

Official Journal

of the European Union

L 247



English edition

Legislation

Volume 56

18 September 2013

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles ⁽¹⁾** 1
- ★ **Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users ⁽¹⁾** 6
- ★ **Commission Delegated Regulation (EU) No 887/2013 of 11 July 2013 replacing Annexes II and III to Regulation (EU) No 211/2011 of the European Parliament and of the Council on the citizens' initiative** 11
- ★ **Commission Implementing Regulation (EU) No 888/2013 of 16 September 2013 entering a name in the register of protected designations of origin and protected geographical indications (Oignon de Roscoff (PDO))** 20
- ★ **Commission Implementing Regulation (EU) No 889/2013 of 16 September 2013 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Chufa de Valencia (PDO)]** 22

Price: EUR 3

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

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

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

★ Commission Implementing Regulation (EU) No 890/2013 of 16 September 2013 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Amarene Brusche di Modena (PGI))	24
★ Commission Regulation (EU) No 891/2013 of 16 September 2013 establishing a prohibition of fishing for bigeye tuna in the Atlantic Ocean by vessels flying the flag of Portugal	29
★ Commission Regulation (EU) No 892/2013 of 16 September 2013 establishing a prohibition of fishing for redfish in EU and international waters of V; international waters of XII and XIV by vessels flying the flag of France	31
★ Commission Regulation (EU) No 893/2013 of 16 September 2013 establishing a prohibition of fishing for mackerel in areas IIIa and IVbc by vessels flying the flag of the Netherlands	33
Commission Implementing Regulation (EU) No 894/2013 of 17 September 2013 establishing the standard import values for determining the entry price of certain fruit and vegetables	35

DECISIONS

2013/457/EU:

★ Council Decision of 16 September 2013 appointing a Judge to the European Union Civil Service Tribunal	37
---	----

GUIDELINES

2013/458/EU:

★ Guideline of the European Central Bank of 30 July 2013 amending Guideline ECB/2011/23 on the statistical reporting requirements of the European Central Bank in the field of external statistics (ECB/2013/25)	38
--	----

Corrigenda

★ Corrigendum to Decision of the EEA Joint Committee No 46/2013 of 15 March 2013 amending Annex XXI (Statistics) to the EEA Agreement (OJ L 231, 29.8.2013)	43
---	----

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* (see page 3 of the cover)

Note to readers — way of referring to acts (see page 3 of the cover)

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) No 885/2013

of 15 May 2013

supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport ⁽¹⁾, and in particular Article 3(e) and Article 6(1) thereof,

After consulting the European Data Protection Supervisor,

Whereas

- (1) Article 3(e) of Directive 2010/40/EU sets as a priority action the provision of information services for safe and secure parking places for trucks and commercial vehicles.
- (2) Article 6(1) of Directive 2010/40/EU requires the Commission to adopt specifications necessary to ensure compatibility, interoperability and continuity for the deployment and operational use of Intelligent Transport Systems (ITS) for information services for safe and secure parking places. This Regulation seeks to optimise the use of parking places and to facilitate drivers' or transport companies' decisions about when and where to park by means of deployment of information services.
- (3) The Council resolution ⁽²⁾ on combating and preventing road freight crime and providing secure truck parks highlights the need to improve safety and security for truck drivers and parking possibilities.

- (4) Mandatory rest periods and breaks may have an influence on drivers' behaviour with regard to choosing a parking place. The present Regulation seeks to optimise the use of parking places and to facilitate drivers' or transport companies' decisions on when and where to park by means of deployment of information services.

- (5) In order to ensure the interoperability and continuity of the service throughout the Union as well as to take full account of data protection requirements, it is important that all Member States develop a harmonised and seamless approach towards the provision of information services for safe and secure parking places for trucks and commercial vehicles across the Union. To this effect, Member States can rely on technical solutions and standards, which shall be provided mainly through European and/or international standardisation organisations and/or associations, in order to ensure interoperability and continuity of the service EU-wide while also taking full account of data protection requirements.

- (6) The provision of security and comfort information contributes to the decision drivers make in choosing the parking area. Guidance may be given by displaying the security, safety and services features offered on a parking.

