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Price: EUR 3

⁽¹⁾ Text with EEA relevance

EN

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

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

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 641/2013

of 24 June 2013

concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

(1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.

(2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.

(3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

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

Done at Brussels, 24 June 2013.

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

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
1. A set put up for retail sale, so-called 'fireside companion set', consisting of: — a floor standing cast iron tool holder, — a poker, — a shovel, — tongs. It is designed for handling coal, logs and ash at a fireplace.	8205 51 00	Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8205 and 8205 51 00. The items are considered goods put up in sets for retail sale within the terms of General Rule 3(b), because they are put up for retail sale together to meet a particular need or carry out a specific activity, taking care of the fireplace. The essential character of the set is given by the hand tools of heading 8205 (a poker, a shovel and tongs) as they are used at the fireplace while the stand only holds them. The set is therefore classified according to the hand tools. The set is therefore to be classified under CN code 8205 51 00 as household tools.
2. A set put up for retail sale, so-called 'fireside companion set', consisting of: — a floor standing stainless steel tool holder, — a poker, — a shovel, — a brush, — tongs. It is designed for handling coal, logs and ash at a fireplace. (*) See image.	8205 51 00	Classification is determined by General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8205 and 8205 51 00. The items are considered goods put up in sets for retail sale within the terms of General Rule 3(b), because they are put up for retail sale together to meet a particular need or carry out a specific activity, taking care of the fireplace. The essential character of the set is given by the hand tools of heading 8205 (a poker, a shovel and tongs) as they are used at the fireplace while the stand only holds them and they are more numerous compared to one brush. The set is therefore classified according to the hand tools. The set is therefore to be classified under CN code 8205 51 00 as household tools.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) No 642/2013**of 4 July 2013****concerning the authorisation of niacin and niacinamide as feed additives for all animal species****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC ⁽²⁾.
- (2) Niacin (nicotinic acid) and niacinamide (nicotinamide) were authorised without a time limit in accordance with Directive 70/524/EEC as feed additives for use on all animal species as part of the group 'Vitamins, provitamins and chemically well-defined substances having similar effect'. Those feed additives were subsequently entered in the Community Register of feed additives as existing products, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, five applications were submitted for the re-evaluation of niacin and niacinamide, as a feed additive for all animal species, requesting those additives to be classified in the additive category 'nutritional additives'. Those applications were accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinions of 22 May 2012 ⁽³⁾, 14 June 2012 ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾, and 12 September 2012 ⁽⁷⁾ that, under the proposed conditions of use in feed, niacin and niacinamide do not have an adverse effect on animal and

consumer health, and are not expected to pose additional risk for the environment. The Authority does not consider that there is a need for specific requirements of post-market monitoring. The Authority also concluded that no safety concerns would arise for users provided that appropriate protective measures are taken. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (5) The assessment of niacin and niacinamide shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of those additives should be authorised as specified in the Annex to this Regulation.
- (6) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation, it is appropriate to allow a transitional period for the disposal of existing stocks of the additive, premixtures and compound feed containing it, as authorised by Directive 70/524/EEC.
- (7) 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

The substances specified in the Annex, belonging to the additive category 'nutritional additives' and to the functional group 'vitamins, provitamins and chemically well-defined substances having similar effect', are authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

The substances specified in the Annex and feed containing those substances, which are produced and labelled before 25 January 2014 in accordance with the rules applicable before 25 July 2013 may continue to be placed on the market and used until the existing stocks are exhausted.

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*.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 270, 14.12.1970, p. 1.

⁽³⁾ EFSA Journal 2012; 10(6):2731.

⁽⁴⁾ EFSA Journal 2012; 10(7):2781.

⁽⁵⁾ EFSA Journal 2012; 10(7):2788.

⁽⁶⁾ EFSA Journal 2012; 10(7):2789.

⁽⁷⁾ EFSA Journal 2012; 10(10):2885.

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

Done at Brussels, 4 July 2013.

