

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1831

of 14 October 2016

amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea ⁽¹⁾, and in particular Article 13(1)(g) thereof,

Whereas:

- (1) Regulation (EC) No 329/2007 gives effect to measures provided for in Council Decision (CFSP) 2016/849 ⁽²⁾.
- (2) On 2 March 2016, the United Nations Security Council adopted Resolution (UNSCR) 2270 (2016) providing for new measures against North Korea. In accordance with that Resolution, on 4 April 2016 the Sanctions Committee established pursuant to UNSCR 1718 (2006) published a list of additional goods to which prohibitions on the transfer, procurement and provision of technical assistance apply (the 'sensitive goods' list).
- (3) Following the adoption of Resolution (UNSCR) 2270 (2016), on 4 August 2016 the Council adopted Decision (CFSP) 2016/1341 ⁽³⁾. Council Regulation (EU) 2016/1333 ⁽⁴⁾ amended Regulation (EC) No 329/2007 accordingly, adding Annex Ig.
- (4) This proposal identifies the sensitive goods to be included in Annex Ig of Regulation (EC) No 329/2007 and allocates the reference numbers taken from the Combined Nomenclature as set out in Annex I to Council Regulation (EEC) No 2658/87 ⁽⁵⁾. Annex Ig of Regulation (EC) No 329/2007 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex Ig to Regulation (EC) No 329/2007 is amended in accordance with the Annex to this Regulation.

Article 2

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

⁽¹⁾ OJ L 88 29.3.2007, p. 1.

⁽²⁾ Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP (OJ L 141, 28.5.2016, p. 79).

⁽³⁾ Council Decision (CFSP) 2016/1341 of 4 August 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 212, 5.8.2016, p. 116).

⁽⁴⁾ Council Regulation (EU) 2016/1333 of 4 August 2016 amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea (OJ L 212, 5.8.2016, p. 1).

⁽⁵⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

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

Done at Brussels, 14 October 2016.

*For the Commission,
On behalf of the President,
Acting Head of the Service for Foreign Policy Instruments*

ANNEX

Annex Ig to Council Regulation (EC) No 329/2007 is replaced by the following:

'ANNEX Ig

GOODS AND TECHNOLOGY REFERRED TO IN ARTICLES 2, 3 AND 6 ⁽¹⁾

Weapons of mass destruction-related items, materials, equipment, goods and technology identified and designated as sensitive goods, pursuant to paragraph 25 of UN Security Council Resolution 2270.

(a) Nuclear- and/or Missile-usable Items**(1) Ring Magnets**

Permanent magnet materials having both the following characteristics:

- i. Ring-shaped magnet with a relation between outer and inner diameter smaller or equal to 1.6:1; and
- ii. Made of any of the following magnetic materials: aluminium-nickel-cobalt, ferrites, samarium-cobalt, or neodymium-iron-boron.

ex 8505 11 00

ex 8505 19 10

ex 8505 19 90

ex 8505 90 90

(2) Maraging Steel

Maraging steel having both the following characteristics:

- i. "capable of" an ultimate tensile strength of 1 500 MPa or more at 293 K (20 °C).
- ii. In bar or tube form, with an outer diameter of 75 mm or greater.

ex 7304 49 10

ex 7304 51 81

ex 7304 51 89

ex 7304 59 92

ex 7304 59 93

ex 7304 59 99

(3) Magnetic alloy materials in sheet or thin strip form having both of the following characteristics:

- (a) Thickness of 0,05 mm or less; or height of 25 mm or less, and
- (b) Made of any of the following magnetic alloy materials: iron-chromium-cobalt, iron-cobalt-vanadium, iron-chromium-cobalt-vanadium, or iron-chromium.

ex 7326 19 10

ex 7326 19 90

⁽¹⁾ The nomenclature codes are the ones applicable to the relevant products in the Combined Nomenclature as defined in Article 1(2) of Council Regulation (EEC) No 2658/87 and as set out in Annex I thereto.

ex 7326 90 92

ex 7326 90 94

ex 7326 90 96

ex 7326 90 98

(4) Frequency Changers (also known as converters or inverters)

Frequency changers, other than those specified in entries 0B001.b.13 or 3A225 of Annex 1, having all of the following characteristics, and specially designed software therefore:

- i. Multiphase frequency output;
- ii. Capable of providing a power of 40 W or greater; and
- iii. Capable of operating anywhere (at any one point or more) within the frequency range of between 600 and 2 000 Hz.