- (7) In case of specific persistent heavy demand for safe and secure parking in certain areas, truck drivers should be redirected from a full parking area to another location in the priority zone where free safe and secure places are available in order to avoid unsuitable parking. Therefore, Member States should determine the 'priority zones'.

- (8) If static signs are used to indicate safe and secure parking areas, these should comply with the Vienna Convention of 8 November 1968, where Member States are party to it.

⁽¹⁾ OJ L 207, 6.8.2010, p. 1.

⁽²⁾ SN 27.10.2010 15504/10.

- (9) Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the reuse of public sector information ⁽¹⁾ (PSI) sets minimum rules for reusing PSI throughout the European Union. It is built around two key pillars of the internal market, namely transparency and fair competition, and encourages Member States to go beyond these minimum rules for the reuse of public sector information and to adopt policies allowing broad use of documents, or data in the context of this Regulation, held by public sector bodies. In some cases the reuse of data will take place without a licence being agreed. In other cases a licence will be issued imposing conditions on the reuse by the licensee and dealing with issues such as liability, the proper use of data, guaranteeing accordance with data protection requirements, non-alteration and the acknowledgement of source. The intellectual property rights of third parties shall not be affected.
- (10) Feedback from the users is information that is provided by the parking users in order to give personal and anonymous advice to other future users and to truck parking area operators. This information may be used for a quality management check of the information service as well as for the assessment. The anonymity of the feedback should be guaranteed.
- (11) The deployment and use of ITS applications and services might entail the processing of personal data which should be carried out in accordance with Union law, as set out, in particular, in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽²⁾ and in Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) ⁽³⁾. Therefore, principles of purpose limitation and data minimisation should be applied to ITS applications.
- (12) The deployment and use of ITS applications and services, as set out in specifications adopted in accordance with Article 6 of Directive 2010/40/EU, are addressed in accordance with Union law, including in particular Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products ⁽⁴⁾ as well as relevant national legislation.
- (13) In accordance with the principle of proportionality, as set out in Article 5 of the Treaty on European Union, this Regulation does not go beyond what is necessary in order to achieve that objective,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes the specifications necessary to ensure compatibility, interoperability and continuity for the deployment and operational use of information services for safe and secure parking places for trucks and commercial vehicles on a Union level in accordance with Directive 2010/40/EU.

It shall apply to the provision of information services situated on the trans-European road network (TERN).

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

- (1) 'safe and secure parking place' means a parking place for commercial users allowing them to avoid unsuitable parking and contributing to safety of drivers and freight;
- (2) 'user' means any truck or commercial vehicle driver, dispatcher, haulier, traffic management body, or any other body such as cargo owners, insurance companies, road authorities, and police forces. They should obtain the information from the service providers;
- (3) 'service provider' means any public or private body that provides the information service to users;
- (4) 'data' means information provided by a truck parking operator which describes the truck parking area;
- (5) 'information' means any aggregated, processed and/or extracted data, offered by the service provider to the users through different channels;
- (6) 'information service' means any service which provides guidance to its users, allowing them to comply with mandatory rest periods and breaks, to reduce unsuitable parking and optimise the use of parking places;
- (7) 'feedback from the users' means information provided by users of the parking places, giving personal and anonymous advice to other future users and to truck parking area operators;
- (8) 'dynamic information' means information indicating, at any given time, the available parking capacity available in a parking area or its current status (free/full/closed) of a parking area;
- (9) 'static information' means information provided by the parking area operator relating to the description of the parking area;

⁽¹⁾ OJ L 345, 31.12.2003, p. 90.

⁽²⁾ OJ L 281, 23.11.1995, p. 31.

⁽³⁾ OJ L 201, 31.7.2002, p. 37.

⁽⁴⁾ OJ L 210, 7.8.1985, p. 29.

- (10) 'reliability of information' refers to the accuracy of the information service provided in comparison to the real situation;
- (11) 'unsuitable parking' means stopping or parking of heavy goods vehicles outside of safe and secure parking places on motorways or corridors, on hard shoulders, or inside over-crowded parking places;
- (12) 'access point' means a digital point of access where the information on parking places is collected, processed, and made available to be disseminated. These points of access will provide the possibility to disseminate the information services across borders;
- (13) 'priority zone' means a section, as defined by the national authorities, where there is a shortage of spaces at one or several safe and secure parking places, which can be alleviated by providing information on other unused parking capacities in the same zone.

