on board until their fishing authorisation is issued.
5. Fishing authorisations for all vessels shall be issued to vessel owners or their agents by the DPM via the EU Delegation to Senegal within twenty (20) working days of receipt of all the documents referred to in point 2.3.
6. At the same time, in order to not delay the possibility of fishing in the area, a copy of the fishing authorisation shall be sent to the ship owner electronically. This copy may be used for a maximum period of 60 days after the date on which the authorisation was issued. During this period, the copy shall be considered equivalent to the original.
7. The fishing authorisation must be held on board at all times, without prejudice to the provisions of points 4 and 6 of this Section.

5. Transfer of a fishing authorisation

1. A fishing authorisation shall be issued for a given vessel and shall not be transferable.
2. However, at the request of the EU and where force majeure is proven, in particular in the event of the loss or prolonged immobilisation of a vessel due to a serious technical failure, the fishing authorisation of the initial vessel shall be replaced by a new fishing authorisation for another vessel of the same category, with no further fee due.
3. In this case, the calculation of catch levels to determine any additional payment shall take account of the sum of the total catches of the two vessels.
4. The owner of the initial vessel, or his agent, shall return the cancelled fishing authorisation to the DPM via the EU Delegation to Senegal.
5. The new fishing authorisation shall take effect on the day on which the cancelled fishing authorisation is returned to the DPM. The EU Delegation shall be informed of the transfer of the fishing authorisation.

6. Period of validity of the licence

1. Fishing authorisations for tuna seiners and pole-and-line vessels shall be valid for an annual period. Fishing authorisations for ocean-going fish trawlers (deep-water demersal species) shall be valid for a quarterly period.
2. Fishing authorisations shall be renewable.
3. In order to establish the start of the period of validity of fishing authorisations,
 - ‘annual period’ shall mean: for the first year of application of the Protocol, the period between the date of its entry into force and 31 December of the same year; then, each complete calendar year; for the last year of application of the Protocol, the period between 1 January and the date of expiry of the Protocol.
 - ‘quarterly period’ shall mean: at the start of application of the Protocol, the period between the date of its entry into force and the date of the start of the next quarter, a quarter having to begin on 1 January, 1 April, 1 July or 1 October; then, each complete quarter; at the end of application of the Protocol, the period between the end of the last full quarter and the date of expiry of the Protocol.

7. Support vessels

1. At the request of the EU, Senegal shall authorise Union fishing vessels which are holders of a fishing authorisation to be assisted by support vessels.
2. This support must not include refuelling or transhipment of catches.
3. Support vessels must fly the flag of an EU Member State and must not be equipped for fishing.
4. Support vessels are subject to the same procedure as regards the sending of applications for fishing authorisation set out in Chapter II, to the extent applicable.
5. Senegal shall draw up the list of authorised support vessels and send it without delay to the national body responsible for supervising fishing, and to the EU.

CHAPTER III

TECHNICAL MEASURES

The technical measures applicable to ocean-going fish trawlers (deep-water demersal species) holding a fishing authorisation, relating to zone, fishing gear and additional catch, are set out in the technical sheet contained in Appendix 2.

Tuna vessels shall comply with all the recommendations and resolutions adopted by ICCAT.

CHAPTER IV

CONTROL, MONITORING AND SURVEILLANCE

SECTION 1

Catch Reporting Arrangements

1. Fishing logbook

1. The master of a Union vessel fishing under the Agreement shall keep a fishing logbook, for which the model for each category of fishing is included in Appendices 3a and 3b of this Annex.
2. The fishing logbook shall be completed by the master for each day the vessel is present in the Senegalese fishing zone.
3. Each day the master shall record in the fishing logbook the quantity of each species, identified by its FAO alpha 3 code, caught and kept on board, expressed in kilograms of live weight or, where necessary, the number of individual fish. For each main species, the master shall also include the bad catch.
4. Where applicable, the master shall also record each day in the fishing logbook the quantities of each species thrown back into the sea, expressed in kilograms of live weight or, where necessary, the number of individual fish.

5. The fishing logbook shall be filled in legibly, in block capitals, and signed by the master.
6. The master shall be responsible for the accuracy of the data recorded in the fishing logbook.

2. Catch reporting

1. The master shall notify the vessel's catch by submitting to Senegal its fishing logbooks for the period of its presence in the Senegalese fishing zones.
2. Until such time as the electronic fishing data communication system mentioned in point 4 of this Section has been set up, the fishing logbooks shall be transmitted in the following ways:
 - (i) when passing through a Senegalese port, the original of each fishing logbook shall be submitted to the local representative of Senegal, who shall confirm receipt thereof in writing;
 - (ii) when leaving the Senegalese fishing zones without first passing through a Senegalese port, the original of each fishing logbook shall be sent:
 - (a) in scanned form by e-mail, to the address given by Senegal. Senegal shall confirm receipt thereof without delay by return e-mail;or, in exceptional cases,
 - (b) by fax, to the number given by Senegal; or
 - (c) within 14 days of arriving in port, and in any case within 45 days of leaving the Senegalese zone, by post sent to Senegal.
3. The master shall send a copy of all the fishing logbooks to the EU. For tuna vessels, the master shall also send a copy of all the fishing logbooks to one of the following scientific institutes:
 - (i) IRD (Institut de recherche pour le développement);
 - (ii) IEO (Instituto Español de Oceanografía); or
 - (iii) INIAP (Instituto Nacional de Investigação Agrária e das Pescas); as well as to,
 - (iv) CRODT (Centre de Recherche Océanographique de Dakar Thiaroye).
4. The return of the vessel into the Senegalese fishing zone within the period of validity of its fishing authorisation shall give rise to further catch reporting.
5. Where the provisions concerning catch reporting are not complied with, Senegal may suspend the fishing authorisation of the vessel concerned until the missing catch report is obtained and penalise the ship owner in accordance with the relevant provisions under the national legislation in force. If the offence is repeated, Senegal may refuse to renew the fishing authorisation.
6. Senegal shall inform the EU without delay of any penalty applied in this context.

3. Quarterly catch reporting for trawlers

Until such time as the electronic fishing data communication system mentioned in point 4 of this Section has been set up, the European Commission shall notify the DPM, before the end of the third month of each quarter, of the quantities caught by the trawlers during the preceding quarter, using the model in Appendix 3c of this Annex.

4. Transition to an electronic fishing data communication system (ERS)

The two Parties agree to ensure a transition to an electronic system for declaring catches based on the technical characteristics laid down in Appendix 6. The Parties agree to define the common arrangements with the aim of this transition taking place as soon as possible. Senegal shall inform the EU as soon as the conditions for this transition have been met. The Parties agree to have the system fully operational within two months from the date this information is sent.

5. Final statement of fees for tuna vessels

1. Annual declaration

- 1.1. An annual declaration of catches based on the fishing logbooks and the information provided by the master shall be sent to the above-mentioned scientific institutes for validation.
- 1.2. When validated, these declarations shall be sent to the DPM, the DPSP and CRODT for verification.
- 1.3. Senegal shall inform the EU swiftly of the results of this verification.
- 1.4. Should clarifications be necessary, the EU shall contact the EU scientific institutes and pass on the clarifications to Senegal. These notifications will take place electronically.
- 1.5. The Joint Scientific Working Group shall meet if necessary.
- 1.6. Other discussions on the verification process may be initiated, if necessary with a meeting of all the scientific institutes.

2. Final statement

- 2.1. For each tuna-fishing vessel, the EU shall draw up, on the basis of its catch reporting confirmed by the above-mentioned scientific institutes and centre, a final statement of the fees owed by the vessel in respect of its annual season for the previous calendar year.
- 2.2. The EU shall send this final statement to Senegal and to the ship owner before 15 July of the year following the year in which the catches were made.
- 2.3. Where the final statement is greater than the anticipated flat-rate fee paid to obtain the fishing authorisation, the ship owner shall pay the outstanding balance to Senegal by 30 August of the year in progress. Where the final statement is less than the expected flat-rate fee, the remaining amount shall not be reclaimed by the ship owner.

SECTION 2

Entering and leaving Senegalese waters

1. Union fishing vessels operating in Senegalese waters under this Protocol shall notify the competent Senegalese authorities, at least six (6) hours in advance, of their intention to enter or leave Senegalese waters.
2. When notifying entry into/exit from Senegalese waters vessels shall, at the same time, also communicate their position and the catches already held on board, identified by their FAO 3-alpha code, expressed in kilograms of live weight or, where necessary, the number of individual fish, without prejudice to the provisions of Section 2 of Appendix 6. This information shall be communicated by e-mail or fax to the addresses listed in Appendix 7.
3. A vessel found to be fishing without having informed the competent Senegalese authorities shall be regarded as a vessel without a fishing authorisation and shall be subject to the consequences provided for under national law.
4. The e-mail address, fax and telephone numbers and radio coordinates of the competent Senegalese authorities shall be annexed to the fishing authorisation.

SECTION 3

Transshipment and landings

1. Pole-and-line vessels shall land the catches from the Senegalese fishing zones in the port of Dakar and may sell them to local businesses at international market prices defined on the basis of negotiation between operators.
2. All Union fishing vessels operating in Senegalese waters under this Protocol which carry out transshipments in Senegalese waters shall do so off the port of Dakar, with the permission of the competent Senegalese authority.
3. The owners of these vessels or their agents wishing to conduct a transshipment or landing must notify the competent Senegalese authorities, at least 72 hours in advance, of the following:
 - 3.1. the names of the fishing vessels involved in the transshipment or landing;
 - 3.2. the name of the cargo vessel or of the port of landing;

- 3.3. the tonnage by species to be transhipped or landed;
- 3.4. the day of transshipment or landing;
- 3.5. the destination of the transhipped or landed catches.
4. Transshipment or landing shall be considered as an exit from Senegalese waters. Vessels must submit their catch declarations to the competent Senegalese authorities and state whether they intend to continue fishing or to leave Senegalese waters.
5. Any transshipment or landing of catches not covered by the above provisions shall be prohibited in Senegalese waters. Any person infringing this provision shall be liable to the penalties provided for by Senegalese law in force.

SECTION 4

Satellite-based vessel monitoring system (VMS)

1. Vessel position messages — VMS system

1. Union vessels holding a fishing authorisation shall be equipped with a satellite monitoring system (Vessel Monitoring System — VMS) to enable automatic and continuous communication of their position, every two hours, to the fishing control centre (Fisheries Monitoring Centre — FMC) of their flag State.
2. Each position message shall:
 - (i) contain
 - (a) the vessel identification;
 - (b) the most recent geographical position of the vessel (longitude, latitude), with a position error of less than 500 metres, and with a confidence interval of 99 %;
 - (c) the date and time the position is recorded;
 - (d) the speed and the course of the vessel;
 - (ii) be configured in accordance with the format given in Appendix 5 to this Annex.
3. The first position recorded after entry into the Senegalese zone shall be identified by the code 'ENT'. All subsequent positions shall be identified by the code 'POS', with the exception of the first position recorded after exit from the Senegalese zone, which shall be identified by the code 'EXI'.
4. The FMC of the flag State shall ensure the automatic processing and, if necessary, the electronic transmission of the position messages. The position messages shall be recorded in a secure manner and kept for a period of three years.

2. Transmission by the vessel in the event of breakdown of the VMS

1. The master shall ensure at all times that the VMS system of his vessel is fully operational and that the position messages are correctly transmitted to the FMC of the flag State.
2. In the event of breakdown, the VMS system of the vessel shall be repaired or replaced within one month. After that period, the vessel shall no longer be permitted to fish in the Senegalese fishing zones.
3. Vessels fishing in the Senegalese fishing zones with a defective VMS system shall communicate their position messages by e-mail, radio or fax to the FMC of the flag State, at least every four hours, and must provide all the compulsory information detailed in point 1.2(i) of this Section.

3. Secure communication of the position messages to Senegal

1. The FMC of the flag State shall automatically send the position messages of the vessels concerned to the FMC of Senegal. The FMCs of the flag State and Senegal shall exchange their contact e-mail addresses and inform each other without delay of any change to these addresses.

2. The transmission of position messages between the FMCs of the flag State and Senegal shall be carried out electronically using a secure communication system.
3. The FMC of Senegal shall inform the FMC of the flag State and the EU of any interruption in the receiving of consecutive position messages from a vessel holding a fishing authorisation, where the vessel concerned has not notified its departure from the zone.

4. Malfunction of the communication system

1. Senegal shall ensure the compatibility of its electronic equipment with that of the FMC of the flag State and inform the EU without delay of any malfunction as regards the sending and receiving of position messages with a view to finding a technical solution as soon as possible.
2. The Joint Committee shall deal with any dispute arising.
3. The master shall be considered responsible for any proven tampering with a vessel's VMS aimed at disturbing its operation or falsifying its position messages. Any infringement shall be subject to the penalties provided for by Senegalese legislation in force.

5. Revision of the frequency of position messages

1. On the basis of documentary evidence proving an infringement, Senegal may ask the FMC of the flag State, copying in the EU, to reduce the interval for sending position messages from a vessel to every hour for a set period of investigation.
2. This documentary evidence shall be sent without delay by Senegal to the FMC of the flag State and the EU.
3. The FMC of the flag State shall without delay send the position messages to Senegal at the reduced frequency.
4. At the end of the set investigation period, Senegal shall inform the FMC of the flag State and the EU of any follow-up.

6. Validity of the VMS message in case of dispute

The position data supplied by the VMS system shall be authentic in case of dispute between the Parties.

SECTION 5

Observers

1. Observation of fishing activities

- 1.1. Vessels holding a fishing authorisation shall be subject to a scheme for observing their fishing activities carried out within the framework of the Agreement.
- 1.2. For tuna vessels this observation scheme shall conform to the provisions provided for in the recommendations adopted by ICCAT (International Commission for the Conservation of Atlantic Tunas).

2. Designated vessels and observers

- 2.1. When the fishing authorisation is issued, Senegal shall inform the EU and the vessel owner, or its consignee, of the designated vessels and observers and the times at which the observer will be present on board each vessel.
- 2.2. Senegal shall inform the EU and the vessel owner, or its consignee, of the name of the designated observer at the latest 15 days before the date provided for the embarkation of the observer. Senegal shall without delay inform the EU and the vessel owner or its consignee of any change in the designated vessels and observers.
- 2.3. Senegal shall endeavour not to designate observers for vessels which already have an observer on board, or which are already formally obliged to allow an observer to embark during the fishing season in question as part of their activities in fishing zones other than the Senegalese zones.

- 2.4. For deep-sea demersal trawlers the time on board shall not exceed two months. The observers shall not spend more time on board the vessel than is necessary to carry out their duties.

3. Flat-rate financial contribution

- 3.1. At the time the annual flat-rate fee is paid, owners of freezer tuna seiners and pole-and-line vessels shall also pay the DPSP a flat-rate sum of EUR 400 per vessel for the proper functioning of the observer programme.
- 3.2. At the time the quarterly flat-rate fee is paid, owners of trawlers shall also pay the DPSP a flat-rate sum of EUR 100 per vessel for the proper functioning of the observer programme.

4. Observer's salary

The salary and social contributions of the observer shall be borne by Senegal.

5. Embarkation conditions

- 5.1. The embarkation conditions for the observer, in particular the duration of his presence on board, shall be defined by mutual agreement between the vessel owner or its consignee and Senegal.
- 5.2. The observer shall be treated on board as an officer. However, receiving the observer on board shall take into account the technical structure of the vessel.
- 5.3. The vessel owner shall bear the costs of providing accommodation and food for the observer on board.
- 5.4. The master shall take all the measures for which he is responsible to guarantee the physical safety and general well-being of the observer.
- 5.5. The observer shall be offered every facility needed to carry out his duties. He shall have access to means of communication and to documents relating to the fishing activities of the vessel, in particular the fishing logbook and navigation log, and the parts of the vessel directly linked to his duties.

6. Observer's obligations

- 6.1. Whilst on board the observer shall:
- 6.2. take all appropriate measures so as not to interrupt or hinder fishing operations;
- 6.3. respect on-board property and equipment;
- 6.4. respect the confidential nature of any document belonging to the vessel.

7. Embarkation and landing of observers

- 7.1. The observer shall embark in a port chosen by the vessel owner.
- 7.2. The vessel owner or his agent shall notify Senegal, with a notice period of 10 days before the embarkation, of the date, time and port of embarkation of the observer. If the observer is embarked in a foreign country, his travel costs to the port of embarkation shall be borne by the vessel owner.
- 7.3. If the observer does not present himself for boarding within 12 hours of the date and time set, the vessel owner shall be automatically discharged from his obligation to allow the observer to embark. The vessel shall be free to leave the port and start fishing operations.
- 7.4. Where the observer is not put ashore in a Senegalese port, the vessel owner shall bear the costs of the observer's repatriation to Senegal as soon as possible.