For the Commission
The President
José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg of active substance/kg of complete feedingstuff with a moisture content of 12 %			
Category of nutritional additives. Functional group: vitamins, provitamins and chemically well defined substances having a similar effect									
3a314	—	Niacin	<i>Additive composition</i> Niacin, not less than 99 % <i>Characterisation of the active substance</i> Chemical names: niacin, nicotinic acid Chemical formula: C ₆ H ₅ NO ₂ CAS number: 59-67-6 Einecs 200-441-0 <i>Method of Analysis</i> ⁽¹⁾ — For the determination of niacin (nicotinic acid) in the feed additive: Titration with sodium hydroxide; European Pharmacopoeia method (Ph. Eur. 6th Edition, monograph 0459) — For the determination of niacin (nicotinic acid) in premixtures, feedingstuffs and water: Ion-pair Reversed Phase High Performance Liquid Chromatography coupled to UV detector (RP-HPLC-UV)	All animal species	—	—	—	1. In the directions for use of the additive and premixture, indicate the storage conditions. 2. Niacin may be used also via water for drinking. 3. For safety: breathing, eye and skin protection shall be used during handling.	25 July 2023
3a315	—	Niacinamide	<i>Additive composition</i> Niacinamide, not less than 99 % <i>Characterisation of the active substance</i> Chemical name: niacinamide, nicotinamide Chemical formula: C ₆ H ₆ N ₂ O CAS number: 98-92-0 Einecs number: 202-7134 <i>Method of Analysis</i> ⁽¹⁾ — For the determination of niacinamide (nicotinamide) in the feed additive: Titration with perchloric acid; European Pharmacopoeia method (Ph. Eur. 6th Edition, monograph 0047) — For the determination of niacinamide (nicotinamide) in premixtures, feedingstuffs and water: Ion-pair Reversed Phase High Performance Liquid Chromatography coupled to UV detector (RP-HPLC-UV)	All animal species	—	—	—	1. In the directions for use of the additive and premixture, indicate the storage conditions. 2. Niacinamide may be used also via water for drinking. 3. For safety: breathing, eye and skin protection shall be used during handling.	

⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: http://irmm.jrc.ec.europa.eu/EURLs/EURL_feed_additives/Pages/index.aspx

COMMISSION IMPLEMENTING REGULATION (EU) No 643/2013**of 4 July 2013****concerning the authorisation of Patent Blue V as a feed additive for non-food producing animals
and amending Regulation (EC) No 358/2005****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC⁽²⁾.
- (2) Patent Blue V was authorised without a time limit in accordance with Directive 70/524/EEC as a feed additive for certain feed materials on all animals and in feedingstuffs intended for cats and dogs by Commission Directive 74/181/EEC⁽³⁾, and in feedingstuffs intended for use in grain eating ornamental birds and small rodents by Commission Regulation (EC) No 358/2005⁽⁴⁾. That product was subsequently entered in the European Union Register of feed additives as an existing product, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, an application was submitted for the re-evaluation of Patent Blue V, as a feed additive for dogs, cats and other non-food producing animals, requesting that additive to be classified in the additive category 'sensory additives'. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 31 January 2013⁽⁵⁾ that,

under the proposed conditions of use in feed, Patent Blue V does not have an adverse effect on animal health, and it is not expected to pose additional risk for the environment. The Authority does not consider that there is a need for specific requirements of post-market monitoring. The Authority also concluded that no safety concerns would arise for users provided that appropriate protective measures are taken. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (5) The assessment of Patent Blue V shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that substance should be authorised as specified in the Annex to this Regulation.
- (6) As a consequence of the granting of a new authorisation under Regulation (EC) No 1831/2003, Regulation (EC) No 358/2005 should therefore be amended accordingly.
- (7) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation, it is appropriate to allow a transitional period for the disposal of existing stocks of the additive, premixtures and compound feed containing it, as authorised by Directive 74/181/EEC and Regulation (EC) No 358/2005.
- (8) 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

The substance specified in the Annex, belonging to the additive category 'sensory additives' and to the functional group 'colorants, substances that add or restore colour in feedingstuffs', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

In Annex II to Regulation (EC) No 358/2005 the entry of the row E 131 is deleted.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 270, 14.12.1970, p. 1.