Article 3

Requirements for the provision of information services

1. Member States shall designate areas where traffic and security conditions require the deployment of information services on the safe and secure parking places.

They shall also define priority zones where dynamic information will be provided.

2. The provision of information services shall fulfil the requirements set out in Articles 4 to 7.

Article 4

Data collection

Data on safe and secure public and private parking areas describing the parking facility, to be provided to the users, shall be collected and supplied by public or private parking operators and service providers. The data to be collected shall be easy to provide, including remotely, by any relevant means, in order to facilitate a distant collection by all parking operators. Public or private parking operators and service providers shall use DATEX II⁽¹⁾ profiles or other internationally compatible formats in order to ensure interoperability of the information services across the Union.

The data to be collected shall be the following:

1. Static data related to the parking areas, including (where applicable)
 - Identification information of parking area (name and address of the truck parking area (limited to 200 characters))

⁽¹⁾ CEN/TS 16157.

- Location information of the entry point in the parking area (latitude/longitude) (20 + 20 characters)
- Primary road identifier1/direction (20 characters/20 characters), and Primary road identifier2/direction (20 characters/20 characters) if same parking accessible from two different roads
- If needed, the indication of the Exit to be taken (limited to 100 characters)/Distance from primary road (integer 3) km or miles
- Total number of free parking places for trucks (integer 3)
- Price and currency of parking places (300 characters)

2. Information on safety and equipment of the parking area

- Description of security, safety and service equipment of the parking including national classification if one is applied (500 characters)
- Number of parking places for refrigerated goods vehicles (numerical 4 digits)
- Information on specific equipment or services for specific goods vehicles and other (300 characters)

Contact information of the parking operator:

- Name and surname (up to 100 characters)
- Telephone number (up to 20 characters)
- E-mail address (up to 50 characters)
- Consent of the operator to make his contact information public (Yes/No)

3. Dynamic data on availability of parking places including whether a parking is: full, closed or number of free places which are available.

Article 5

Sharing and exchange of data

1. Public or private parking operators and service providers shall share and exchange data referred to in paragraph 1 of Article 4. For these purposes they shall use DATEX II (CEN/TS 16157) format or any DATEX II compatible international machine-readable format. Data shall be accessible for exchange and reuse by any public or private information service provider and/or parking operator on a non-discriminatory basis, and in accordance with access rights and procedures defined in Directive 2003/98/EC.

2. The static data shall be accessible through a national or international access point.

3. For dynamic data, Member States (or national authorities) shall be responsible for setting up and managing a central national or international point of access referencing all individual single points of access of each truck parking operator and/or service provider on their territory in the interests of users.

4. Member States may contribute to an international access point by providing data and ensuring that its quality is in conformity with the requirements in Article 7.

5. Charges for access to, exchange of, and reuse of public or private dynamic data shall remain reasonable as referred to in the PSI Directive.

6. Public and private parking operators and/or service providers shall periodically send their static collected data to the national or international access point through appropriate electronic means no less than once a year for static data referred to in Article 4(1).

For dynamic data public and private operators and/or services providers shall update their information referred to in Article 4(3) no less than once every 15 minutes.

Article 6

Dissemination of information

Service providers collecting information at a specific location shall display:

- at least the next two safe and secure parking places along a corridor within approximately 100 kilometres,
- the availability of parking places in a priority zone in at least the next two parking areas within approximately 100 kilometres.

The dissemination of information shall be consistent with the Vienna convention where a Member State has signed it. In-vehicle application should have a robust human machine interface in order to avoid driver distraction and fatigue.

Parking operators and/or service providers shall inform the users about the launch of any new information service for safe and secure parking by any communication means they find appropriate.

Article 7

Quality management

Any change of situation of the parking area, including its closure, shall be immediately notified by public and private parking operators to the national or international access point and to the national authorities.

For each new priority zone, all public and private operators of parking places shall ensure the reliability of the information. For these purposes they shall carry out periodical controls of the detection equipment, including measuring of the difference between the data displayed and the real availability of parking places. That information shall be assessed in accordance with Article 8.