8. Observer's obligations

The observer shall carry out the following duties:

- 8.1. observe the fishing activities of the vessel;
- 8.2. verify the position of the vessel during fishing operations;

- 8.3. perform biological sampling in the context of a scientific programme;
- 8.4. note the fishing gear used;
- 8.5. verify the catch data for the Senegalese fishing zones recorded in the logbook;
- 8.6. verify the percentages of by-catches and estimate the discarded catches;
- 8.7. communicate observations by radio, fax or e-mail at least once a week while the vessel is fishing in the Senegalese zones, including the quantity of catch and by-catch on board.

9. Observer's report

- 9.1. Before leaving the vessel, the observer shall submit a report of his observations to the master of the vessel. The master of the vessel shall have the right to make comments in the observer's report. The report shall be signed by the observer and the master. The master shall receive a copy of the observer's report.
- 9.2. The observer shall send his report to Senegal, which shall send a copy of it to the EU within eight days of the observer's disembarkation.

SECTION 6

Inspection at sea and in port

1. Inspection at sea

- 1.1. Inspections at sea in the Senegalese fishing zones of Union fishing vessels holding a fishing authorisation shall be carried out by Senegalese vessels and inspectors who are clearly identified as being assigned to carry out fishing checks.
- 1.2. Before going on board, the Senegalese inspectors shall warn the EU vessel of their decision to carry out an inspection. The inspection shall be carried out by a maximum of two inspectors, who must provide proof of their identity and official position as an inspector before carrying out the inspection.
- 1.3. The Senegalese inspectors shall only stay on board the Union fishing vessel for the time necessary to carry out tasks linked to the inspection. They shall carry out the inspection in a way which minimises the impact on the vessel, its fishing activity and cargo.
- 1.4. Senegal may allow the EU to participate in the inspection at sea as an observer.
- 1.5. The master of the Union fishing vessel shall allow the Senegalese inspectors to come on board and carry out their work.
- 1.6. At the end of each inspection, the Senegalese inspectors shall draw up an inspection report. The master of the Union fishing vessel shall have the right to comment in the inspection report. The inspection report shall be signed by the inspector drawing up the report and the master of the Union fishing vessel.
- 1.7. The Senegalese inspectors shall issue a copy of the inspection report to the master of the Union fishing vessel before leaving the vessel. Senegal shall send a copy of the inspection report to the EU within eight days of the inspection.

2. Inspection in port

- 2.1. Inspections in port of Union fishing vessels which land or tranship catch from the Senegalese zone in the waters of a Senegalese port shall be carried out by designated inspectors.
- 2.2. The inspection shall be carried out by a maximum of two inspectors, who must provide proof of their identity and official position as an inspector before carrying out the inspection. The Senegalese inspectors shall only stay on board the EU vessel for the time necessary to carry out the tasks related to the inspection and shall conduct the inspection in such a way as to minimise the impact on the vessel, the landing or transhipment operation and the cargo.
- 2.3. Senegal may allow the EU to participate in the inspection in port as an observer.
- 2.4. The master of the Union fishing vessel shall allow the Senegalese inspectors to carry out their work.

- 2.5. At the end of each inspection, the Senegalese inspector shall draw up an inspection report. The master of the Union fishing vessel shall have the right to comment in the inspection report. The inspection report shall be signed by the inspector drawing up the report and the master of the Union fishing vessel.
- 2.6. The Senegalese inspectors shall give a copy of the inspection report to the master of the Union fishing vessel at the end of the inspection. Senegal shall send a copy of the inspection report to the EU within eight days of the inspection.

SECTION 7

Infringements

1. Handling of infringements

- 1.1. Any infringement committed by a Union fishing vessel holding a fishing authorisation in accordance with the provisions of this Annex shall be mentioned in an inspection report. The report shall be sent to the EU and the flag State as soon as possible.
- 1.2. The signing of the inspection report by the master shall be without prejudice to the vessel owner's right of defence in respect of an infringement.

2. Detention of a vessel — Information meeting

- 2.1. Where permitted under the Senegalese legislation in force regarding the infringement, any Union fishing vessel having committed an infringement may be forced to cease its fishing activity and, where the vessel is at sea, to return to the port of Dakar.
- 2.2. Senegal shall notify the EU within 24 hours of any detention of a Union fishing vessel holding a fishing authorisation. That notification shall be accompanied by documentary evidence of the alleged infringement.
- 2.3. Before taking any measure against the vessel, the master, the crew or the cargo, with the exception of measures aimed at protecting evidence, Senegal shall organise, at the request of the EU, within one working day of notification of the detention of the vessel, an information meeting to clarify the facts which have led to the vessel being detained and to explain what further action may be taken. A representative of the flag State of the vessel may attend the information meeting.

3. Penalties for infringements — Compromise procedure

- 3.1. The penalty for the infringement shall be set by Senegal according to the national legislation in force.
- 3.2. Where settling the infringement involves legal proceedings, provided that the infringement does not involve a criminal act, a compromise procedure shall be undertaken between Senegal and the EU before such legal proceedings are launched in order to determine the terms and level of the penalty. The compromise procedure shall finish at the latest three days after notification of the vessel's detention.
- 3.3. A representative of the flag State of the vessel and of the EU may participate in the compromise procedure.

4. Legal proceedings — Bank security

- 4.1. If the compromise procedure fails and the infringement is brought before the competent court, the owner of the vessel which committed the infringement shall deposit a bank security at a bank designated by Senegal, the amount of which, as set by Senegal, shall cover the costs linked to the detention of the vessel, the estimated fine and any compensation. The bank security shall not be recovered until the legal proceedings have been concluded.
- 4.2. The bank security shall be released and returned to the vessel owner without delay after the judgment has been delivered:
 - (a) in full, if no penalty has been imposed;
 - (b) for the amount of the remaining balance, if the penalty is a fine which is lower than the amount of the bank security.

- 4.3. Senegal shall inform the EU of the outcome of the legal proceedings within eight days of the judgment being delivered.

5. Release of the vessel and the crew

The vessel and its crew shall be authorised to leave the port once the penalty has been paid in a compromise procedure, or once the bank security has been deposited.

SECTION 8

Participatory monitoring in the fight against IUU fishing

1. Objective

In order to strengthen monitoring of fishing on the high seas and the fight against IUU fishing, Union fishing vessels shall report the presence of any vessel in the Senegalese fishing zones which are not on the list of vessels authorised to fish in Senegal.

2. Procedure

- 2.1. Where the master of a Union fishing vessel witnesses a fishing vessel engaged in activities which may constitute IUU fishing, he may seek as much information as possible about what has been sighted.
- 2.2. Sighting reports shall be sent without delay to the Senegalese authorities and to the competent authority of the flag State of the sighting vessel, which shall without delay transmit them to the European Commission or to the body designated by it.
- 2.3. The European Commission shall provide Senegal with this information.

3. Reciprocity

Senegal shall send the European Union, as soon as possible, any sighting reports it has on fishing vessels engaged in activities which may constitute IUU fishing in the Senegalese fishing zones.

CHAPTER V

SIGNING-ON OF SEAMEN

1. Owners of Union fishing vessels operating under this Protocol shall employ ACP nationals, subject to the following conditions and limits:
- for the fleet of tuna seiners, at least 20 % of the seamen signed on during the tuna-fishing season in the Senegalese fishing zone shall be from Senegal or possibly from an ACP country;
 - for the fleet of pole-and-line vessels, at least 20 % of the seamen signed on during the fishing season in the Senegalese fishing zone shall be from Senegal or possibly from an ACP country;
 - for the fleet of deep-sea demersal trawlers, at least 20 % of the seamen signed on during the fishing season in the Senegalese fishing zone shall be from Senegal or possibly from an ACP country.
2. Vessel owners shall endeavour to sign on Senegalese seamen.
3. The International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work shall apply as of right to seamen taken on board Union fishing vessels. This concerns in particular freedom of association, effective recognition of the right to collective bargaining, and elimination of discrimination in respect of employment and occupation.
4. The employment contracts of Senegalese and ACP seamen, a copy of which shall be given to the National Agency for Maritime Affairs and the signatories of the contracts, shall be drawn up between the vessel owners' agent(s) and the seamen and/or their trade unions or representatives. These contracts shall guarantee the seamen the social security cover applicable to them, in accordance with the applicable legislation, including life assurance and sickness and accident insurance.

5. The wages of the seamen from the ACP countries shall be paid by the vessel owners. They shall be fixed by mutual agreement between the vessel owners or their agents and the seamen and/or their trade unions or representatives. However, the wage conditions granted to the seamen shall not be lower than those applied to crews from their respective countries and shall, under no circumstances, be below ILO standards.
 6. All seamen employed aboard Union fishing vessels shall report to the master of the vessel designated on the day before their proposed boarding date. Where a seaman fails to report at the date and time agreed for his boarding, the vessel owner shall be automatically absolved of his obligation to take the seaman on board.
-

Appendices

- 1- Application for a fishing authorisation
 - 2- Technical sheet
 - 3- Fishing logbook and catch declaration models
 - 4- Geographical coordinates of fishing zones
 - 5- Communication of VMS messages to Senegal — format of VMS data — position report
 - 6- Guidelines for implementing the electronic reporting system for fishing activities (ERS)
 - 7- Contact details for Senegal
-

Appendix 1

SENEGAL-EUROPEAN UNION FISHERIES AGREEMENT APPLICATION FOR A FISHING AUTHORISATION**I — APPLICANT**

1. Name of vessel owner: Nationality:
2. Address of vessel owner:
3. Name of vessel owner's association or agent:
4. Address of vessel owner's association or agent:
5. Telephone: Fax: E-mail:
6. Name of master: Nationality: E-mail:

II — VESSEL AND IDENTIFICATION

1. Name:
2. Flag State:
3. External registration number:
4. Port of registry: MMSI: IMO number:
5. Date on which current flag was acquired:/...../..... Previous flag, if any:
6. Year and place of construction:/...../..... in Radio call sign:
7. Call frequency: Satellite telephone number:
8. Hull construction material: Steel ☐ Wood ☐ Polyester ☐ Other ☐

III — TECHNICAL CHARACTERISTICS OF VESSEL AND EQUIPMENT

1. Overall length: Width: Draught:
2. Tonnage (expressed in GT): Net tonnage:
3. Power of main engine in kW: Make: Type:
4. Type of vessel: ☐ Tuna Seiner ☐ Pole-and-line vessel ☐ Ocean-going fish trawler (deep-water demersal species)
5. Fishing gear types:
6. Fishing zones:
7. Target species:
8. Designated port for landing operations:
9. Crew complement:
10. Method of preservation on board: Cooling ☐ Refrigeration ☐ Mixed ☐ Freezing ☐
11. Freezing capacity in tonnes/24 hours: Hold capacity: Number:
12. VMS transponder:

Manufacturer: Model: Serial No.:

Software version: Satellite operator:

I, the undersigned, certify that the information provided in this application is true and given in good faith.

Done at on

Signature of applicant

Appendix 2

TECHNICAL SHEET FOR DEEP-WATER DEMERSAL SPECIES

(1) Target species:

Deep-water hake (*Merluccius senegalensis* and *Merluccius polli*)

(2) Fishing zone:

The permitted fishing zone is defined as follows ⁽¹⁾:

- (a) west of longitude 016° 53' 42" W between the Senegalese-Mauritanian border and latitude 15° 40' 00" N;
- (b) from 15 nautical miles from the reference line between latitude 15° 40' 00" N and latitude 15° 15' 00" N;
- (c) from 12 nautical miles from the reference line between latitude 15° 15' 00" N and latitude 15° 00' 00" N;
- (d) from 8 nautical miles from the reference line between latitude 15° 00' 00" N and latitude 14° 32' 30" N;
- (e) west of longitude 017° 30' 00" W, in the zone between latitude 14° 32' 30" N and latitude 14° 04' 00" N;
- (f) west of longitude 017° 22' 00" W, in the zone between latitude 14° 04' 00" N and the northern Senegalese-Gambian border;
- (g) west of longitude 017° 35' 00" W, in the zone between the southern Senegalese-Gambian border and latitude 12° 33' 00" N;
- (h) south of azimuth 137° drawn from point P9 (12° 33' 00" N; 017° 35' 00" W) to the intersection with azimuth 220° drawn from Cabo Roxo, to take account of the management and cooperation agreement between Senegal and Guinea-Bissau.

(3) Authorised gear:

Conventional demersal or hake trawl, minimum mesh size 70 mm. No methods or devices may be used to seek to obstruct the mesh of the nets or reduce their selective effect. However, in the interests of reducing wear or damage, protective aprons of netting or other material may be attached, but only to the underside of the codend of a bottom trawl. Such aprons must be attached only to the forward and lateral edges of the codend of the trawl. Protective devices may be used for the top of the trawl, but these must consist of a single section of net of the same material as the codend, with the mesh measuring at least 300 millimetres when stretched out. Doubling of the codend's netting yarn, whether single or multiple, is prohibited.

(4) By-catches ⁽²⁾:

7 % cephalopods, 7 % crustaceans, and 15 % other deep-water demersal fish.

The above percentages of by-catches shall be calculated at the end of each trip, in relation to the total catch weight, in accordance with Senegalese regulations.

The retention on board, transshipment, landing, storage and sale of all or some of the elasmobranchs protected by the EU Plan of Action for the Conservation and Management of Sharks and by the Regional Fisheries Management Organisations and the competent Regional Fisheries Organisations, i.e. of the oceanic whitetip shark (*Carcharhinus longimanus*), silky shark (*Carcharhinus falciformis*), white shark (*Carcharodon carcharias*), basking shark (*Cetorhinus maximus*), porbeagle (*Lamna nasus*), bigeye thresher shark (*Alopias superciliosus*), angel shark (*Squatina squatina*), giant manta ray (*Manta birostris*) and hammerhead shark species (*Sphyrnidae*) are prohibited.

Elasmobranch species not allowed on board, if accidentally caught, must not be injured. Specimens caught must be promptly released.

(5) Total allowable catch/fees:	
Authorised catch volume:	2 000 tonnes per year
Fee:	EUR 90/tonne
The fee shall be calculated at the end of each period of three months in which the vessel is authorised to fish, taking into account the catches made during that period. The licence shall be granted on advance payment of EUR 500 per vessel, to be deducted from the total amount of the fee. The advance payment shall be made at the beginning of each three-month period in which the vessel is authorised to fish.	
— Number of vessels authorised to fish	2 vessels
— Type of vessels authorised to fish	Ocean-going fish trawlers (deep-water demersal species):
— Signing-on of seamen from Senegal or other ACP countries	20 % of the crew
— Biological rest period	1 May to 30 June ⁽³⁾
⁽¹⁾ The fishing zone may, if necessary, be defined by coordinates setting out the boundaries of the polygon in which fishing is permitted. These coordinates shall be communicated to the European Commission by the Senegalese authorities before this Protocol enters into force. ⁽²⁾ This provision shall be reviewed after one year of application. ⁽³⁾ The biological rest period, like other technical conservation measures, shall be reviewed after the Protocol has been in force for one year and, should the Joint Scientific Working Group so recommend, may be adapted to take account of fish stocks.	

Appendix 3a

Highly-migratory species: Fishing logbook (ICCAT model)

Vessel name:	Gross tonnage:	Vessel DEPARTED:	Month	Day	Year	Port	Longline Live bait Purse seine Trawl Other
Flag State:	Capacity — (MT):						
Registration No:	Master:						
Vessel owner:	No of crew:						
Address:	Reporting date:	Vessel RETURNED:					
	(Reported by):	No of days at sea:		No of fishing days:			Trip number:
				No of sets made:			

Date		Sector		Surface water temp (°C)	Fishing effort No of hooks used	Catches																				Isco usado na pesca (Bait used)					
Month	Day	Latitude N/S	Longitude E/W			Bluefin tuna <i>Thunnus thynnus</i> or <i>maccoyii</i>		Yellowfin tuna <i>Thunnus albacares</i>		(Bigeye tuna) <i>Thunnus obesus</i>		(Albacore) <i>Thunnus alalunga</i>		(Swordfish) <i>Xiphias gladius</i>		(Strip marlin) (White marlin) <i>Tetrapturus audax</i> or <i>albidus</i>		(Black marlin) <i>Makaira indica</i>		(Sailfish) <i>Istiophorus albicans</i> or <i>platypterus</i>		(Skipjack) <i>Katsuwonus pelamis</i>		(Miscellaneous fish)		Daily total (weight in kg only)		Saury	Squid	Live bait	(Other)
						No	Weight kg	No	kg	No	kg	No	Kg	No	kg	No	kg	No	kg	No	kg	No	kg	No	kg	No	kg				
						No	Weight kg	No	kg	No	kg	No	kg	No	kg	No	kg	No	kg	No	kg	No	kg	No	kg						
LANDING WEIGHT (IN KG)																															

Comments

1 — Use one sheet per month and one line per day.