Technical Notes:

(1) *Frequency changers are also known as converters or inverters.*

(2) *The functionality specified above may be met by certain equipment described or marketed as electronic test equipment, AC power supplies, variable speed motor drives, or variable frequency drives.*

ex 8504 40 84

ex 8504 40 88

ex 8504 40 90

ex 8537 10 99

ex 8537 20 91

ex 8537 20 99

(5) High-strength Aluminium Alloy

Aluminium alloys having both the following characteristics:

- i. “capable of” an ultimate tensile of strength of 415 MPa or more at 293 K (20 °C) and
- ii. In bar or tube form, with an outer diameter of 75 mm or greater.

Technical Note:

The phrase “capable of” encompasses aluminium alloy before or after heat treatment.

ex 7601 20 80

ex 7604 29 10

ex 7608 20 20

ex 7608 20 81

ex 7608 20 89

(6) Fibrous or Filamentary Materials

“Fibrous or filamentary materials” and preregs, as follows:

- i. Carbon, aramid, or glass “fibrous or filamentary materials” having both of the following characteristics:
 - (1) A “specific modulus” exceeding $3,18 \times 10^6$ m; and
 - (2) A “specific tensile strength” exceeding $76,2 \times 10^3$ m;

- ii. Prepregs: Thermoset resin-impregnated continuous “yarns”, “rovings”, “tows” or “tapes” with a width of 30 mm or less, made from carbon, aramid, or glass “fibrous or filamentary materials” controlled in (a) above.

ex 3916 90 10	ex 5506 10 00
ex 3916 90 50	ex 5506 90 00
ex 3916 90 90	ex 5509 11 00
ex 3920 92 00	ex 5509 12 00
ex 3920 99 28	ex 5604 90 10
ex 3920 99 52	ex 5607 50 11
ex 3920 99 59	ex 5607 50 19
ex 3920 99 90	ex 5607 50 30
ex 3921 90 55	ex 5607 50 90
ex 3921 90 60	ex 5609 00 00
ex 3921 90 90	ex 5902 10 10
ex 3926 90 92	ex 5902 10 90
ex 3926 90 97	ex 5902 20 90
ex 5402 11 00	ex 5902 90 10
ex 5402 19 00	ex 5902 90 90
ex 5402 31 00	ex 5903 10 10
ex 5402 32 00	ex 5903 10 90
ex 5403 10 00	ex 5903 20 10
ex 5404 90 90	ex 5903 20 90
ex 5407 10 00	ex 5903 90 10
ex 5407 20 90	ex 5903 90 91
ex 5407 41 00	ex 5903 90 99
ex 5407 42 00	ex 6815 10 10
ex 5407 43 00	ex 6815 99 00
ex 5407 44 00	ex 7019 12 00
ex 5501 10 00	ex 7019 19 10
ex 5501 90 00	ex 7019 19 90
ex 5503 11 00	ex 7019 51 00
ex 5503 19 00	ex 7019 59 00
ex 5503 20 00	ex 7019 90 00
ex 5503 90 00	ex 7019 90 00

(7) Filament Winding Machines and Related Equipment

Filament winding machines and related equipment, as follows:

- i. Filament winding machines having all of the following characteristics:
 - (1) Having motions for positioning, wrapping, and winding fibres coordinated and programmed in two or more axes;
 - (2) Specially designed to fabricate composite structures or laminates from “fibrous or filamentary materials”; and
 - (3) Capable of winding cylindrical tubes of diameter of 75 mm or greater;
- ii. Coordinating and programming controls for filament winding machines specified in (a) above;
- iii. Mandrels for filament winding machines specified in (a) above.