Article 8

Assessment of compliance with the requirements

1. Member States shall designate a national body competent to assess whether the requirements set out in Articles 4 to 7 are fulfilled by service providers, parking operators and road operators. This body shall be impartial and independent from the latter.

Two or more Member States may designate a common regional body competent to assess compliance with those requirements on their territories.

Member States shall notify the nominated body to the Commission.

2. All services providers shall submit a declaration to the designated bodies on their compliance with the requirements set out in Articles 4 to 7.

The declaration shall contain the following elements:

- (a) the collected data, pursuant to Article 4 collected on safe and secure parking places for trucks and commercial vehicles including the percentage of parking places registered in the information service;
- (b) the means of dissemination of the information services to users;
- (c) the coverage of dynamic information services on safe and secure parking places;
- (d) the quality and availability of the information provided, point of access to the information and the format in which that information is provided.

3. Designated bodies shall randomly inspect the correctness of the declarations of a number of public and private service providers and parking operators, and request a demonstration of compliance with the requirements set out in Articles 4 to 7.

The quality of the service may also be assessed using user-generated comment.

Every year, the designated bodies shall report to the relevant national authorities on the declarations submitted, as well as on the results of their random inspections.

*Article 9***Follow-up**

1. Member States shall provide to the Commission at the latest 12 months following the entry into force of this Regulation the following information:

- (a) the competent bodies designated for assessment of compliance with the requirements set out in Articles 4 to 7;
- (b) the description of the national access point if applicable.

2. At the latest 12 months following the entry into force of this Regulation and every calendar year afterwards, Member States shall communicate the following information:

- (a) the number of different parking places and parking spaces on their territory;
- (b) the percentage of parking places registered in the information service;

- (c) the percentage of parking places providing dynamic information on the availability of parking spaces and the priority zones to the Commission.

*Article 10***Entry into force and application**

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

It shall apply:

- from 1 October 2015 to the provision of services already deployed on the date of entry into force of this Regulation,
- from 1 October 2013 to the provision of services to be deployed after the date of entry into force of this Regulation.

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

Done at Brussels, 15 May 2013.

For the Commission

The President

José Manuel BARROSO

COMMISSION DELEGATED REGULATION (EU) No 886/2013**of 15 May 2013****supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport ⁽¹⁾, and in particular Article 3(c) and Articles 6(1) thereof,

After consulting the European Data Protection Supervisor,

Whereas:

- (1) Article 3(c) of Directive 2010/40/EU identifies, as a priority action, data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users.
- (2) Article 6(1) of Directive 2010/40/EU requires the Commission to adopt specifications necessary to ensure compatibility, interoperability and continuity for the deployment and operational use of Intelligent Transport Systems (ITS) for the priority actions.
- (3) The Communication 'Towards a European road safety area: policy orientations on road safety 2011-2020' ⁽²⁾ acknowledges that 'ITS have the potential to play a considerable role for the improvement of traffic safety, for example through the adoption of systems to detect incidents and supervise traffic that are able to provide information to road users in real time.'
- (4) For the provision of information services, Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the reuse of public sector information ⁽³⁾ sets minimum rules for the reuse of public sector information throughout the Union and encourages Member States to go beyond these minimum rules and to adopt policies allowing broad use of information or data held by public sector bodies.
- (5) The deployment and use of ITS applications and services entails the processing of personal data which should be carried out in accordance with Union law, as set out, in

particular, in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽⁴⁾ and in Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) ⁽⁵⁾. Therefore, the principles of purpose limitation and data minimisation should be applied to ITS applications and services.

- (6) To achieve compatibility, interoperability and continuity, it is necessary to define minimum requirements for road safety-related universal traffic information services. These requirements should relate to the identification and use of a standardised list of safety-related traffic events or conditions to be communicated to end users, as well as to the content of the information to be provided to end users. If end users receive information through various delivery channels that are under the control of public and/or private road operators, service providers and broadcasters dedicated to traffic information, that information should not be contradictory, therefore should consist of the same elements and be based on the same description of the event or condition in question.
- (7) Road safety-related traffic data are essential for the provision of road safety-related minimum universal traffic information. They are collected and stored by public and/or private operators and service providers. In order for these data to be made easily available for exchange and reuse for the provision of information services, public and/or private road operators and service providers should make them accessible through individual access points or make sure that they are accessible through national access points set up and managed by the Member States. These national access points can take the form of a repository, registry, web portal or similar.
- (8) These road safety-related traffic data should be made accessible in accordance with data protection requirements (e.g. anonymisation of personal data). If the information service is to rely on the collection of data, including geo-location, from the end users themselves or through cooperative systems in the future, then end users should be clearly informed about the collection of such data, the arrangements for data collection and potential tracking, and the periods for which such data are kept. Appropriate technical measures should be

⁽¹⁾ OJ L 207, 6.8.2010, p. 1.