2 — 'Day' refers to the day you set the line.

3 — Fishing area refers to the position of the vessel. Round off minutes and record degree of latitude and longitude. Be sure to record N/S and E/W.

4 — The last line (landing weight) should be completed only at the end of the trip. Actual weight at the time of unloading should be recorded.

5 — All information reported herein will be kept strictly confidential.

Highly-migratory species: Fishing logbook — EU model (Annex VI to Regulation (EU) No 404/2011) ⁽¹⁾

No	EUROPEAN UNION LOG-BOOK			Day Month Hour Year, 20 ... ,
Name of vessel(s) (1)	External identification (2)	Name of master(s) (3)	Departure (4) [.....] [.....] from [.....]	
.....		 1	Return (5) [.....] [.....] to [.....]	
International Radio call sign (IRCS) (1)		Address(es)	Landing (6) [.....][.....] to [.....]	
		1 1		
Gear(8)	Mesh size(9)	Dimension(10)	In case of transhipment (7)	Name and radio call sign (if any)
1 1	1 1	1 1	Day 1 1	External identification
			Month 1 1 1 1	Nationality of recipient fishing vessel

⁽¹⁾ Annex X to Regulation (EU) No 404/2011 provides instructions to masters of EU fishing vessels on how to complete a fishing logbook.

(*) Delete whichever does not apply.

SFPA — SENEGAL

YEAR — QUARTER

Catch declaration for deep-sea demersal trawlers

Name of vessel

Flag State

Zone ⁽¹⁾

Catch in kilograms

Month	⁽²⁾	Hake	Pandora	Angler-fish						Other fish ⁽³⁾	Other cephalopods ⁽³⁾	Other crustaceans ⁽³⁾	Other shellfish ⁽³⁾	Total catch
	(FAO CODE)													
January														
February														
March														
April														
May														
June														
July														
August														
September														
October														
November														
December														
Total														

⁽¹⁾ Indicate whether 'Senegal' or 'Senegal/Guinea-Bissau common zone'⁽²⁾ One column for each species caught (with FAO Code)⁽³⁾ Indicate aggregate catches if species is not determined

*Appendix 4***GEOGRAPHICAL COORDINATES****Senegalese fishing and closed zones**

The coordinates of the Senegalese fishing zones and zones closed to fishing and navigation shall be communicated by the Senegal side prior to the entry into force of this Agreement.

Appendix 5

COMMUNICATION OF VMS MESSAGES TO SENEGAL FORMAT OF VMS DATA — POSITION REPORT

Data element	Code	Mandatory/ Optional	Remarks
Start record	SR	M	System detail indicating start of record
Addressee	AD	M	Message detail — Addressee Alpha-3 country code (ISO-3166)
From	FR	M	Message detail — Sender Alpha-3 country code (ISO-3166)
Flag State	FS	M	Message detail — Flag State Alpha-3 code (ISO-3166)
Type of message	TM	M	Message detail — Message type (ENT, POS, EXI)
Radio call sign (IRCS)	RC	M	Vessel detail — Vessel international radio call sign (IRCS)
Contracting Party internal reference number	IR	O	Vessel detail — Unique contracting party number Alpha-3 code (ISO-3166) followed by number
External registration number	XR	M	Vessel detail — Number on side of vessel (ISO 8859.1)
Latitude	LT	M	Vessel position detail — Position in degrees and decimal degrees +/- DD.ddd (WGS84)
Longitude	LG	M	Vessel position detail — Position in degrees and decimal degrees +/- DD.ddd (WGS84)
Course	CO	M	Vessel course 360° scale
Speed	SP	M	Vessel speed in tenths of knots
Date	DA	M	Vessel position detail — Date of record of UTC position (YYYYMMDD)
Time	TI	M	Vessel position detail — Time of record of UTC position (HHMM)
End record	ER	M	System detail indicating end of record

Each data transmission is structured as follows:

Characters used must comply with the ISO 8859.1 standard.

A double slash (//) and the characters 'SR' indicate the start of a message.

Each data element is identified by its code and separated from the other data elements by a double slash (//).

A single slash (/) separates the field code and the data.

The 'ER' code followed by a double slash (//) indicates the end of the message.

The optional data elements must be inserted between the start and the end of the message.

Appendix 6

GUIDELINES FOR IMPLEMENTING THE ELECTRONIC REPORTING SYSTEM FOR FISHING ACTIVITIES (ERS)**1. General provisions**

- (1) All EU fishing vessels must be equipped with an electronic system, hereinafter referred to as 'ERS system', capable of recording and transmitting data relating to the fishing activity of the vessel, hereinafter referred to as 'ERS data', whenever the vessel is operating in Senegalese waters.
- (2) An EU vessel that is not equipped with an ERS, or whose ERS is not working, is not authorised to enter Senegalese waters in order to engage in fishing activities.
- (3) ERS data shall be transmitted in accordance with the procedures of the vessel's flag State, i.e. they shall firstly be sent to the Fisheries Monitoring Centre (hereinafter: FMC) of the flag State which will make them automatically available to the Fisheries Protection and Monitoring Directorate (DPSP) of Senegal.
- (4) The flag State and Senegal shall ensure that their FMCs have the necessary IT equipment and software to automatically transmit ERS data in xml format, and shall have a backup procedure in place capable of recording and storing ERS data in a format which will be computer-readable for at least three years.
- (5) ERS data must be transmitted using the electronic means of communication operated by the European Commission on behalf of the EU, referred to as the DEH (Data Exchange Highway).
- (6) The flag State and Senegal shall each designate an ERS correspondent who will act as the point of contact.
 - (a) ERS correspondents shall be designated for a minimum period of six (6) months.
 - (b) The FMCs of the flag State and Senegal shall notify one another of the contact details (name, address, telephone number, fax, e-mail address) of their ERS correspondent, before the supplier starts production of the ERS.
 - (c) Any changes to the contact details of the ERS correspondent must be notified without delay.

2. Producing and communicating ERS data

- (1) Union fishing vessels shall:
 - (a) communicate on a daily basis ERS data for each day spent in Senegalese waters;
 - (b) record the quantity of each species caught and kept on board as target species or by-catch, or discarded, for each fishing operation;
 - (c) for each species identified in the fishing authorization issued by Senegal, also declare zero catches;
 - (d) identify each species by its FAO alpha 3 code;
 - (e) express the quantities in kilograms of live weight or, if necessary, the number of individual fish;
 - (f) record, in the ERS data, the transhipped and/or landed quantity of each species;
 - (g) record in the ERS data, every time Senegalese waters are entered (COE message) or exited (COX message), a specific message containing the quantities held on board at the time of passing for each species specified in the fishing authorisation issued by Senegal;
 - (h) transmit ERS data on a daily basis to the FMC of the flag State, according to the format referred to in point 4 of paragraph 1 above, by 23:59 UTC at the latest.

- (2) The master is responsible for the accuracy of the ERS data recorded and sent.
- (3) The FMC of the flag State shall send the ERS data automatically and immediately to the Senegalese FMC.
- (4) The Senegalese FMC shall confirm that it has received the ERS data by means of a return message and shall handle all ERS data confidentially.

3. Failure of the on-board ERS and/or transmission of ERS data between the vessel and the FMC of the flag State

- (1) The flag State shall without delay inform the master and/or owner of a vessel flying its flag, or their agent, of any technical failure of the ERS installed on board or any breakdown in transmission of ERS data between the vessel and the FMC of the flag State.
- (2) The flag State shall inform Senegal of the failure detected and the corrective measures taken.
- (3) In the event of a breakdown in the on-board ERS, the master and/or owner shall ensure the ERS is repaired or replaced within 10 days. If the vessel makes a call at a port within those 10 days, it may only resume fishing activity in Senegalese waters once its ERS is in perfect working order, unless Senegal authorises otherwise.
 - (a) Following a technical failure in its ERS, a fishing vessel shall not leave port until its ERS functions again to the satisfaction of the flag State and Senegal, or
 - (b) it receives authorisation from the flag State. In the latter case, the flag State shall inform Senegal of its decision before the vessel leaves.
- (4) Any EU vessels operating in Senegalese waters with a faulty ERS must transmit all ERS data on a daily basis and by 23:59 UTC at the latest to the FMC of the flag State by any other available means of electronic communication accessible by the Senegalese FMC.
- (5) ERS data which could not be made available to Senegal via the ERS owing to the failure of the system shall be transmitted by the FMC of the flag State to the Senegalese FMC by another mutually agreed form of electronic communication. This alternative transmission shall be considered a priority, it being understood that it will not be possible to comply with the transmission deadlines usually applicable.
- (6) If the Senegalese FMC does not receive ERS data from a vessel for three consecutive days, Senegal may instruct a vessel to immediately call at a port of its choosing in order to investigate.

4. FMC failure — ERS data not received by Senegalese FMC

- (1) In the event that ERS data are not received by an FMC, its ERS correspondent shall without delay inform the ERS correspondent for the other FMC, and if necessary they shall work together to resolve the problem.
- (2) Before the ERS becomes operational, the FMC of the flag State and the Senegalese FMC shall mutually agree on the alternative means of electronic communication to be used in order to transmit ERS data in the event of an FMC failure, and shall without delay inform one another of any changes thereto.
- (3) If the Senegalese FMC reports that ERS data has not been received, the FMC of the flag State shall identify the causes of the problem and take appropriate measures in order to resolve the problem. The FMC of the flag State shall inform the Senegalese FMC and the EU of the outcome of the measures taken within 24 hours after recognising the failure.
- (4) If more than 24 hours is required in order to resolve the problem, the FMC of the flag State shall without delay transmit the missing ERS data to the Senegalese FMC via one of the alternative means of electronic communication referred to in point 5 of paragraph 3.
- (5) Senegal shall inform its competent monitoring services (CMS) so that EU vessels are not considered by the Senegalese FMC to be in violation of their obligations for not transmitting ERS data owing to a failure in one of the FMCs.

5. FMC maintenance

- (1) Planned maintenance of an FMC (maintenance programme) which may affect the exchange of ERS data must be notified at least 72 hours in advance to the other FMC, indicating, where possible, the date and duration of the maintenance work. Information about unplanned maintenance work shall be sent to the other FMC as soon as possible.
 - (2) During the maintenance work, the provision of ERS data may be put on hold until the system is operational again. The relevant ERS data shall be made available immediately after the maintenance work has been completed.
 - (3) If the maintenance work takes more than 24 hours, ERS data shall be sent to the other FMC using one of the alternative means of electronic communication referred to in point 5 of paragraph 3.
 - (4) Senegal shall inform its competent monitoring services (CMS) so that EU vessels are not considered by the Senegalese FMC to be in violation of their obligations for not transmitting ERS data owing to the maintenance of an FMC.
-

*Appendix 7***CONTACT DETAILS FOR SENEGAL****1. DPM**

Address: Place du Tirailleur, 1 rue Joris, BP 289 Dakar

E-mail: infos@dpm.sn; cjpmanel@gmail.com

Telephone: + 221 338230137

Fax + 221 338214758

2. Application for a fishing authorisation

Address: Place du Tirailleur, 1 rue Joris, BP 289 Dakar

E-mail: infos@dpm.sn; cjpmanel@gmail.com

Telephone: + 221 338230137

Fax + 221 338214758

3. Fisheries Protection and Monitoring Directorate (DPSP) and entry and exit notification

Nom du CSP (Code d'Appel): Papa Sierra

Radio:

VHF: F1 canal 16; F2 canal 71

HF: F1 5.283 MHZ; F2 7.3495 MHZ

Address:

E-mail: crsdpsp@gmail.com

E-mail (alternatif): surpeche@hotmail.com

Telephone: + 221 338602465

Fax + 221 338603119

4. CRODT (Centre de Recherche Océanographique de Dakar Thiaroye)

Address: Pôle de Recherches de Hann Sis au Laboratoire National d'Elevage et de Recherches vétérinaires (PRH/LNERV)

BP 2241 Dakar

E-mail: massal.fall@gmail.com

Telephone: + 221 773339289/776483936

Fax + 221 338328265

REGULATIONS

COUNCIL REGULATION (EU) No 1118/2014

of 8 October 2014

concerning the allocation of fishing opportunities under the Implementation Protocol to the Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Senegal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Union and the Republic of Senegal negotiated a Sustainable Fisheries Partnership Agreement ('the Agreement') and an Implementation Protocol thereto ('the Protocol') granting EU vessels fishing opportunities in waters in which the Republic of Senegal exercises its sovereignty or jurisdiction with regard to fishing.
- (2) On 8 October 2014 the Council adopted Decision 2014/733/EU on the signing, on behalf of the European Union, and provisional application of a Sustainable Fisheries Partnership Agreement between the European Union and the Republic of Senegal and the Implementation Protocol thereto ⁽¹⁾.
- (3) The method for allocating the fishing opportunities among the Member States should be defined, both for the period of provisional application and for the duration of the Protocol.
- (4) If it appears that the fishing authorisations or opportunities allocated to the Union by virtue of the Protocol are not fully exhausted, the Commission will inform the Member States thereof in accordance with Council Regulation (EC) No 1006/2008 ⁽²⁾. If no reply is received within a time limit to be set by the Council, this will be considered as confirmation that the vessels of the Member State concerned are not making full use of their fishing opportunities during the period in question. That time limit should be set.
- (5) To ensure the continuity of the fishing activities of Union vessels, the Protocol provides for its application by the parties on a provisional basis from the date of its signature. This Regulation should therefore apply from the date of signing of the Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

1. The fishing opportunities set out in the Protocol shall be allocated among the Member States as follows:
 - (a) tuna seiners:

Spain	16 vessels
France	12 vessels

⁽¹⁾ See page 1 of this Official Journal.

⁽²⁾ Council Regulation (EC) No 1006/2008 of 29 September 2008 concerning authorisations for fishing activities of Community fishing vessels outside Community waters, amending Regulations (EEC) No 2847/93 and (EC) No 1627/94 and repealing Regulation (EC) No 3317/94 (OJ L 286, 29.10.2008, p. 33).

(b) pole-and-line vessels:

Spain	7 vessels
France	1 vessel

(c) trawlers:

Spain	2 vessels
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2. Regulation (EC) No 1006/2008 shall apply without prejudice to the Partnership Agreement.

3. If applications for fishing authorisations from the Member States referred to in paragraph 1 do not exhaust the fishing opportunities set out in the Protocol, the Commission shall consider applications for fishing authorisations from any other Member State in accordance with Article 10 of Regulation (EC) No 1006/2008.

4. The time limit within which the Member States must confirm that they are not fully exhausting the fishing opportunities granted to them under the Agreement, as provided by Article 10(1) of Regulation (EC) No 1006/2008, is set at 10 working days as from the date on which the Commission communicates this information to them.

Article 2

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

It shall apply from the date of signature of the Protocol.

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

Done at Luxembourg, 8 October 2014.

For the Council
The President
M. LUPI

COMMISSION REGULATION (EU) No 1119/2014**of 16 October 2014****amending Annex III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for benzalkonium chloride and didecyldimethylammonium chloride in or on certain products****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC ⁽¹⁾, and in particular Article 14(1)(a) and Article 16(1)(a) thereof,

Whereas:

- (1) Up to now, no specific maximum residue levels (MRLs) have been set for benzalkonium chloride (BAC) and didecyldimethylammonium chloride (DDAC) and those substances have not been included in Annex IV to Regulation (EC) No 396/2005.
- (2) BAC is not an approved active substance in plant protection products under Regulation (EC) No 1107/2009 of the European Parliament and of the Council ⁽²⁾. DDAC was approved as an active substance in plant protection products for use on ornamental crops, but all authorisations for plant protection products containing DDAC have been revoked following the withdrawal of the approval ⁽³⁾. Both substances are used as biocides for disinfection. That use may lead to detectable residues in food.
- (3) The Commission received information from Member States and business operators showing the presence of BAC and DDAC in or on certain products leading to higher residues than the default MRL of 0,01 mg/kg laid down in Regulation (EC) No 396/2005.
- (4) The European Food Safety Authority, hereinafter 'the Authority', collected monitoring data in 2012 and 2013 to investigate the presence of residues of BAC and DDAC in food. Those data were generated by Member States and food business operators and showed that those substances are present at levels that vary depending on the source and product, but that the levels frequently exceed the default MRL of 0,01 mg/kg. These findings provide evidence of the unavoidable presence of BAC and DDAC in or on certain products.
- (5) The Authority provided a technical report on the statistical evaluation of the collected data ⁽⁴⁾. It assessed whether the temporary MRLs proposed by the Commission services sufficiently protect consumers as regards their possible exposure to residues due to the use in biocidal products and gave a reasoned opinion on the proposed MRLs ⁽⁵⁾. It forwarded the report and the opinion to the Commission and the Member States and made them available to the public.
- (6) The Authority concluded in its reasoned opinion that while the risk assessment is affected by a high degree of uncertainties due to the limited information available, the proposed temporary MRLs are expected to sufficiently protect consumers. The Authority took into account the health assessments performed by the German

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) No 175/2013 of 27 February 2013 amending Implementing Regulation (EU) No 540/2011 as regards the withdrawal of the approval of the active substance didecyldimethylammonium chloride (OJ L 56, 28.2.2013, p. 4).