ex 8419 89 30	ex 8448 42 00
ex 8419 89 98	ex 8448 49 00
ex 8419 90 85	ex 8448 59 00
ex 8444 00 10	ex 8479 89 97
ex 8444 00 90	ex 8479 90 20
ex 8446 10 00	ex 8479 90 80
ex 8446 21 00	ex 8537 10 10
ex 8446 29 00	ex 8537 10 91
ex 8446 30 00	ex 8537 10 99
ex 8447 11 00	ex 8538 10 00
ex 8447 12 00	ex 9022 12 00
ex 8447 20 20	ex 9022 19 00
ex 8447 20 80	ex 9022 90 00
ex 8447 90 00	ex 9031 80 38
ex 8448 19 00	ex 9031 80 98
ex 8448 20 00	ex 9031 90 85
ex 8448 39 00	

(8) Flow-forming Machines

As described in INFCIRC/254/Rev.9/Part2 and S/2014/253

ex 8463 90 00

ex 8466 94 00

(9) Laser welding equipment

ex 8515 80 10

ex 8515 80 90

ex 8515 90 00

(10) 4- and 5-axis CNC machine tools

ex 8457 10 10	ex 8460 11 00
ex 8457 10 90	ex 8460 21 11
ex 8457 20 00	ex 8460 21 15
ex 8457 30 10	ex 8460 21 19
ex 8457 30 90	ex 8460 21 90
ex 8458 11 20	ex 8460 31 00
ex 8458 11 41	ex 8460 40 10
ex 8458 11 49	ex 8460 90 10
ex 8458 11 80	ex 8460 90 90
ex 8458 19 00	ex 8461 20 00
ex 8458 91 20	ex 8461 30 10
ex 8458 91 80	ex 8461 40 11
ex 8458 99 00	ex 8461 40 31
ex 8459 10 00	ex 8461 40 71
ex 8459 21 00	ex 8461 40 90
ex 8459 31 00	ex 8461 90 00
ex 8459 40 10	ex 8464 20 11
ex 8459 51 00	ex 8464 20 19
ex 8459 61 10	ex 8464 20 80
ex 8459 61 90	ex 8464 90 00

(11) Plasma cutting equipment

ex 8456 10 00
ex 8456 90 80
ex 8515 31 00
ex 8515 39 90
ex 8515 80 10
ex 8515 80 90
ex 8515 90 00

(12) Metal hydrides such as, zirconium hydride

ex 2850 00 20

(b) Chemical/Biological Weapons-usable Items

(1) Additional chemicals suitable for the production of chemical warfare agents:

Product description		Cn code
Sodium metal (7440-23-5)		2805 11 00
Sulphur trioxide (7446-11-9)	ex	2811 29 10
Aluminium chloride (7446-70-0)		2827 32 00
Potassium Bromide (7758-02-3)		2827 51 00
Sodium bromide (7647-15-6)		2827 51 00
Dichloromethane (75-09-2)		2903 12 00
Isopropyl bromide (75-26-3)	ex	2903 39 19
Isopropyl ether (108-20-3)	ex	2909 19 90
Monoisopropylamine (75-31-0)	ex	2921 19 99
Trimethylamine (75-50-3)	ex	2921 11 00
Tributylamine (102-82-9)	ex	2921 19 99
Triethylamine (121-44-8)	ex	2921 19 99
N,N-Dimethylaniline (121-69-7)	ex	2921 42 00
Pyridine (110-86-1)	ex	2933 31 00

(2) Reaction vessels, reactors, agitators, heat exchangers, condensers, pumps, valves, storage tanks, containers, receivers, and distillation or absorption columns that meet performance parameters described in S/2006/853 and S/2006/853/corr.1