⁽²⁾ COM(2010) 389 final.

⁽³⁾ OJ L 345, 31.12.2003, p. 90.

⁽⁴⁾ OJ L 281, 23.11.1995, p. 31.

⁽⁵⁾ OJ L 201, 31.7.2002, p. 37.

- deployed by public and/or private road operators, service providers and automotive industries to ensure the anonymity of the data received from end users or their vehicle.
- (9) Those Member States which already provide some form of road safety-related traffic information on their territory should be able to continue using their existing methods, in so far as they are consistent with the requirements of this Regulation. To maximise the positive impact of the provision of information services on road safety and traffic conditions in terms of reducing the number of road accidents and fatalities in the Union, the provision of road safety-related minimum universal traffic information should be compatible, interoperable and continuous across Member States, maintained at a minimum level of quality and, where possible, free of charge for all end users.
- (10) For all Member States to develop a harmonised and seamless approach towards the provision of road safety-related minimum universal traffic information across the Union it is relevant to define requirements for the whole Union which would apply to the provision of any road safety-related minimum universal traffic information service. Member States can rely on existing technical solutions and open standards, provided by the European and international standardisation organisations in order to ensure the interoperability and continuity of the provision of road safety-related minimum universal traffic information in the Union.
- (11) To ensure that the provision of road safety-related minimum universal traffic information is both reliable and worthwhile, a minimum level of quality should be achieved. Member States should work further and share their experiences on the definition of the relevant quality criteria, the methods of quality measurement and monitoring, and the quality targets for every type of road safety-related events or conditions, road networks and/or operating environments. Member States should share their knowledge and best practices by communicating to the Commission the results of their analysis and experience relating to this topic.
- (12) Although road safety-related minimum universal traffic information should be provided, where possible, as a universal facility free of charge to end users, there may be remaining costs for the latter linked to the cost of telecom fees, radio licence, or the purchase of the equipment enabling the reception of the information.
- (13) Road safety-related minimum universal traffic information should reach as many end users as is technically feasible taking into account the different technical capabilities of vehicles, delivery channels and reception devices available on the market.
- (14) Public and private road operators and service providers should aim to harmonise the presentation of the content of the information provided to end users irrespective of their language. Where Member States have signed it, they should rely on the 1968 Vienna Convention on Road Signs and Signals agreed by the United Nations Economic and Social Council on 8 November 1968, in particular the Consolidated Resolution on Road Signs and Signals developed by the Working Party on Road Traffic Safety ⁽¹⁾.
- (15) On the basis of national assessment, Member States should be able to delineate the coverage of the road safety-related minimum universal traffic information service along the trans-European road network within their territory in order to focus on road sections and areas where traffic and safety conditions require the provision of information services and justify the associated investment. However, it is acknowledged that, due to the different situations and stakeholders, the requirements of this Regulation should not apply to urban nodes. Member States should communicate to the Commission the national delineation of the information service.
- (16) Article 17(4) of Directive 2010/40/EU requires the Commission to submit a report every three years to the European Parliament and to the Council on the progress made in the implementation of this Directive. The report should be accompanied by an analysis of the functioning and implementation of Articles 5 to 11 and Article 16, and should assess the need to amend this Directive, where appropriate. This review should also assess the need to amend and/or complement the specifications adopted for priority actions, where appropriate, in the light of their national deployment, technological developments and standardisation progress,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- Subject matter and scope**
- This Regulation establishes the specifications necessary to ensure compatibility, interoperability and continuity for the deployment and operational use of data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users on a Union level in accordance with Directive 2010/40/EU.
- It shall apply to the provision of road safety-related minimum universal traffic information services on the trans-European road network.
- ⁽¹⁾ United Nations — ECE/TRANS/WP.1/119/Rev.2 — 27 May 2010.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'trans-European road network' means the road network as defined in Section 2 of Annex I to Decision No 661/2010/EU of the European Parliament and of the Council ⁽¹⁾ with the exclusion of urban nodes;
- (b) 'temporary slippery road' means any unforeseen condition of the road surface which makes it slippery for a certain amount of time, causing low adherence of the vehicle to the road;
- (c) 'animal, people, obstacles, debris on the road' means any situation where animals, debris, obstacles or people are positioned on the road where one would not expect to find them so that an emergency manoeuvre might be required to avoid them;
- (d) 'unprotected accident area' means the area where an accident has occurred and which has not yet been secured by the competent authority;
- (e) 'short-term road works' means any temporary road works that are carried out on the road or on the side of the road and which are indicated only by minimum signing because of the short-term nature of these works;
- (f) 'reduced visibility' means visibility affected by any condition that reduces the sight range of drivers and which might affect safe driving;
- (g) 'wrong-way driver' means a vehicle travelling on the wrong side of a divided carriageway against the oncoming traffic;
- (h) 'unmanaged blockage of a road' means any blockage of a road, partial or total, which has not been adequately secured and signposted;
- (i) 'exceptional weather conditions' means unusual, severe or unseasonal weather conditions which might affect safe driving;
- (j) 'user of road safety-related minimum universal traffic information' means any legal or natural person participating in the provision of road safety-related minimum universal traffic information services, such as public and private road operators, traffic managers, service providers, and broadcasters dedicated to traffic information;
- (k) 'end user' means any driver benefiting from road safety-related minimum universal traffic information services;
- (l) 'road safety-related minimum universal traffic information service' means a real-time traffic information service that provides an agreed minimum road safety-related content and which can be accessed at minimum effort by a maximum of end users;
- (m) 'road safety-related traffic data' means data necessary for providing the road safety-related minimum universal traffic information service and collected via any private or public source;
- (n) 'road safety-related minimum universal traffic information' means any extracted, aggregated and processed road safety-related traffic data, offered by public and/or private road operators and/or service providers to end users through any delivery channels;
- (o) 'access point' means a digital point of access where the road safety-related traffic data necessary for generating the road safety-related minimum universal traffic information are collected, formatted, and made available for exchange and reuse;
- (p) 'free of charge' means the provision of the road safety-related minimum universal traffic information service at no extra cost for the end users at the point of use.