⁽⁴⁾ European Food Safety Authority; Evaluation of monitoring data on residues of didecyldimethylammonium chloride (DDAC) and benzalkonium chloride (BAC). EFSA supporting publication 2013:EN-483, 30 pp.

⁽⁵⁾ European Food Safety Authority; Reasoned opinion on the dietary risk assessment for proposed temporary maximum residue levels (MRLs) of didecyldimethylammonium chloride (DDAC) and benzalkonium chloride (BAC). EFSA Journal 2014;12(4):3675, 23 pp.

Bundesinstitut für Risikobewertung (BfR) ⁽¹⁾ ⁽²⁾ on BAC and DDAC. Neither the lifetime exposure to the substances via consumption of all food products that may contain them, nor the short-term exposure due to extreme consumption of the relevant crops showed that there is a risk that the acceptable daily intake (ADI) or the acute reference dose (ARfD) is exceeded. The Authority proposed to change the residue definition for BAC.

- (7) It is appropriate to set temporary MRLs for BAC and DDAC, based on the available monitoring data and on the reasoned opinion of the Authority. Those temporary MRLs should be reviewed within five years, to evaluate new data and information that will become available.
- (8) Based on the reasoned opinion of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modifications to the MRLs fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (9) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 396/2005 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 16 October 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ Bundesinstitut für Risikobewertung; Gesundheitliche Bewertung der Rückstände von Didecyldimethylammoniumchlorid (DDAC) in Lebensmitteln. BfR opinion No 027/2012, 9 July 2012, as amended on 21 January 2013, 16 pp.

⁽²⁾ Bundesinstitut für Risikobewertung; Health assessment of benzalkonium chloride residues in food. BfR opinion No 032/2012, 13 July 2012, 14 pp.

ANNEX

Annex III to Regulation (EC) No 396/2005 is amended as follows:

In part A, the following columns for benzalkonium chloride and didecyltrimethylammonium chloride are added:

***Pesticide residues and maximum residue levels (mg/kg)**

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0100000	1. FRUIT FRESH OR FROZEN NUTS	0,1 (+)	0,1 (+)
0110000	(i) Citrus fruit		
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)		
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)		
0110030	Lemons (Citron, lemon, Buddha's hand (<i>Citrus medica</i> var. <i>sarcodactylis</i>))		
0110040	Limes		
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids tangor (<i>Citrus reticulata</i> × <i>sinensis</i>))		
0110990	Others		
0120000	(ii) Tree nuts		
0120010	Almonds		
0120020	Brazil nuts		
0120030	Cashew nuts		
0120040	Chestnuts		
0120050	Coconuts		
0120060	Hazelnuts (Filbert)		
0120070	Macadamia		
0120080	Pecans		
0120090	Pine nuts		
0120100	Pistachios		
0120110	Walnuts		
0120990	Others		
0130000	(iii) Pome fruit		
0130010	Apples (Crab apple)		
0130020	Pears (Oriental pear)		
0130030	Quinces		
0130040	Medlar		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0130050 0130990	Loquat Others		
0140000	(iv) Stone fruit		
0140010 0140020 0140030 0140040 0140990	Apricots Cherries (Sweet cherries, sour cherries) Peaches (Nectarines and similar hybrids) Plums (Damson, greengage, mirabelle, sloe, red date/Chinese date/ Chinese jujube (<i>Ziziphus zizyphus</i>)) Others		
0150000	(v) Berries & small fruit		
0151000	(a) <i>Table and wine grapes</i>		
0151010 0151020	Table grapes Wine grapes		
0152000	(b) <i>Strawberries</i>		
0153000	(c) <i>Cane fruit</i>		
0153010 0153020 0153030 0153990	Blackberries Dewberries (Loganberries, tayberries, boysenberries, cloudberries and other <i>Rubus</i> hybrids) Raspberries (Wineberries, arctic bramble/raspberry, (<i>Rubus arcticus</i>), nectar raspberries (<i>Rubus arcticus</i> × <i>Rubus idaeus</i>)) Others		
0154000	(d) <i>Other small fruit & berries</i>		
0154010 0154020 0154030 0154040 0154050 0154060 0154070 0154080 0154990	Blueberries (Bilberries) Cranberries (Cowberries/red bilberries (<i>V. vitis-idaea</i>)) Currants (red, black and white) Gooseberries (Including hybrids with other <i>Ribes</i> species) Rose hips Mulberries (<i>Arbutus</i> berry) Azarole (mediteranean medlar) (Kiwiberry (<i>Actinidia arguta</i>)) Elderberries (Black chokeberry/appleberry, mountain ash, buck- thorn/sea sawlowthorn, hawthorn, serviceberries, and other treeber- ries) Others		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0160000	(vi) Miscellaneous fruit		
0161000	(a) <i>Edible peel</i>		
0161010	Dates		
0161020	Figs		
0161030	Table olives		
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (<i>Citrus aurantifolia</i> × <i>Fortunella</i> spp.))		
0161050	Carambola (Bilimbi)		
0161060	Persimmon		
0161070	Jambolan (java plum) (Java apple/water apple, pommerac, rose apple, Brazilian cherry, Surinam cherry/grumichama (<i>Eugenia uniflora</i>))		
0161990	Others		
0162000	(b) <i>Inedible peel, small</i>		
0162010	Kiwi		
0162020	Lychee (Litchi) (Pulasan, rambutan/hairy litchi, longan, mangosteen, langsats, salak)		
0162030	Passion fruit		
0162040	Prickly pear (cactus fruit)		
0162050	Star apple		
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel/yellow sapote, mammey sapote)		
0162990	Others		
0163000	(c) <i>Inedible peel, large</i>		
0163010	Avocados		
0163020	Bananas (Dwarf banana, plantain, apple banana)		
0163030	Mangoes		
0163040	Papaya		
0163050	Pomegranate		
0163060	Cherimoya (Custard apple, sugar apple/sweetsop, ilama (<i>Annona diversifolia</i>) and other medium sized <i>Annonaceae</i> fruits)		
0163070	Guava (Red pitaya/dragon fruit (<i>Hylocereus undatus</i>))		
0163080	Pineapples		
0163090	Bread fruit (Jackfruit)		
0163100	Durian		
0163110	Soursop (guanabana)		
0163990	Others		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0200000	2. VEGETABLES FRESH OR FROZEN	0,1 (+)	0,1 (+)
0210000	(i) Root and tuber vegetables		
0211000	(a) <i>Potatoes</i>		
0212000	(b) <i>Tropical root and tuber vegetables</i>		
0212010	Cassava (Dasheen, eddoe/Japanese taro, tannia)		
0212020	Sweet potatoes		
0212030	Yams (Potato bean/yam bean, Mexican yam bean)		
0212040	Arrowroot		
0212990	Others		
0213000	(c) <i>Other root and tuber vegetables except sugar beet</i>		
0213010	Beetroot		
0213020	Carrots		
0213030	Celeriac		
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots)		
0213050	Jerusalem artichokes (Crosne)		
0213060	Parsnips		
0213070	Parsley root		
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (<i>Cyperus esculentus</i>))		
0213090	Salsify (Scorzonera, Spanish salsify/Spanish oysterplant, edible burdock)		
0213100	Swedes		
0213110	Turnips		
0213990	Others		
0220000	(ii) Bulb vegetables		
0220010	Garlic		
0220020	Onions (Other bulb onions, silverskin onions)		
0220030	Shallots		
0220040	Spring onions and welsh onions (Other green onions and similar varieties)		
0220990	Others		
0230000	(iii) Fruiting vegetables		
0231000	(a) <i>Solanacea</i>		
0231010	Tomatoes (Cherry tomatoes, <i>Physalis</i> spp., gojiberry, wolfberry (<i>Lycium barbarum</i> and <i>L. chinense</i>), tree tomato)		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0231020	Peppers (Chilli peppers)		
0231030	Aubergines (egg plants) (Pepino, antroewa/white eggplant (<i>S. macrocarpon</i>))		
0231040	Okra (lady's fingers)		
0231990	Others		
0232000	(b) <i>Cucurbits — edible peel</i>		
0232010	Cucumbers		
0232020	Gherkins		
0232030	Courgettes (Summer squash, marrow (patisson), lauki (<i>Lagenaria siceraria</i>), chayote, sopropo/bitter melon, snake gourd, angled luffa/teroi)		
0232990	Others		
0233000	(c) <i>Cucurbits-inedible peel</i>		
0233010	Melons (Kiwano)		
0233020	Pumpkins (Winter squash, marrow (late variety))		
0233030	Watermelons		
0233990	Others		
0234000	(d) <i>Sweet corn (Baby corn)</i>		
0239000	(e) <i>Other fruiting vegetables</i>		
0240000	(iv) Brassica vegetables		
0241000	(a) <i>Flowering brassica</i>		
0241010	Broccoli (Calabrese, Broccoli raab, Chinese broccoli)		
0241020	Cauliflower		
0241990	Others		
0242000	(b) <i>Head brassica</i>		
0242010	Brussels sprouts		
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)		
0242990	Others		
0243000	(c) <i>Leafy brassica</i>		
0243010	Chinese cabbage (Indian or Chinese) mustard, pak choi, Chinese flat cabbage/ai goo choi, choi sum, Peking cabbage/pe-tsai)		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0243020	Kale (Borecole/curly kale, collards, Portuguese Kale, Portuguese cabbage, cow cabbage)		
0243990	Others		
0244000	(d) <i>Kohlrabi</i>		
0250000	(v) Leaf vegetables & fresh herbs		
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>		
0251010	Lamb's lettuce (Italian corn salad)		
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)		
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curly leaf endive, sugar loaf (<i>C. endivia</i> var. <i>crispum</i> / <i>C. intybus</i> var. <i>foliosum</i>), dandelion greens)		
0251040	Cress (Mung bean sprouts, alfalfa sprouts)		
0251050	Land cress		
0251060	Rocket, Rucola (Wild rocket (<i>Diplotaxis</i> spp.))		
0251070	Red mustard		
0251080	Leaves and sprouts of Brassica spp, including turnip greens (Mizuna, leaves of peas and radish and other babyleaf crops, including brassica crops (crops harvested up to 8 true leaf stage), kohlrabi leaves)		
0251990	Others		
0252000	(b) <i>Spinach & similar (leaves)</i>		
0252010	Spinach (New Zealand spinach, amaranthus spinach (pak-khom, tampara), tajar leaves, bitterblad/bitawiri)		
0252020	Purslane (Winter purslane/miner's lettuce, garden purslane, common purslane, sorrel, glassworth, agretti (<i>Salsola soda</i>))		
0252030	Beet leaves (chard) (Leaves of beetroot)		
0252990	Others		
0253000	(c) <i>Vine leaves (grape leaves) (Malabar nightshade, banana leaves, climbing wattle (Acacia pennata))</i>		
0254000	(d) <i>Water cress (Morning glory/Chinese convolvulus/water convolvulus/water spinach/kangkung (Ipomea aquatica), water clover, water mimosa)</i>		
0255000	(e) <i>Witloof</i>		
0256000	(f) <i>Herbs</i>		
0256010	Chervil		
0256020	Chives		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0256030	Celery leaves (Fennel leaves, coriander leaves, dill leaves, caraway leaves, lovage, angelica, sweet cicely and other <i>Apiacea</i> leaves, culantro/stinking/long coriander/stink weed (<i>Eryngium foetidum</i>))		
0256040	Parsley (leaves of root parsley)		
0256050	Sage (Winter savory, summer savory, <i>Borago officinalis</i> leaves)		
0256060	Rosemary		
0256070	Thyme (Marjoram, oregano)		
0256080	Basil (Balm leaves, mint, peppermint, holy basil, sweet basil, hairy basil, edible flowers (marigold flower and others), pennywort, wild betel leaf, curry leaves)		
0256090	Bay leaves (laurel) (Lemon grass)		
0256100	Tarragon (Hyssop)		
0256990	Others		
0260000	(vi) Legume vegetables (fresh)		
0260010	Beans (with pods) (Green bean/French beans/snap beans, scarlet runner bean, slicing bean, yard long beans, guar beans, soya beans)		
0260020	Beans (without pods) (Broad beans, flageolets, jack bean, lima bean, cowpea)		
0260030	Peas (with pods) (Mangetout/sugar peas/snow peas)		
0260040	Peas (without pods) (Garden pea, green pea, chickpea)		
0260050	Lentils		
0260990	Others		
0270000	(vii) Stem vegetables (fresh)		
0270010	Asparagus		
0270020	Cardoons (<i>Borago officinalis</i> stems)		
0270030	Celery		
0270040	Fennel		
0270050	Globe artichokes (Banana flower)		
0270060	Leek		
0270070	Rhubarb		
0270080	Bamboo shoots		
0270090	Palm hearts		
0270990	Others		
0280000	(viii) Fungi		
0280010	Cultivated fungi (Common mushroom, oyster mushroom, shiitake, <i>fungus mycelium</i> (vegetative parts))		
0280020	Wild fungi (Chanterelle, truffle, morel, cep)		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0280990	Others		
0290000	(ix) Sea weeds		
0300000	3. PULSES, DRY	0,1 (+)	0,1 (+)
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)		
0300020	Lentils		
0300030	Peas (Chickpeas, field peas, chickling vetch)		
0300040	Lupins		
0300990	Others		
0400000	4. OILSEEDS AND OILFRUITS	0,1 (+)	0,1 (+)
0401000	(i) Oilseeds		
0401010	Linseed		
0401020	Peanuts		
0401030	Poppy seed		
0401040	Sesame seed		
0401050	Sunflower seed		
0401060	Rape seed (Bird rapeseed, turnip rape)		
0401070	Soya bean		
0401080	Mustard seed		
0401090	Cotton seed		
0401100	Pumpkin seeds (Other seeds of <i>Cucurbitaceae</i>)		
0401110	Safflower		
0401120	Borage (Purple viper's bugloss/Canary flower (<i>Echium plantagineum</i>), Corn Gromwell (<i>Buglossoides arvensis</i>))		
0401130	Gold of pleasure		
0401140	Hempseed		
0401150	Castor bean		
0401990	Others		
0402000	(ii) Oilfruits		
0402010	Olives for oil production		
0402020	Palm nuts (palmoil kernels)		
0402030	Palmfruit		
0402040	Kapok		
0402990	Others		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0500000	5. CEREALS	0,1 (+)	0,1 (+)
0500010	Barley		
0500020	Buckwheat (<i>Amaranthus</i> , quinoa)		
0500030	Maize		
0500040	Millet (Foxtail millet, teff, finger millet, pearl millet)		
0500050	Oats		
0500060	Rice (Indian/wild rice (<i>Zizania aquatica</i>))		
0500070	Rye		
0500080	Sorghum		
0500090	Wheat (Spelt, triticale)		
0500990	Others (Canary grass seeds (<i>Phalaris canariensis</i>))		
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,1 (+)	0,1 (+)
0610000	(i) Tea		
0620000	(ii) Coffee beans		
0630000	(iii) Herbal infusions (dried)		
0631000	(a) <i>Flowers</i>		
0631010	Camomille flowers		
0631020	Hybiscus flowers		
0631030	Rose petals		
0631040	Jasmine flowers (Elderflowers (<i>Sambucus nigra</i>))		
0631050	Lime (linden)		
0631990	Others		
0632000	(b) <i>Leaves</i>		
0632010	Strawberry leaves		
0632020	Rooibos leaves (Ginkgo leaves)		
0632030	Maté		
0632990	Others		
0633000	(c) <i>Roots</i>		
0633010	Valerian root		
0633020	Ginseng root		
0633990	Others		
0639000	(d) <i>Other herbal infusions</i>		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0640000	(iv) Cocoabeans (fermented or dried)		
0650000	(v) Carob (st johns bread)		
0700000	7. HOPS (dried)	0,1 (+)	0,1 (+)
0800000	8. SPICES	(+)	(+)
0810000	(i) Seeds	0,1	0,1
0810010	Anise		
0810020	Black caraway		
0810030	Celery seed (Lovage seed)		
0810040	Coriander seed		
0810050	Cumin seed		
0810060	Dill seed		
0810070	Fennel seed		
0810080	Fenugreek		
0810090	Nutmeg		
0810990	Others		
0820000	(ii) Fruits and berries	0,1	0,1
0820010	Allspice		
0820020	Sichuan pepper (Anise pepper, Japan pepper)		
0820030	Caraway		
0820040	Cardamom		
0820050	Juniper berries		
0820060	Pepper, black, green and white (Long pepper, pink pepper)		
0820070	Vanilla pods		
0820080	Tamarind		
0820990	Others		
0830000	(iii) Bark	0,1	0,1
0830010	Cinnamon (Cassia)		
0830990	Others		
0840000	(iv) Roots or rhizome		
0840010	Liquorice	0,1	0,1
0840020	Ginger	0,1	0,1
0840030	Turmeric (Curcuma)	0,1	0,1
0840040	Horseradish		
0840990	Others	0,1	0,1