— Single-seal pumps with manufacturer's specified maximum flow-rate greater than 0,6 m³/h and casings (pump bodies), preformed casing liners, impellers, rotors or jet pump nozzles designed for such pumps, in which all surfaces that come into direct contact with the chemical(s) being processed are made from any of the following materials:

- (a) nickel or alloys with more than 40 % nickel by weight;
- (b) alloys with more than 25 % nickel and 20 % chromium by weight;
- (c) fluoropolymers (polymeric or elastomeric materials with more than 35 % fluorine by weight);
- (d) glass or glass-lined (including vitrified or enamelled coating);
- (e) graphite or carbon-graphite;
- (f) tantalum or tantalum alloys;
- (g) titanium or titanium alloys;
- (h) zirconium or zirconium alloys;
- (i) ceramics;
- (j) ferrosilicon (high silicon iron alloys); or

(k) niobium (columbium) or niobium alloys.

ex 3925 10 00	ex 7326 90 94
ex 3925 90 80	ex 7326 90 96
ex 3926 90 92	ex 7326 90 98
ex 3926 90 97	ex 7507 11 00
ex 4009 21 00	ex 7507 12 00
ex 4009 22 00	ex 7507 20 00
ex 4009 41 00	ex 7508 90 00
ex 4009 42 00	ex 8103 90 90
ex 4016 93 00	ex 8108 90 50
ex 6909 11 00	ex 8108 90 60
ex 6909 12 00	ex 8108 90 90
ex 6909 19 00	ex 8109 90 00
ex 6909 90 00	ex 8112 99 30
ex 6914 90 00	ex 8401 20 00
ex 7020 00 10	ex 8401 40 00
ex 7020 00 30	ex 8401 10 00
ex 7020 00 80	ex 8412 90 20
ex 7304 41 00	ex 8413 50 40
ex 7304 49 93	ex 8413 60 39
ex 7304 49 95	ex 8413 60 61
ex 7304 49 99	ex 8413 60 69
ex 7304 51 81	ex 8413 60 70
ex 7304 51 89	ex 8413 60 80
ex 7304 59 92	ex 8413 70 21
ex 7304 59 93	ex 8413 70 29
ex 7304 59 99	ex 8413 70 45
ex 7306 40 20	ex 8413 70 51
ex 7306 40 80	ex 8413 70 59
ex 7306 50 20	ex 8413 70 65
ex 7306 50 80	ex 8413 70 75
ex 7306 69 10	ex 8413 70 81
ex 7306 69 90	ex 8413 70 89
ex 7306 90 00	ex 8413 81 00
ex 7309 00 10	ex 8413 82 00
ex 7309 00 30	ex 8413 91 00
ex 7309 00 51	ex 8414 10 25
ex 7309 00 59	ex 8414 10 81
ex 7309 00 90	ex 8414 10 89
ex 7310 10 00	ex 8414 40 10
ex 7310 29 10	ex 8414 40 90
ex 7310 29 90	ex 8414 59 20
ex 7311 00 00	ex 8414 59 40
ex 7326 90 92	ex 8414 59 80
ex 8414 80 11	ex 8418 99 10

ex 8414 80 19	ex 8419 40 00
ex 8414 80 59	ex 8419 50 00
ex 8414 80 73	ex 8419 89 10
ex 8414 80 75	ex 8419 89 30
ex 8414 80 78	ex 8419 89 98
ex 8414 80 80	ex 8419 90 85
ex 8414 90 00	ex 8477 80 93
ex 8417 80 30	ex 8477 80 99
ex 8417 80 50	ex 8479 82 00
ex 8417 80 70	ex 8479 89 97
ex 8418 69 00	ex 8479 90 80

- (3) Conventional or turbulent air-flow clean-air rooms and self-contained fan-HEPA filter units that could be used for P3 or P4 (BSL 3, BSL 4, L3, L4) containment facilities.

ex 8414 51 00
ex 8414 59 00
ex 8414 60 00
ex 8414 80 80
ex 8421 39 20
ex 8479 89 97'