⁽³⁾ OJ L 94, 4.4.1974, p. 16.

⁽⁴⁾ OJ L 57, 3.3.2005, p. 3.

⁽⁵⁾ EFSA Journal 2013; 11(3):3108.

Article 3

The substance specified in the Annex and feed containing that substance, which are produced and labelled before 25 July 2015 in accordance with the rules applicable before 25 July 2013, may continue to be placed on the market and used until the existing stocks are exhausted.

Article 4

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

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

Done at Brussels, 4 July 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg/kg of complete feedingstuff with a moisture content of 12 %			

Category of sensory additives. Functional group: colorants, substances that add or restore colour in feedingstuffs

2a131	—	Patent Blue V	<i>Active substance</i> Patent Blue V <i>Characterisation of the active substance</i> Name: calcium or sodium compound of [4-(α-(4-diethylaminophenyl)-5-hydroxy-2,4-disulphophenyl-methylidene) 2,5-cyclohexadien-1-ylidene] diethylammonium hydroxide inner salt and subsidiary colouring matters together with sodium chloride and/or sodium sulphate and/or calcium sulphate as the principal uncoloured components. The potassium salt is also permitted. <i>Additive composition</i> Purity criteria: minimum of 90 % of total colouring matters, calculated as the sodium, calcium or potassium salts. Leuco base: not more than 1,0 %. <i>Method of Analysis</i> ⁽¹⁾ — For the quantification of total colouring matters content of Patent Blue V in the feed additive and feedingstuffs: spectrophotometry at 638 nm (JECFA monograph No 1, Vol. 4 method recommended by Commission Directive 2008/128/EC ⁽²⁾).	All non-food producing animals	—	—	250	For user safety: breathing protection, safety glasses and gloves should be worn during handling.	25 July 2023
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⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: http://irmm.jrc.ec.europa.eu/EURLs/EURL_feed_additives/Pages/index.aspx

⁽²⁾ OJ L 6, 10.1.2009, p. 20.

COMMISSION IMPLEMENTING REGULATION (EU) No 644/2013**of 4 July 2013****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 4 July 2013.

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

*Jerzy PLEWA
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	MK	23,1
	TR	105,8
	ZZ	64,5
0709 93 10	TR	119,5
	ZZ	119,5
0805 50 10	AR	77,2
	TR	69,0
	ZA	104,8
	ZZ	83,7
0808 10 80	AR	140,1
	BR	116,8
	CL	128,0
	CN	96,5
	NZ	144,9
	US	160,4
	ZA	113,0
	ZZ	128,5
0808 30 90	AR	113,9
	CL	113,2
	CN	49,9
	NZ	192,6
	ZA	114,4
	ZZ	116,8
0809 10 00	IL	275,4
	TR	211,2
	ZZ	243,3
0809 29 00	TR	293,3
	US	605,0
	ZZ	449,2
0809 30	TR	271,5
	ZZ	271,5
0809 40 05	IL	99,3
	MA	99,3
	ZZ	99,3

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

CORRIGENDA**Corrigendum to Council Implementing Decision 2013/48/EU of 22 January 2013 amending Implementing Decision 2011/77/EU on granting Union financial assistance to Ireland**

(Official Journal of the European Union L 21 of 24 January 2013)

On page 30, Article 1(1), new point (c) of paragraph 8:

for: '... amortisation established under the 2011 PLAR, ...',

read: '... amortisation in line with the 2011 PLAR, ...';

on page 31, Article 1(2), new point (b) of paragraph 10:

for: '... amortisation established under the 2011 PLAR, ...',

read: '... amortisation in line with the 2011 PLAR, ...'.

NOTICE TO READERS

Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union*

In accordance with Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union* (OJ L 69, 13.3.2013, p. 1), as of 1 July 2013, only the electronic edition of the Official Journal shall be considered authentic and shall have legal effect.

Where it is not possible to publish the electronic edition of the Official Journal due to unforeseen and exceptional circumstances, the printed edition shall be authentic and shall have legal effect in accordance with the terms and conditions set out in Article 3 of Regulation (EU) No 216/2013.

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