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
0850000	(v) Buds	0,1	0,1
0850010	Cloves		
0850020	Capers		
0850990	Others		
0860000	(vi) Flower stigma	0,1	0,1
0860010	Saffron		
0860990	Others		
0870000	(vii) Aril	0,1	0,1
0870010	Mace		
0870990	Others		
0900000	9. SUGAR PLANTS	0,1 (+)	0,1 (+)
0900010	Sugar beet (root)		
0900020	Sugar cane		
0900030	Chicory roots		
0900990	Others		
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS	0,1 (+)	0,1 (+)
1010000	(i) Tissue		
1011000	(a) <i>Swine</i>		
1011010	Muscle		
1011020	Fat		
1011030	Liver		
1011040	Kidney		
1011050	Edible offal		
1011990	Others		
1012000	(b) <i>Bovine</i>		
1012010	Muscle		
1012020	Fat		
1012030	Liver		
1012040	Kidney		
1012050	Edible offal		
1012990	Others		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
1013000	(c) <i>Sheep</i>		
1013010	Muscle		
1013020	Fat		
1013030	Liver		
1013040	Kidney		
1013050	Edible offal		
1013990	Others		
1014000	(d) <i>Goat</i>		
1014010	Muscle		
1014020	Fat		
1014030	Liver		
1014040	Kidney		
1014050	Edible offal		
1014990	Others		
1015000	(e) <i>Horses, asses, mules or hinnies</i>		
1015010	Muscle		
1015020	Fat		
1015030	Liver		
1015040	Kidney		
1015050	Edible offal		
1015990	Others		
1016000	(f) <i>Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>		
1016010	Muscle		
1016020	Fat		
1016030	Liver		
1016040	Kidney		
1016050	Edible offal		
1016990	Others		
1017000	(g) <i>Other farm animals (Rabbit, kangaroo, deer)</i>		
1017010	Muscle		
1017020	Fat		
1017030	Liver		
1017040	Kidney		
1017050	Edible offal		
1017990	Others		

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C ₈ , C ₁₀ , C ₁₂ , C ₁₄ , C ₁₆ and C ₁₈)	Didecyltrimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C ₈ , C ₁₀ and C ₁₂)
1020000	(ii) Milk		
1020010	Cattle		
1020020	Sheep		
1020030	Goat		
1020040	Horse		
1020990	Others		
1030000	(iii) Bird eggs		
1030010	Chicken		
1030020	Duck		
1030030	Goose		
1030040	Quail		
1030990	Others		
1040000	(iv) Honey (Royal jelly, pollen, honey comb with honey (comb honey))		
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)		
1060000	(vi) Snails		
1070000	(vii) Other terrestrial animal products (Wild game)		

(*) Indicates lower limit of analytical determination

^(a) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

Benzalkonium chloride (mixture of alkylbenzyltrimethylammonium chlorides with alkyl chain lengths of C₈, C₁₀, C₁₂, C₁₄, C₁₆ and C₁₈)

(+) These MRLs shall be reviewed by 31 December 2019. Reassessment of data may lead to modification of MRLs.

0100000 1. FRUIT FRESH OR FROZEN NUTS

0110000 (i) Citrus fruit

0110010 Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)

0110020 Oranges (Bergamot, bitter orange, chinotto and other hybrids)

0110030 Lemons (Citron, lemon, Buddha's hand (*Citrus medica* var. *sarcodactylis*))

0110040 Limes

0110050 Mandarins (Clementine, tangerine, mineola and other hybrids tangor (*Citrus reticulata* × *sinensis*))

0110990 Others

0120000 (ii) Tree nuts

0120010 Almonds

0120020 Brazil nuts

0120030 Cashew nuts

0120040	Chestnuts
0120050	Coconuts
0120060	Hazelnuts (Filbert)
0120070	Macadamia
0120080	Pecans
0120090	Pine nuts
0120100	Pistachios
0120110	Walnuts
0120990	Others
0130000	(iii) Pome fruit
0130010	Apples (Crab apple)
0130020	Pears (Oriental pear)
0130030	Quinces
0130040	Medlar
0130050	Loquat
0130990	Others
0140000	(iv) Stone fruit
0140010	Apricots
0140020	Cherries (Sweet cherries, sour cherries)
0140030	Peaches (Nectarines and similar hybrids)
0140040	Plums (Damson, greengage, mirabelle, sloe, red date/Chinese date/Chinese jujube (<i>Ziziphus zizyphus</i>))
0140990	Others
0150000	(v) Berries & small fruit
0151000	(a) Table and wine grapes
0151010	Table grapes
0151020	Wine grapes
0152000	(b) Strawberries
0153000	(c) Cane fruit
0153010	Blackberries
0153020	Dewberries (Loganberries, tayberries, boysenberries, cloudberrries and other <i>Rubus</i> hybrids)
0153030	Raspberries (Wineberries, arctic bramble/raspberry, (<i>Rubus arcticus</i>), nectar raspberries (<i>Rubus arcticus</i> × <i>Rubus idaeus</i>))
0153990	Others
0154000	(d) Other small fruit & berries
0154010	Blueberries (Bilberries)
0154020	Cranberries (Cowberries/red bilberries (<i>V. vitis-idaea</i>))
0154030	Currants (red, black and white)
0154040	Gooseberries (Including hybrids with other <i>Ribes</i> species)
0154050	Rose hips
0154060	Mulberries (<i>Arbutus</i> berry)
0154070	Azarole (mediteranean medlar) (Kiwiberry (<i>Actinidia arguta</i>))
0154080	Elderberries (Black chokeberry/appleberry, mountain ash, buckthorn/sea sallowthorn, hawthorn, serviceberries, and other treeberries)
0154990	Others
0160000	(vi) Miscellaneous fruit
0161000	(a) Edible peel
0161010	Dates
0161020	Figs

0161030	Table olives
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (<i>Citrus aurantifolia</i> × <i>Fortunella</i> spp.))
0161050	Carambola (Bilimbi)
0161060	Persimmon
0161070	Jambolan (java plum) (Java apple/water apple, pomegranate, rose apple, Brazilian cherry, Surinam cherry/grumichama (<i>Eugenia uniflora</i>))
0161990	Others
0162000	(b) Inedible peel, small
0162010	Kiwi
0162020	Lychee (Litchi) (Pulasan, rambutan/hairy litchi, longan, mangosteen, langsung, salak)
0162030	Passion fruit
0162040	Prickly pear (cactus fruit)
0162050	Star apple
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel/yellow sapote, mammey sapote)
0162990	Others
0163000	(c) Inedible peel, large
0163010	Avocados
0163020	Bananas (Dwarf banana, plantain, apple banana)
0163030	Mangoes
0163040	Papaya
0163050	Pomegranate
0163060	Cherimoya (Custard apple, sugar apple/sweetsop, ilama (<i>Annona diversifolia</i>) and other medium sized <i>Annonaceae</i> fruits)
0163070	Guava (Red pitaya/dragon fruit (<i>Hylocereus undatus</i>))
0163080	Pineapples
0163090	Bread fruit (Jackfruit)
0163100	Durian
0163110	Soursop (guanabana)
0163990	Others
0200000	2. VEGETABLES FRESH OR FROZEN
0210000	(i) Root and tuber vegetables
0211000	(a) Potatoes
0212000	(b) Tropical root and tuber vegetables
0212010	Cassava (Dasheen, eddoe/Japanese taro, tannia)
0212020	Sweet potatoes
0212030	Yams (Potato bean/yam bean, Mexican yam bean)
0212040	Arrowroot
0212990	Others
0213000	(c) Other root and tuber vegetables except sugar beet
0213010	Beetroot
0213020	Carrots
0213030	Celeriac
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots)
0213050	Jerusalem artichokes (Crosne)
0213060	Parsnips
0213070	Parsley root
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (<i>Cyperus esculentus</i>))

0213090	Salsify (Scorzonera, Spanish salsify/Spanish oysterplant, edible burdock)
0213100	Swedes
0213110	Turnips
0213990	Others
0220000	(ii) Bulb vegetables
0220010	Garlic
0220020	Onions (Other bulb onions, silverskin onions)
0220030	Shallots
0220040	Spring onions and welsh onions (Other green onions and similar varieties)
0220990	Others
0230000	(iii) Fruiting vegetables
0231000	(a) <i>Solanacea</i>
0231010	Tomatoes (Cherry tomatoes, <i>Physalis</i> spp., gojiberry, wolfberry (<i>Lycium barbarum</i> and <i>L. chinense</i>), tree tomato)
0231020	Peppers (Chilli peppers)
0231030	Aubergines (egg plants) (Pepino, antroewa/white eggplant (<i>S. macrocarpon</i>))
0231040	Okra (lady's fingers)
0231990	Others
0232000	(b) Cucurbits — edible peel
0232010	Cucumbers
0232020	Gherkins
0232030	Courgettes (Summer squash, marrow (patisson), lauki (<i>Lagenaria siceraria</i>), chayote, sopropo/bitter melon, snake gourd, angled luffa/teroi)
0232990	Others
0233000	(c) Cucurbits-inedible peel
0233010	Melons (Kiwano)
0233020	Pumpkins (Winter squash, marrow (late variety))
0233030	Watermelons
0233990	Others
0234000	(d) Sweet corn (Baby corn)
0239000	(e) Other fruiting vegetables
0240000	(iv) Brassica vegetables
0241000	(a) Flowering brassica
0241010	Broccoli (Calabrese, Broccoli raab, Chinese broccoli)
0241020	Cauliflower
0241990	Others
0242000	(b) Head brassica
0242010	Brussels sprouts
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)
0242990	Others
0243000	(c) Leafy brassica
0243010	Chinese cabbage (Indian or Chinese) mustard, pak choi, Chinese flat cabbage/ai goo choi, choi sum, Peking cabbage/pe-tsai)
0243020	Kale (Borecole/curly kale, collards, Portuguese Kale, Portuguese cabbage, cow cabbage)
0243990	Others
0244000	(d) Kohlrabi
0250000	(v) Leaf vegetables & fresh herbs
0251000	(a) Lettuce and other salad plants including <i>Brassicaceae</i>
0251010	Lamb's lettuce (Italian corn salad)

- 0251020 Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)
- 0251030 Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curly leaf endive, sugar loaf (*C. endivia* var. *crispum*/*C. intybus* var. *foliosum*), dandelion greens)
- 0251040 Cress (Mung bean sprouts, alfalfa sprouts)
- 0251050 Land cress
- 0251060 Rocket, Rucola (Wild rocket (*Diplotaxis* spp.))
- 0251070 Red mustard
- 0251080 Leaves and sprouts of *Brassica* spp, including turnip greens (Mizuna, leaves of peas and radish and other babyleaf crops, including brassica crops (crops harvested up to 8 true leaf stage), kohlrabi leaves)
- 0251990 Others
- 0252000 (b) Spinach & similar (leaves)
- 0252010 Spinach (New Zealand spinach, amaranthus spinach (pak-khom, tampara), tajer leaves, bitterblad/bitawiri)
- 0252020 Purslane (Winter purslane/miner's lettuce, garden purslane, common purslane, sorrel, glassworth, agretti (*Salsola soda*))
- 0252030 Beet leaves (chard) (Leaves of beetroot)
- 0252990 Others
- 0253000 (c) Vine leaves (grape leaves) (Malabar nightshade, banana leaves, climbing wattle (*Acacia pennata*))
- 0254000 (d) Water cress (Morning glory/Chinese convolvulus/water convolvulus/water spinach/kangkung (*Ipomea aquatica*), water clover, water mimosa)
- 0255000 (e) Witloof
- 0256000 (f) Herbs
- 0256010 Chervil
- 0256020 Chives
- 0256030 Celery leaves (Fennel leaves, coriander leaves, dill leaves, caraway leaves, lovage, angelica, sweet cicely and other *Apiacea* leaves, culantro/stinking/long coriander/stink weed (*Eryngium foetidum*))
- 0256040 Parsley (leaves of root parsley)
- 0256050 Sage (Winter savory, summer savory, *Borago officinalis* leaves)
- 0256060 Rosemary
- 0256070 Thyme (Marjoram, oregano)
- 0256080 Basil (Balm leaves, mint, peppermint, holy basil, sweet basil, hairy basil, edible flowers (marigold flower and others), pennywort, wild betel leaf, curry leaves)
- 0256090 Bay leaves (laurel) (Lemon grass)
- 0256100 Tarragon (Hyssop)
- 0256990 Others
- 0260000 (vi) Legume vegetables (fresh)
- 0260010 Beans (with pods) (Green bean/French beans/snap beans, scarlet runner bean, slicing bean, yard long beans, guar beans, soya beans)
- 0260020 Beans (without pods) (Broad beans, flageolets, jack bean, lima bean, cowpea)
- 0260030 Peas (with pods) (Mangetout/sugar peas/snow peas)
- 0260040 Peas (without pods) (Garden pea, green pea, chickpea)
- 0260050 Lentils
- 0260990 Others
- 0270000 (vii) Stem vegetables (fresh)
- 0270010 Asparagus
- 0270020 Cardoons (*Borago officinalis* stems)
- 0270030 Celery
- 0270040 Fennel
- 0270050 Globe artichokes (Banana flower)
- 0270060 Leek

0270070	Rhubarb
0270080	Bamboo shoots
0270090	Palm hearts
0270990	Others
0280000	(viii) Fungi
0280010	Cultivated fungi (Common mushroom, oyster mushroom, shiitake, <i>fungus mycelium</i> (vegetative parts))
0280020	Wild fungi (Chanterelle, truffle, morel, cep)
0280990	Others
0290000	(ix) Sea weeds
0300000	3. PULSES, DRY
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)
0300020	Lentils
0300030	Peas (Chickpeas, field peas, chickling vetch)
0300040	Lupins
0300990	Others
0400000	4. OILSEEDS AND OILFRUITS
0401000	(i) Oilseeds
0401010	Linseed
0401020	Peanuts
0401030	Poppy seed
0401040	Sesame seed
0401050	Sunflower seed
0401060	Rape seed (Bird rapeseed, turnip rape)
0401070	Soya bean
0401080	Mustard seed
0401090	Cotton seed
0401100	Pumpkin seeds (Other seeds of <i>Cucurbitaceae</i>)
0401110	Safflower
0401120	Borage (Purple viper's bugloss/Canary flower (<i>Echium plantagineum</i>), Corn Gromwell (<i>Buglossoides arvensis</i>))
0401130	Gold of pleasure
0401140	Hempseed
0401150	Castor bean
0401990	Others
0402000	(ii) Oilfruits
0402010	Olives for oil production
0402020	Palm nuts (palmoil kernels)
0402030	Palmfruit
0402040	Kapok
0402990	Others
0500000	5. CEREALS
0500010	Barley
0500020	Buckwheat (<i>Amaranthus</i> , quinoa)

0500030	Maize
0500040	Millet (Foxtail millet, teff, finger millet, pearl millet)
0500050	Oats
0500060	Rice (Indian/wild rice (<i>Zizania aquatica</i>))
0500070	Rye
0500080	Sorghum
0500090	Wheat (Spelt, triticale)
0500990	Others (Canary grass seeds (<i>Phalaris canariensis</i>))
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA
0610000	(i) Tea
0620000	(ii) Coffee beans
0630000	(iii) Herbal infusions (dried)
0631000	(a) Flowers
0631010	Camomille flowers
0631020	Hybiscus flowers
0631030	Rose petals
0631040	Jasmine flowers (Elderflowers (<i>Sambucus nigra</i>))
0631050	Lime (linden)
0631990	Others
0632000	(b) Leaves
0632010	Strawberry leaves
0632020	Rooibos leaves (Ginkgo leaves)
0632030	Maté
0632990	Others
0633000	(c) Roots
0633010	Valerian root
0633020	Ginseng root
0633990	Others
0639000	(d) Other herbal infusions
0640000	(iv) Cocoa beans (fermented or dried)
0650000	(v) Carob (st johns bread)
0700000	7. HOPS (dried)
0800000	8. SPICES
0810000	(i) Seeds
0810010	Anise
0810020	Black caraway
0810030	Celery seed (Lovage seed)
0810040	Coriander seed
0810050	Cumin seed
0810060	Dill seed
0810070	Fennel seed
0810080	Fenugreek
0810090	Nutmeg
0810990	Others

0820000	(ii) Fruits and berries
0820010	Allspice
0820020	Sichuan pepper (Anise pepper, Japan pepper)
0820030	Caraway
0820040	Cardamom
0820050	Juniper berries
0820060	Pepper, black, green and white (Long pepper, pink pepper)
0820070	Vanilla pods
0820080	Tamarind
0820990	Others
0830000	(iii) Bark
0830010	Cinnamon (Cassia)
0830990	Others
0840000	(iv) Roots or rhizome
0840010	Liquorice
0840020	Ginger
0840030	Turmeric (Curcuma)

- (+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

0840040 Horseradish

- (+) These MRLs shall be reviewed by 31 December 2019. Reassessment of data may lead to modification of MRLs.

0840990	Others
0850000	(v) Buds
0850010	Cloves
0850020	Capers
0850990	Others
0860000	(vi) Flower stigma
0860010	Saffron
0860990	Others
0870000	(vii) Aril
0870010	Mace
0870990	Others
0900000	9. SUGAR PLANTS
0900010	Sugar beet (root)
0900020	Sugar cane
0900030	Chicory roots
0900990	Others
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS
1010000	(i) Tissue
1011000	(a) Swine
1011010	Muscle
1011020	Fat
1011030	Liver
1011040	Kidney
1011050	Edible offal
1011990	Others

1012000	(b) Bovine
1012010	Muscle
1012020	Fat
1012030	Liver
1012040	Kidney
1012050	Edible offal
1012990	Others
1013000	(c) Sheep
1013010	Muscle
1013020	Fat
1013030	Liver
1013040	Kidney
1013050	Edible offal
1013990	Others
1014000	(d) Goat
1014010	Muscle
1014020	Fat
1014030	Liver
1014040	Kidney
1014050	Edible offal
1014990	Others
1015000	(e) Horses, asses, mules or hinnies
1015010	Muscle
1015020	Fat
1015030	Liver
1015040	Kidney
1015050	Edible offal
1015990	Others
1016000	(f) Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon
1016010	Muscle
1016020	Fat
1016030	Liver
1016040	Kidney
1016050	Edible offal
1016990	Others
1017000	(g) Other farm animals (Rabbit, kangaroo, deer)
1017010	Muscle
1017020	Fat
1017030	Liver
1017040	Kidney
1017050	Edible offal
1017990	Others
1020000	(ii) Milk
1020010	Cattle
1020020	Sheep
1020030	Goat

1020040	Horse
1020990	Others
1030000	(iii) Bird eggs
1030010	Chicken
1030020	Duck
1030030	Goose
1030040	Quail
1030990	Others
1040000	(iv) Honey (Royal jelly, pollen, honey comb with honey (comb honey))
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)
1060000	(vi) Snails
1070000	(vii) Other terrestrial animal products (Wild game)

Didecyldimethylammonium chloride (mixture of alkyl-quaternary ammonium salts with alkyl chain lengths of C₈, C₁₀ and C₁₂)

(+) These MRLs shall be reviewed by 31 December 2019. Reassessment of data may lead to modification of MRLs.

0100000	1. FRUIT FRESH OR FROZEN NUTS
0110000	(i) Citrus fruit
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)
0110030	Lemons (Citron, lemon, Buddha's hand (<i>Citrus medica</i> var. <i>sarcodactylis</i>))
0110040	Limes
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids tangor (<i>Citrus reticulata</i> × <i>sinensis</i>))
0110990	Others
0120000	(ii) Tree nuts
0120010	Almonds
0120020	Brazil nuts
0120030	Cashew nuts
0120040	Chestnuts
0120050	Coconuts
0120060	Hazelnuts (Filbert)
0120070	Macadamia
0120080	Pecans
0120090	Pine nuts
0120100	Pistachios
0120110	Walnuts
0120990	Others
0130000	(iii) Pome fruit
0130010	Apples (Crab apple)
0130020	Pears (Oriental pear)
0130030	Quinces
0130040	Medlar
0130050	Loquat
0130990	Others
0140000	(iv) Stone fruit
0140010	Apricots
0140020	Cherries (Sweet cherries, sour cherries)

0140030	Peaches (Nectarines and similar hybrids)
0140040	Plums (Damson, greengage, mirabelle, sloe, red date/Chinese date/Chinese jujube (<i>Ziziphus zizyphus</i>))
0140990	Others
0150000	(v) Berries & small fruit
0151000	(a) Table and wine grapes
0151010	Table grapes
0151020	Wine grapes
0152000	(b) Strawberries
0153000	(c) Cane fruit
0153010	Blackberries
0153020	Dewberries (Loganberries, tayberries, boysenberries, cloudberrries and other <i>Rubus</i> hybrids)
0153030	Raspberries (Wineberries, arctic bramble/raspberry, (<i>Rubus arcticus</i>), nectar raspberries (<i>Rubus arcticus</i> × <i>Rubus idaeus</i>))
0153990	Others
0154000	(d) Other small fruit & berries
0154010	Blueberries (Bilberries)
0154020	Cranberries (Cowberries/red bilberries (<i>V. vitis-idaea</i>))
0154030	Currants (red, black and white)
0154040	Gooseberries (Including hybrids with other <i>Ribes</i> species)
0154050	Rose hips
0154060	Mulberries (<i>Arbutus</i> berry)
0154070	Azarole (mediteranean medlar) (Kiwiberry (<i>Actinidia arguta</i>))
0154080	Elderberries (Black chokeberry/appleberry, mountain ash, buckthorn/sea sallowthorn, hawthorn, serviceberries, and other treeberries)
0154990	Others
0160000	(vi) Miscellaneous fruit
0161000	(a) Edible peel
0161010	Dates
0161020	Figs
0161030	Table olives
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (<i>Citrus aurantifolia</i> × <i>Fortunella</i> spp.))
0161050	Carambola (Bilimbi)
0161060	Persimmon
0161070	Jambolan (java plum) (Java apple/water apple, pomerac, rose apple, Brazilian cherry, Surinam cherry/grumichama (<i>Eugenia uniflora</i>))
0161990	Others
0162000	(b) Inedible peel, small
0162010	Kiwi
0162020	Lychee (Litchi) (Pulasan, rambutan/hairy litchi, longan, mangosteen, langsung, salak)
0162030	Passion fruit
0162040	Prickly pear (cactus fruit)
0162050	Star apple
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel/yellow sapote, mammey sapote)
0162990	Others
0163000	(c) Inedible peel, large
0163010	Avocados
0163020	Bananas (Dwarf banana, plantain, apple banana)
0163030	Mangoes

0163040	Papaya
0163050	Pomegranate
0163060	Cherimoya (Custard apple, sugar apple/sweetsop, ilama (<i>Annona diversifolia</i>) and other medium sized <i>Annonaceae</i> fruits)
0163070	Guava (Red pitaya/dragon fruit (<i>Hylocereus undatus</i>))
0163080	Pineapples
0163090	Bread fruit (Jackfruit)
0163100	Durian
0163110	Soursop (guanabana)
0163990	Others
0200000	2. VEGETABLES FRESH OR FROZEN
0210000	(i) Root and tuber vegetables
0211000	(a) Potatoes
0212000	(b) Tropical root and tuber vegetables
0212010	Cassava (Dasheen, eddoe/Japanese taro, tannia)
0212020	Sweet potatoes
0212030	Yams (Potato bean/yam bean, Mexican yam bean)
0212040	Arrowroot
0212990	Others
0213000	(c) Other root and tuber vegetables except sugar beet
0213010	Beetroot
0213020	Carrots
0213030	Celeriac
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots)
0213050	Jerusalem artichokes (Crosne)
0213060	Parsnips
0213070	Parsley root
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (<i>Cyperus esculentus</i>))
0213090	Salsify (Scorzonera, Spanish salsify/Spanish oysterplant, edible burdock)
0213100	Swedes
0213110	Turnips
0213990	Others
0220000	(ii) Bulb vegetables
0220010	Garlic
0220020	Onions (Other bulb onions, silverskin onions)
0220030	Shallots
0220040	Spring onions and welsh onions (Other green onions and similar varieties)
0220990	Others
0230000	(iii) Fruiting vegetables
0231000	(a) <i>Solanacea</i>
0231010	Tomatoes (Cherry tomatoes, <i>Physalis</i> spp., gojiberry, wolfberry (<i>Lycium barbarum</i> and <i>L. chinense</i>), tree tomato)
0231020	Peppers (Chilli peppers)
0231030	Aubergines (egg plants) (Pepino, antroewa/white eggplant (<i>S. macrocarpon</i>))

0231040	Okra (lady's fingers)
0231990	Others
0232000	(b) Cucurbits — edible peel
0232010	Cucumbers
0232020	Gherkins
0232030	Courgettes (Summer squash, marrow (patisson), lauki (<i>Lagenaria siceraria</i>), chayote, sopropo/bitter melon, snake gourd, angled luffa/teroi)
0232990	Others
0233000	(c) Cucurbits-inedible peel
0233010	Melons (Kiwano)
0233020	Pumpkins (Winter squash, marrow (late variety))
0233030	Watermelons
0233990	Others
0234000	(d) Sweet corn (Baby corn)
0239000	(e) Other fruiting vegetables
0240000	(iv) Brassica vegetables
0241000	(a) Flowering brassica
0241010	Broccoli (Calabrese, Broccoli raab, Chinese broccoli)
0241020	Cauliflower
0241990	Others
0242000	(b) Head brassica
0242010	Brussels sprouts
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)
0242990	Others
0243000	(c) Leafy brassica
0243010	Chinese cabbage (Indian or Chinese) mustard, pak choi, Chinese flat cabbage/ai goo choi, choi sum, Peking cabbage/pe-tsai)
0243020	Kale (Borecole/curly kale, collards, Portuguese Kale, Portuguese cabbage, cow cabbage)
0243990	Others
0244000	(d) Kohlrabi
0250000	(v) Leaf vegetables & fresh herbs
0251000	(a) Lettuce and other salad plants including <i>Brassicaceae</i>
0251010	Lamb's lettuce (Italian corn salad)
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curly leaf endive, sugar loaf (<i>C. endivia</i> var. <i>crispum</i> / <i>C. intybus</i> var. <i>foliosum</i>), dandelion greens)
0251040	Cress (Mung bean sprouts, alfalfa sprouts)
0251050	Land cress
0251060	Rocket, Rucola (Wild rocket (<i>Diplotaxis</i> spp.))
0251070	Red mustard
0251080	Leaves and sprouts of <i>Brassica</i> spp, including turnip greens (Mizuna, leaves of peas and radish and other babyleaf crops, including brassica crops (crops harvested up to 8 true leaf stage), kohlrabi leaves)
0251990	Others

- 0252000 (b) Spinach & similar (leaves)
- 0252010 Spinach (New Zealand spinach, amaranthus spinach (pak-khom, tampara), tajar leaves, bitterblad/bitawiri)
- 0252020 Purslane (Winter purslane/miner's lettuce, garden purslane, common purslane, sorrel, glassworth, agretti (*Salsola soda*))
- 0252030 Beet leaves (chard) (Leaves of beetroot)
- 0252990 Others
- 0253000 (c) Vine leaves (grape leaves) (Malabar nightshade, banana leaves, climbing wattle (*Acacia pennata*))
- 0254000 (d) Water cress (Morning glory/Chinese convolvulus/water convolvulus/water spinach/kangkung (*Ipomea aquatica*), water clover, water mimosa)
- 0255000 (e) Witloof
- 0256000 (f) Herbs
- 0256010 Chervil
- 0256020 Chives
- 0256030 Celery leaves (Fennel leaves, coriander leaves, dill leaves, caraway leaves, lovage, angelica, sweet cicely and other *Apiacea* leaves, culantro/stinking/long coriander/stink weed (*Eryngium foetidum*))
- 0256040 Parsley (leaves of root parsley)
- 0256050 Sage (Winter savory, summer savory, *Borago officinalis* leaves)
- 0256060 Rosemary
- 0256070 Thyme (Marjoram, oregano)
- 0256080 Basil (Balm leaves, mint, peppermint, holy basil, sweet basil, hairy basil, edible flowers (marigold flower and others), pennywort, wild betel leaf, curry leaves)
- 0256090 Bay leaves (laurel) (Lemon grass)
- 0256100 Tarragon (Hyssop)
- 0256990 Others
- 0260000 (vi) Legume vegetables (fresh)
- 0260010 Beans (with pods) (Green bean/French beans/snap beans, scarlet runner bean, slicing bean, yard long beans, guar beans, soya beans)
- 0260020 Beans (without pods) (Broad beans, flageolets, jack bean, lima bean, cowpea)
- 0260030 Peas (with pods) (Mangetout/sugar peas/snow peas)
- 0260040 Peas (without pods) (Garden pea, green pea, chickpea)
- 0260050 Lentils
- 0260990 Others
- 0270000 (vii) Stem vegetables (fresh)
- 0270010 Asparagus
- 0270020 Cardoons (*Borago officinalis* stems)
- 0270030 Celery
- 0270040 Fennel
- 0270050 Globe artichokes (Banana flower)
- 0270060 Leek
- 0270070 Rhubarb
- 0270080 Bamboo shoots
- 0270090 Palm hearts
- 0270990 Others
- 0280000 (viii) Fungi
- 0280010 Cultivated fungi (Common mushroom, oyster mushroom, shiitake, *fungus mycelium* (vegetative parts))
- 0280020 Wild fungi (Chanterelle, truffle, morel, cep)
- 0280990 Others
- 0290000 (ix) Sea weeds

0300000 3. PULSES, DRY**0300010 Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)****0300020 Lentils****0300030 Peas (Chickpeas, field peas, chickling vetch)****0300040 Lupins****0300990 Others****0400000 4. OILSEEDS AND OILFRUITS****0401000 (i) Oilseeds****0401010 Linseed****0401020 Peanuts****0401030 Poppy seed****0401040 Sesame seed****0401050 Sunflower seed****0401060 Rape seed (Bird rapeseed, turnip rape)****0401070 Soya bean****0401080 Mustard seed****0401090 Cotton seed****0401100 Pumpkin seeds (Other seeds of *Cucurbitaceae*)****0401110 Safflower****0401120 Borage (Purple viper's bugloss/Canary flower (*Echium plantagineum*), Corn Gromwell (*Buglossoides arvensis*))****0401130 Gold of pleasure****0401140 Hempseed****0401150 Castor bean****0401990 Others****0402000 (ii) Oilfruits****0402010 Olives for oil production****0402020 Palm nuts (palmoil kernels)****0402030 Palmfruit****0402040 Kapok****0402990 Others****0500000 5. CEREALS****0500010 Barley****0500020 Buckwheat (*Amaranthus*, quinoa)****0500030 Maize****0500040 Millet (Foxtail millet, teff, finger millet, pearl millet)****0500050 Oats****0500060 Rice (Indian/wild rice (*Zizania aquatica*))****0500070 Rye****0500080 Sorghum****0500090 Wheat (Spelt, triticale)****0500990 Others (Canary grass seeds (*Phalaris canariensis*))****0600000 6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA****0610000 (i) Tea****0620000 (ii) Coffee beans****0630000 (iii) Herbal infusions (dried)****0631000 (a) Flowers****0631010 Camomille flowers**

0631020	Hybiscus flowers
0631030	Rose petals
0631040	Jasmine flowers (Elderflowers (<i>Sambucus nigra</i>))
0631050	Lime (linden)
0631990	Others
0632000	(b) Leaves
0632010	Strawberry leaves
0632020	Rooibos leaves (Ginkgo leaves)
0632030	Maté
0632990	Others
0633000	(c) Roots
0633010	Valerian root
0633020	Ginseng root
0633990	Others
0639000	(d) Other herbal infusions
0640000	(iv) Cocoabeans (fermented or dried)
0650000	(v) Carob (st johns bread)
0700000	7. HOPS (dried)
0800000	8. SPICES
0810000	(i) Seeds
0810010	Anise
0810020	Black caraway
0810030	Celery seed (Lovage seed)
0810040	Coriander seed
0810050	Cumin seed
0810060	Dill seed
0810070	Fennel seed
0810080	Fenugreek
0810090	Nutmeg
0810990	Others
0820000	(ii) Fruits and berries
0820010	Allspice
0820020	Sichuan pepper (Anise pepper, Japan pepper)
0820030	Caraway
0820040	Cardamom
0820050	Juniper berries
0820060	Pepper, black, green and white (Long pepper, pink pepper)
0820070	Vanilla pods
0820080	Tamarind
0820990	Others
0830000	(iii) Bark
0830010	Cinnamon (Cassia)
0830990	Others
0840000	(iv) Roots or rhizome
0840010	Liquorice
0840020	Ginger
0840030	Turmeric (Curcuma)

- (+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

0840040 Horseradish

- (+) These MRLs shall be reviewed by 31 December 2019. Reassessment of data may lead to modification of MRLs.

0840990 Others

0850000 (v) Buds

0850010 Cloves

0850020 Capers

0850990 Others

0860000 (vi) Flower stigma

0860010 Saffron

0860990 Others

0870000 (vii) Aril

0870010 Mace

0870990 Others

0900000 9. SUGAR PLANTS

0900010 Sugar beet (root)

0900020 Sugar cane

0900030 Chicory roots

0900990 Others

1000000 10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS

1010000 (i) Tissue

1011000 (a) Swine

1011010 Muscle

1011020 Fat

1011030 Liver

1011040 Kidney

1011050 Edible offal

1011990 Others

1012000 (b) Bovine

1012010 Muscle

1012020 Fat

1012030 Liver

1012040 Kidney

1012050 Edible offal

1012990 Others

1013000 (c) Sheep

1013010 Muscle

1013020 Fat

1013030 Liver

1013040 Kidney

1013050 Edible offal

1013990 Others

1014000 (d) Goat

1014010 Muscle

1014020 Fat

1014030 Liver

1014040	Kidney
1014050	Edible offal
1014990	Others
1015000	(e) Horses, asses, mules or hinnies
1015010	Muscle
1015020	Fat
1015030	Liver
1015040	Kidney
1015050	Edible offal
1015990	Others
1016000	(f) Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon
1016010	Muscle
1016020	Fat
1016030	Liver
1016040	Kidney
1016050	Edible offal
1016990	Others
1017000	(g) Other farm animals (Rabbit, kangaroo, deer)
1017010	Muscle
1017020	Fat
1017030	Liver
1017040	Kidney
1017050	Edible offal
1017990	Others
1020000	(ii) Milk
1020010	Cattle
1020020	Sheep
1020030	Goat
1020040	Horse
1020990	Others
1030000	(iii) Bird eggs
1030010	Chicken
1030020	Duck
1030030	Goose
1030040	Quail
1030990	Others
1040000	(iv) Honey (Royal jelly, pollen, honey comb with honey (comb honey))
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)
1060000	(vi) Snails
1070000	(vii) Other terrestrial animal products (Wild game)'

COMMISSION REGULATION (EU) No 1120/2014**of 20 October 2014****establishing a prohibition of fishing for whiting in VIIb, VIIc, VIId, VIle, VIIf, VIIg, VIIh, VIIj and VIIk by vessels flying the flag of Spain**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾, lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 20 October 2014.

For the Commission,
On behalf of the President,
Lowri EVANS
Director-General for Maritime Affairs
and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

ANNEX

No	52/TQ43
Member State	Spain
Stock	WHG/7X7A-C
Species	Whiting (<i>Merlangius merlangus</i>)
Zone	VIIb, VIIc, VIId, VIIe, VIIf, VIIg, VIIh, VIIj and VIIk
Closing date	16.9.2014

COMMISSION REGULATION (EU) No 1121/2014
of 20 October 2014
establishing a prohibition of fishing for common sole in VIIIa and VIIIb by vessels flying the flag of Spain

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾, lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

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

Article 3

Entry into force

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

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

Done at Brussels, 20 October 2014.

For the Commission,
On behalf of the President,
Lowri EVANS
Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

ANNEX

No	53/TQ43
Member State	Spain
Stock	SOL/8AB.
Species	Common sole (<i>solea solea</i>)
Zone	VIIIa and VIIIb
Closing date	16.9.2014

COMMISSION REGULATION (EU) No 1122/2014**of 20 October 2014****establishing a prohibition of fishing for white marlin in the Atlantic Ocean by vessels flying the flag of Spain**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾ lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 20 October 2014.

For the Commission,

On behalf of the President,

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

ANNEX

No	57/TQ43
Member State	Spain
Stock	WHM/ATLANT
Species	White marlin (<i>Tetrapturus albidus</i>)
Zone	Atlantic Ocean
Closing date	26.9.2014

COMMISSION REGULATION (EU) No 1123/2014**of 22 October 2014****amending Directive 2008/38/EC establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC ⁽¹⁾, and in particular Article 10(5) thereof,

Whereas:

- (1) The Commission received in accordance with Article 10 of Regulation (EC) No 767/2009 an application to add the particular nutritional purpose 'stabilisation of water and electrolyte balance to support the physiological digestion' and to add to the particular nutritional purpose 'support of renal function in case of chronic renal insufficiency' adult dogs as target species to the list of intended uses of feed intended for particular nutritional purposes in Part B of Annex I to Commission Directive 2008/38/EC ⁽²⁾.
- (2) Furthermore, the Commission received in accordance with Article 10 of Regulation (EC) No 767/2009 applications to change the conditions associated with the particular nutritional purposes 'support of heart function in the case of chronic cardiac insufficiency' and 'support of renal function in case of chronic renal insufficiency' as regards 'cats and dogs' and 'reduction of copper in the liver'.
- (3) The Commission made all applications, including the dossiers, available to the Member States.
- (4) After assessing the dossiers included in those applications, the Standing Committee on the Food Chain and Animal Health (the Committee) acknowledged that the specific composition of the feeds concerned fulfils the respective particular intended nutritional purposes and that it has no adverse effects on animal health, human health, the environment or animal welfare. The applications are therefore valid.
- (5) As a result of the assessment of the Committee, the particular nutritional purposes 'stabilisation of water and electrolyte balance to support the physiological digestion' and 'support of renal function in case of chronic renal insufficiency' for adult dogs should be added to the list of intended uses and the conditions associated with the particular nutritional purposes 'support of heart function in the case of chronic cardiac insufficiency' and 'support of renal function in case of chronic renal insufficiency' as regards 'cats and dogs' and 'reduction of copper in the liver' should be changed. As a consequence of the new entry 'stabilisation of water and electrolyte balance to support the physiological digestion', the particular nutritional purpose 'stabilisation of water and electrolyte balance' is no longer necessary and should be deleted.
- (6) In order to ensure compliance with the maximum contents for certain nutrients established as 'essential nutritional characteristics' of some particular nutritional purposes, the requirement to place the respective dietetic feed as complete feed on the market should be foreseen. This provision would also ensure the safe use of the feed concerned.
- (7) Annex I to Directive 2008/38/EC as amended by Commission Regulation (EU) No 5/2014 ⁽³⁾ established the incorporation of feed additives of the functional group 'Gut flora stabiliser' as referred to in Annex I to Regulation (EC) No 1831/2003 of the European Parliament and of the Council ⁽⁴⁾ into certain feed for particular nutritional purposes. However, feed additives currently registered in the group 'micro-organisms' and being in the

⁽¹⁾ OJ L 229, 1.9.2009, p. 1.

⁽²⁾ Commission Directive 2008/38/EC of 5 March 2008 establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes (OJ L 62, 6.3.2008, p. 9).

⁽³⁾ Commission Regulation (EU) No 5/2014 of 6 January 2014 amending Directive 2008/38/EC establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes (OJ L 2, 7.1.2014, p. 3).

⁽⁴⁾ Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition (OJ L 268, 18.10.2003, p. 29).

re-authorisation procedure as referred to in Article 10 of Regulation (EC) No 1831/2003 could be similarly incorporated into those feeds for particular nutritional purposes. Consequently, the existing feed additives of the group 'micro-organisms' should, pending their re-authorisation, be also covered by Annex I to Directive 2008/38/EC.

- (8) Directive 2008/38/EC should therefore be amended accordingly.
- (9) Since safety reasons do not require the immediate application of the modifications for the feed currently legally placed on the market, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Committee and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Directive 2008/38/EC is amended in accordance with the Annex to this Regulation.

Article 2

Feed included in the Annex to this Regulation that has been produced and labelled before 12 May 2015 and which is in compliance with Directive 2008/38/EC before entry into force of this Regulation may continue to be placed on the market and used until the existing stocks are exhausted. In case this feed is intended for pets, the date mentioned in the last sentence is 12 November 2016.

Article 3

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

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

Done at Brussels, 22 October 2014.

For the Commission

The President

José Manuel BARROSO

Part B of Annex I to Directive 2008/38/EC is amended as follows:

(a) The row of the particular nutritional purpose 'support of heart function in the case of chronic cardiac insufficiency' is replaced by the following:

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
'Support of heart function in the case of chronic cardiac insufficiency'	Level of sodium restricted to be lower than 2,6 g/kg complete pet food with a moisture content of 12 %	Dogs and cats	— Magnesium — Potassium — Sodium	Initially up to 6 months	— The feed shall be placed on the market as complete feed. — Indicate on the labelling: "It is recommended that advice from a veterinarian be sought before use and before extending the period of use."

(b) The row of the particular nutritional purpose 'support of renal function in case of chronic renal insufficiency' is replaced by the following:

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
'Support of renal function in case of chronic renal insufficiency (*)	High quality proteins and restricted levels of phosphorus maximum 5 g/kg complete pet food with a moisture content of 12 % and crude protein maximum 220 g/kg complete pet food with a moisture content of 12 % or	Dogs	— Protein source(s) — Calcium — Phosphorus — Potassium — Sodium — Content of essential fatty acids (if added)	Initially up to 6 months (**)	— The feed shall be placed on the market as complete feed. — Recommended digestibility of proteins: minimum 85 %. — Indicate on the labelling: "It is recommended that advice from a veterinarian be sought before use and before extending the period of use." — Indicate in the instructions for use: "Water should be available at all times."
	Reduced phosphorus absorption by means of incorporation of Lanthanum carbonate octahydrate	Adult dogs	— Protein source(s) — Calcium — Phosphorus — Potassium — Sodium	Initially up to 6 months (**)	— Indicate on the labelling: "It is recommended that advice from a veterinarian be sought before use and before extending the period of use." — Indicate in the instructions for use: "Water should be available at all times."

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
			— Content of essential fatty acids (if added) — Lanthanum carbonate octahydrate		
	High quality proteins and restricted levels of phosphorus maximum 6,2 g/kg complete pet food with a moisture content of 12 % and crude protein maximum 320 g/kg complete pet food with a moisture content of 12 % or	Cats	— Protein source(s) — Calcium — Phosphorus — Potassium — Sodium — Content of essential fatty acids (if added)	Initially up to 6 months (**)	— The feed shall be placed on the market as complete feed. — Recommended digestibility of proteins: minimum 85 %. — Indicate on the labelling: “It is recommended that advice from a veterinarian be sought before use and before extending the period of use.” — Indicate in the instructions for use: “Water should be available at all times.”
	Reduced phosphorus absorption by means of incorporation of Lanthanum carbonate octahydrate	Adult cats	— Protein source(s) — Calcium — Phosphorus — Potassium — Sodium — Content of essential fatty acids (if added) — Lanthanum carbonate octahydrate	Initially up to 6 months (**)	— Indicate on the labelling: “It is recommended that advice from a veterinarian be sought before use and before extending the period of use.” — Indicate in the instructions for use: “Water should be available at all times.”

(*) If appropriate the manufacturer may also recommend use for temporary renal insufficiency.

(**) If the feed is recommended for temporary renal insufficiency the recommended period for use shall be two to four weeks.’

(c) The row of the particular nutritional purpose ‘reduction of copper in the liver’ is replaced by the following:

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
‘Reduction of copper in the liver	Restricted level of copper: maximum 8,8 mg/kg complete pet food with a moisture content of 12 %	Dogs	Total copper	Initially up to 6 months	— The feed shall be placed on the market as complete feed. — Indicate on the labelling: “It is recommended that advice from a veterinarian be sought before use and before extending the period of use.”

(d) The row of the particular nutritional purpose 'reduction of iodine levels in feed in case of hyperthyroidism' is replaced by the following:

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
'Reduction of iodine levels in feed in case of hyperthyroidism'	Restricted level of iodine: maximum 0,26 mg/kg complete pet food with a moisture content of 12 %	Cats	Total iodine	Initially up to 3 months	— The feed shall be placed on the market as complete feed. — Indicate on the labelling: "It is recommended that advice from a veterinarian be sought before use and before extending the period of use."

(e) The row for the particular nutritional purpose 'stabilisation of water and electrolyte balance' is replaced by the following:

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
'Stabilisation of water and electrolyte balance to support the physiological digestion'	— Predominantly electrolytes: sodium, potassium and chlorides — Buffering capacity (*): minimum 60 mmol per litre potion ready prepared for feeding — Easily digestible carbohydrates	Calves, pigs, lambs, kids and foals	— Sodium — Potassium — Chlorides — Carbohydrate source(s) — Bicarbonates and/or citrates (if added)	1 to 7 days	— Recommended range of electrolytes per litre potion ready prepared for feeding: Sodium: 1,7 g – 3,5 g Potassium: 0,4 g – 2,0 g Chlorides: 1 g – 2,8 g — Indicate on the labelling: (1) 'In case of risk of, during periods of, or recovery from digestive disturbance (diarrhoea).' (2) 'It is recommended that advice from a veterinarian be sought before use and before extending the period of use.' — Indicate in the instructions for use: (1) The recommended intake of the ready stirred potion and of milk, if appropriate. (2) In case of bicarbonates and/or citrates are above 40 mmol per litre potion ready prepared for feeding: 'Simultaneous feeding of milk should be avoided in animals with abomasum'

(*) Calculated by the Strong Ion Difference method (SID-Value): SID is the difference between the sums of concentrations of the strong cations and strong anions; $[SID] = [mmol Na^+/l] + [mmol K^+/l] + [mmol Ca^{++}/l] + [mmol Mg^{++}/l] - [mmol Cl^-/l] - [mmol Other Strong Anions/l]$.

(f) The row of the particular nutritional purpose 'nutritional restoration, convalescence', species or category of animals 'Dogs' is replaced by the following:

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
	'The complementary feed may contain <i>Enterococcus faecium</i> DSM 10663/NCIMB 10415 in a concentration higher than 100 times the relevant fixed maximum content in complete feed.	Dogs	<i>Enterococcus faecium</i> DSM 10663/NCIMB 10415 including added amount	10 to 15 days	— The instructions for use of the feed shall ensure that the legal maximum content of the gut flora stabiliser/micro-organism for complete feed is respected. — Indicate on the labelling: "It is recommended that advice from a veterinarian be sought before use and before extending the period of use."

(g) The row of the particular nutritional purpose 'stabilisation of physiological digestion', species or category of animals 'Animal species for which the gut flora stabiliser is authorised' is replaced by the following

Particular nutritional purpose	Essential nutritional characteristics	Species or category of animal	Labelling declarations	Recommended length of time	Other provisions
	'Feed additives of the functional group 'Gut flora stabiliser' of the category 'zootechnical additives' as referred to in Annex I to Regulation (EC) No 1831/2003 or, pending the re-authorisation procedure as referred to in Article 10 of Regulation (EC) No 1831/2003, feed additives of the group 'micro-organisms'. The complementary feed may contain feed additives of the functional group of 'gut flora stabilisers/micro-organisms' in a concentration higher than 100 times the relevant fixed maximum content in complete feed.	Animal species for which the gut flora stabiliser/micro-organism is authorised	Name and added amount of the gut flora stabiliser/micro-organism	Up to 4 weeks	— Indicate on the labelling of the feed: (1) 'In case of risk of, during periods of, or recovery from digestive disturbance.' (2) If applicable: 'The feed contains a gut flora stabiliser/micro-organism in a concentration above 100 times the authorised maximum content in complete feed.' — The instructions for use of the feed shall ensure that the legal maximum content of the gut flora stabiliser/micro-organism for complete feed is respected.'

COMMISSION IMPLEMENTING REGULATION (EU) No 1124/2014**of 22 October 2014****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽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 multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (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, 22 October 2014.

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

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	56,9
	MA	97,6
	MK	63,6
	XS	78,2
	ZZ	74,1
0707 00 05	AL	54,3
	MK	50,7
	TR	164,7
	ZZ	89,9
0709 93 10	TR	145,6
	ZZ	145,6
0805 50 10	AR	78,7
	CL	106,8
	TR	107,1
	UY	86,1
	ZA	96,2
	ZZ	95,0
0806 10 10	BR	237,9
	MD	39,0
	PE	346,9
	TR	150,1
	ZZ	193,5
0808 10 80	BA	34,8
	BR	51,3
	CL	87,1
	CN	117,7
	NZ	143,4
	US	191,0
	ZA	111,1
	ZZ	105,2
0808 30 90	TR	116,3
	ZZ	116,3

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DIRECTIVES

COMMISSION DIRECTIVE 2014/99/EU

of 21 October 2014

amending, for the purposes of its adaptation to technical progress, Directive 2009/126/EC on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/126/EC of the European Parliament and of the Council of 21 October 2009 on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations ⁽¹⁾, and in particular Article 8 thereof,

Whereas:

- (1) Directive 2009/126/EC provides for the technical adaptation of its Articles 4 and 5 to technical progress where necessary to ensure consistency with any relevant standard drawn up by the European Committee for Standardisation (CEN).
- (2) On 25 September 2013, CEN made available Standards EN 16321-1:2013 and EN 16321-2:2013. Standard EN 16321-1:2013 specifies the test methods for the type approval of petrol vapour recovery systems for use in service stations. Standard EN 16321-2:2013 specifies the test methods to be used at service stations to verify the operation of such vapour recovery systems.
- (3) A technical adaptation of Articles 4 and 5 of Directive 2009/126/EC is therefore necessary in order to ensure consistency with those standards.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee established by Article 9(1) of Directive 2009/126/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 2009/126/EC is amended as follows:

- (1) in Article 4, paragraph 1 is replaced by the following:

‘1. Member States shall ensure, with effect from the date on which Stage II petrol vapour recovery systems become mandatory pursuant to Article 3, that the petrol vapour capture efficiency of such systems is equal to or greater than 85 % as certified by the manufacturer in accordance with Standard EN 16321-1:2013.’;

- (2) in Article 5, paragraph 1 is replaced by the following:

‘1. Member States shall ensure that the in-service petrol vapour capture efficiency of Stage II petrol vapour recovery systems is tested at least once each year in accordance with Standard EN 16321-2:2013.’.

Article 2

1. Member States shall adopt and publish, by 12 May 2016 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

⁽¹⁾ OJ L 285, 31.10.2009, p. 36.

They shall apply those provisions from 13 May 2016.

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, 21 October 2014.

For the Commission

The President

José Manuel BARROSO

DECISIONS

COUNCIL DECISION

of 9 October 2014

on the position to be adopted on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, as regards the replacement of Protocol 4 to that Agreement, concerning the definition of the concept of ‘originating products’ and methods of administrative cooperation, by a new protocol which, as regards the rules of origin, refers to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin

(2014/734/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(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ⁽¹⁾ (‘the Agreement’) concerns the definition of the concept of ‘originating products’ and methods of administrative cooperation, (‘Protocol 4’).
- (2) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ (‘the Convention’) lays down provisions on the origin of goods traded under relevant agreements concluded between the contracting parties to the Convention. The former Yugoslav Republic of Macedonia and other participants to the Stabilisation and Association Process from the Western Balkans were invited to join the system of pan-European diagonal cumulation of origin in the Thessaloniki agenda, endorsed by the European Council of June 2003. They were invited to join the Convention by a decision of the Euro-Mediterranean Ministerial Conference of October 2007.
- (3) The Union and the former Yugoslav Republic of Macedonia signed the Convention on 15 June 2011.
- (4) The Union and the former Yugoslav Republic of Macedonia deposited their instruments of acceptance with the depositary of the Convention on 26 March 2012 and 14 June 2012 respectively. As a consequence, in application of Article 10(3) of the Convention, the Convention entered into force in relation to the Union and the former Yugoslav Republic of Macedonia on 1 May 2012 and on 1 August 2012 respectively.
- (5) Article 6 of the Convention provides that each contracting party to the Convention is to take appropriate measures to ensure that the Convention is effectively applied. To that effect, the Stabilisation and Association Council established by the Agreement should adopt a decision replacing Protocol 4 by a new protocol which, with regard to the rules of origin, refers to the Convention.
- (6) The position of the Union within the Stabilisation and Association Council should therefore be based on the attached draft decision,

⁽¹⁾ OJ L 84, 20.3.2004, p. 13.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be adopted on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, as regards the replacement of Protocol 4 to that Agreement, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, by a new protocol which, as regards the rules of origin, refers to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, shall be based on the draft decision of the Stabilisation and Association Council attached to this Decision.

2. Minor changes to the draft decision of the Stabilisation and Association Council may be agreed to by the representatives of the Union in the Stabilisation and Association Council without further decision of the Council.

Article 2

The decision of the Stabilisation and Association Council shall be published in the *Official Journal of the European Union*.

Article 3

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

Done at Luxembourg, 9 October 2014.

For the Council
The President
A. ALFANO

DRAFT

DECISION No ... OF THE EU-FORMER YUGOSLAV REPUBLIC OF MACEDONIA STABILISATION AND ASSOCIATION COUNCIL**of****replacing Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation**

THE EU-FORMER YUGOSLAV REPUBLIC OF MACEDONIA STABILISATION AND ASSOCIATION COUNCIL,

Having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ⁽¹⁾, and in particular Article 40 thereof,

Having regard to Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation,

Whereas:

- (1) Article 40 of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ('the Agreement') refers to Protocol 4 to the Agreement ('Protocol 4') which lays down the rules of origin and provides for cumulation of origin between the Union, the former Yugoslav Republic of Macedonia, Turkey and any country or territory participating in the Union's Stabilisation and Association Process.
- (2) Article 39 of Protocol 4 provides that the Stabilisation and Association Council provided for in Article 108 of the Agreement may decide to amend the provisions of Protocol 4.
- (3) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ ('the Convention') aims to replace the protocols on rules of origin currently in force among the countries of the pan-Euro-Mediterranean area with a single legal act. The former Yugoslav Republic of Macedonia and other participants to the Stabilisation and Association Process from the Western Balkans were invited to join the system of pan-European diagonal cumulation of origin in the Thessaloniki agenda, endorsed by the European Council of June 2003. They were invited to join the Convention by a decision of the Euro-Mediterranean Ministerial Conference of October 2007.
- (4) The Union and the former Yugoslav Republic of Macedonia signed the Convention on 15 June 2011.
- (5) The Union and the former Yugoslav Republic of Macedonia deposited their instruments of acceptance with the depositary of the Convention on 26 March 2012 and 14 June 2012, respectively. Consequently, in application of Article 10(3) of the Convention, the Convention entered into force in relation to the European Union and the former Yugoslav Republic of Macedonia on 1 May 2012 and on 1 August 2012, respectively.
- (6) Where the transition towards the Convention is not simultaneous for all contracting parties to the Convention within the cumulation zone, it should not lead to any less favourable situation than previously under Protocol 4.
- (7) Protocol 4 should therefore be replaced by a new protocol making reference to the Convention,

HAS ADOPTED THIS DECISION:

Article 1

Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation shall be replaced by the text set out in the Annex to this Decision.

⁽¹⁾ OJ L 84, 20.3.2004, p. 13.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

Article 2

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

It shall apply from

Done at ...,

*For the EU-former Yugoslav Republic of Macedonia
Stabilisation and Association Council
The President*

ANNEX

Protocol 4**concerning the definition of the concept of ‘originating products’ and methods of administrative cooperation***Article 1***Applicable rules of origin**

1. For the purpose of implementing this Agreement, Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽¹⁾ (‘the Convention’) shall apply.
2. All references to the ‘relevant agreement’ in Appendix I and in the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin shall be construed so as to mean this Agreement.

*Article 2***Dispute settlement**

1. Where disputes arise in relation to the verification procedures of Article 32 of Appendix I to the Convention that cannot be settled between the customs authorities requesting the verification and the customs authorities responsible for carrying out that verification, they shall be submitted to the Stabilisation and Association Council.
2. In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall take place under the legislation of that country.

*Article 3***Amendments to the Protocol**

The Stabilisation and Association Council may decide to amend the provisions of this Protocol.

*Article 4***Withdrawal from the Convention**

1. Should either the European Union or the former Yugoslav Republic of Macedonia give notice in writing to the depositary of the Convention of their intention to withdraw from the Convention according to Article 9 thereof, the European Union and the former Yugoslav Republic of Macedonia shall immediately enter into negotiations on rules of origin for the purpose of implementing this Agreement.
2. Until the entry into force of such newly negotiated rules of origin, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention, applicable at the moment of withdrawal, shall continue to apply to this Agreement. However, as of the moment of withdrawal, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention shall be construed so as to allow bilateral cumulation between the European Union and the former Yugoslav Republic of Macedonia only.

*Article 5***Transitional provisions — cumulation**

1. Notwithstanding Article 3 of Appendix I to the Convention, the rules on cumulation provided for in Articles 3 and 4 of this Protocol, as amended by the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union ⁽²⁾, shall continue to apply between the European Union and the former Yugoslav Republic of Macedonia until the Convention has entered into application with relation to all Contracting Parties listed in Articles 3 and 4 of this Protocol.

⁽¹⁾ OJ L 54, 26.2.2013, p. 4.

⁽²⁾ OJ L 99, 10.4.2008, p. 2.

2. Notwithstanding Articles 16(5) and 21(3) of Appendix I to the Convention, where cumulation involves only EFTA States, the Faroe Islands, the European Union, Turkey and the participants in the Stabilisation and Association Process, the proof of origin may be a movement certificate EUR.1 or an origin declaration.

COUNCIL DECISION**of 9 October 2014**

on the position to be adopted on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, as regards the replacement of Protocol 3 to that Agreement, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, by a new protocol which, as regards the rules of origin, refers to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin

(2014/735/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(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Protocol 3 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part ⁽¹⁾ ('the Agreement'), concerns the definition of the concept of 'originating products' and methods of administrative cooperation ('Protocol 3').
- (2) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ ('the Convention') lays down provisions on the origin of goods traded under relevant agreements concluded between the contracting parties. Montenegro and other participants to the Stabilisation and Association Process from the Western Balkans were invited to join the system of pan-European diagonal cumulation of origin in the Thessaloniki agenda, endorsed by the European Council of June 2003. They were invited to join the Convention by a decision of the Euro-Mediterranean Ministerial Conference of October 2007.
- (3) The Union and Montenegro signed the Convention on 15 June 2011.
- (4) The Union and Montenegro deposited their instruments of acceptance with the depositary of the Convention on 26 March 2012 and 2 July 2012, respectively. As a consequence, in application of Article 10(3) of the Convention, the Convention entered into force in relation to the Union and Montenegro on 1 May 2012 and on 1 September 2012, respectively.
- (5) Article 6 of the Convention provides that each contracting party is to take appropriate measures to ensure that the Convention is effectively applied. To that effect, the Stabilisation and Association Council established by the Agreement should adopt a decision replacing Protocol 3 by a new protocol which, with regard to the rules of origin, refers to the Convention.
- (6) The position of the Union within the Stabilisation and Association Council should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, as regards the replacement of Protocol 3 to that Agreement, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, by a new protocol which, as regards the rules of origin, refers to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, shall be based on the draft decision of the Stabilisation and Association Council attached to this Decision.

⁽¹⁾ OJ L 108, 29.4.2010, p. 3.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

Minor changes to the draft decision of the Stabilisation and Association Council may be agreed to by the representatives of the Union in the Stabilisation and Association Council without further decision of the Council.

Article 2

The decision of the Stabilisation and Association Council shall be published in the *Official Journal of the European Union*.

Article 3

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

Done at Luxembourg, 9 October 2014.

For the Council

The President

A. ALFANO

DRAFT

DECISION No ... OF THE EU-MONTENEGRO STABILISATION AND ASSOCIATION COUNCIL**of****replacing Protocol 3 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation**

THE EU-MONTENEGRO STABILISATION AND ASSOCIATION COUNCIL,

Having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, signed in Luxembourg on 15 October 2007 ⁽¹⁾, and in particular Article 44 thereof,

Having regard to Protocol 3 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation,

Whereas:

- (1) Article 44 of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part ('the Agreement') refers to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation ('Protocol 3'), which lays down the rules of origin and provides for cumulation of origin between the Union, Montenegro, Turkey and any country or territory participating in the Union's Stabilisation and Association Process.
- (2) Article 39 of Protocol 3 provides that the Stabilisation and Association Council established by Article 119 of the Agreement may decide to amend the provisions of that protocol.
- (3) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ ('the Convention') aims to replace the protocols on rules of origin currently in force among the countries of the pan-Euro-Mediterranean area with a single legal act. Montenegro and other participants to the Stabilisation and Association Process from the Western Balkans were invited to join the system of pan-European diagonal cumulation of origin in the Thessaloniki agenda, endorsed by the European Council of June 2003. They were invited to join the Convention by a decision of the Euro-Mediterranean Ministerial Conference of October 2007.
- (4) The Union and Montenegro signed the Convention on 15 June 2011.
- (5) The Union and Montenegro deposited their instruments of acceptance with the depositary of the Convention on 26 March 2012 and 2 July 2012, respectively. Consequently, in application of Article 10(3) of the Convention, the Convention entered into force in relation to the Union and Montenegro on 1 May 2012 and on 1 September 2012, respectively.
- (6) Where the transition towards the Convention is not simultaneous for all Contracting Parties within the cumulation zone, it should not lead to any less favourable situation than previously under Protocol 3.
- (7) Protocol 3 should therefore be replaced by a new protocol making reference to the Convention,

HAS ADOPTED THIS DECISION:

Article 1

Protocol 3 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation is replaced by the text set out in the Annex to this Decision.

⁽¹⁾ OJ L 108, 29.4.2010, p. 3.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

Article 2

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

It shall apply from 1 September 2014.

Done at

For the Stabilisation and Association Council
The President

ANNEX

Protocol 3**concerning the definition of the concept of ‘originating products’ and methods of administrative cooperation***Article 1***Applicable rules of origin**

For the purpose of implementing this Agreement, Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽¹⁾ (‘the Convention’) shall apply.

All references to the ‘relevant agreement’ in Appendix I and in the relevant provisions of Appendix II to the Convention shall be construed so as to mean this Agreement.

*Article 2***Dispute settlement**

Where disputes arise in relation to the verification procedures of Article 32 of Appendix I to the Convention that cannot be settled between the customs authorities requesting the verification and the customs authorities responsible for carrying out this verification, they shall be submitted to the Stabilisation and Association Council.

In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall take place under the legislation of that country.

*Article 3***Amendments to the Protocol**

The Stabilisation and Association Council may decide to amend the provisions of this Protocol.

*Article 4***Withdrawal from the Convention**

1. Should either the European Union or Montenegro give notice in writing to the depositary of the Convention of their intention to withdraw from the Convention according to Article 9 thereof, the European Union and Montenegro shall immediately enter into negotiations on rules of origin for the purpose of implementing this Agreement.
2. Until the entry into force of such newly negotiated rules of origin, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention, applicable at the moment of withdrawal, shall continue to apply to this Agreement. However, as of the moment of withdrawal, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention shall be construed so as to allow bilateral cumulation between the European Union and Montenegro only.

*Article 5***Transitional provisions — cumulation**

1. Notwithstanding Article 3 of Appendix I to the Convention, the rules on cumulation provided for in Articles 3 and 4 of Protocol 3 to this Agreement, as adopted by the European Union and Montenegro on concluding the Agreement ⁽²⁾, shall continue to apply between the Parties to this Agreement until the Convention has become applicable for all Contracting Parties to the Convention listed in those Articles.
2. Notwithstanding Articles 16(5) and 21(3) of Appendix I to the Convention, where cumulation involves only EFTA States, the Faroe Islands, the European Union, Turkey and the participants in the Stabilisation and Association Process, the proof of origin may be a movement certificate EUR.1 or an origin declaration.

⁽¹⁾ OJ L 54, 26.2.2013, p. 4.

⁽²⁾ OJ L 108, 29.4.2010, p. 3.

COMMISSION IMPLEMENTING DECISION**of 22 October 2014****correcting the Annex to Implementing Decision 2014/461/EU on a temporary derogation from Council Decision 2013/755/EU, as regards the rules of origin for prepared and preserved shrimps and prawns from Greenland**

(2014/736/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (Overseas Association Decision) ⁽¹⁾, and in particular Article 16 of Annex VI thereto,

Whereas:

- (1) In all the language versions of Commission Implementing Decision 2014/461/EU ⁽²⁾, part of the Order Number indicated in the table in the Annex to that Decision for the goods covered by the derogation from Decision 2013/755/EU was omitted. The complete Order Number should be 09.0691.
- (2) Operators in the Union cannot claim the benefit of the tariff quota without the exact Order Number entered in Box 39 of the Single Administrative Document referred to in Article 205(1) of Commission Regulation (EEC) No 2454/93 ⁽³⁾ in combination with the corresponding tariff treatment code in Box 36.
- (3) Implementing Decision 2014/461/EU entered into force on 15 July 2014 but applied retroactively from 1 January 2014. This Decision should therefore also apply retroactively from 1 January 2014.
- (4) In order to avoid unnecessary economic consequences for operators, it is necessary to ensure an imminent entry into force so that operators in the Union can claim the benefit of the tariff quota within the shortest delay.
- (5) Implementing Decision 2014/461/EU should therefore be corrected accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS DECISION:

Article 1

In the table in the Annex to Implementing Decision 2014/461/EU, the Order Number '09.xxxx' is replaced by '09.0691'.

⁽¹⁾ OJ L 344, 19.12.2013, p. 1.⁽²⁾ Commission Implementing Decision 2014/461/EU of 14 July 2014 on a temporary derogation from Council Decision 2013/755/EU, as regards the rules of origin for prepared and preserved shrimps and prawns from Greenland (OJ L 207, 15.7.2014, p. 20).⁽³⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

Article 2

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

It shall apply from 1 January 2014.

Done at Brussels, 22 October 2014.

For the Commission

The President

José Manuel BARROSO