Article 3

List of road safety-related events or conditions

The events or conditions covered by the road safety-related minimum universal traffic information service shall consist of at least one of the following categories:

- (a) temporary slippery road;
- (b) animal, people, obstacles, debris on the road;
- (c) unprotected accident area;
- (d) short-term road works;
- (e) reduced visibility;
- (f) wrong-way driver;
- (g) unmanaged blockage of a road;
- (h) exceptional weather conditions.

Article 4

Information content

1. The information provided on the road safety-related events or conditions shall include the following items:

- (a) location of the event or the condition;
- (b) the category of event or condition as referred to in Article 3 and, where appropriate, short description of it;
- (c) driving behaviour advice, where appropriate.

2. The information shall be withdrawn if the event or condition cease to subsist, or shall be modified if there is a change in the event or condition.

⁽¹⁾ OJ L 204, 5.8.2010, p. 1.

*Article 5***Provision of the information service**

1. Member States shall designate sections of the trans-European road network where traffic and safety conditions require the deployment of the road safety-related minimum universal traffic information service.

They shall communicate these sections of roads to the Commission.

2. The provision of the information service shall fulfil the requirements set out in Articles 6 to 8.

*Article 6***Detection of events or conditions and collection of data**

For the sole purposes of providing the information service, public and private road operators and/or service providers shall set up or use the means to detect events or identify conditions, and shall collect the relevant road safety-related traffic data.

The deployment of these means shall comply with the conditions and requirements set out in national law.

*Article 7***Availability, exchange and reuse of data**

1. Public and/or private road operators and/or service providers shall share and exchange the data they collect pursuant to Article 6. For that purpose, they shall make these data available in the DATEX II (CEN/TS 16157) format or any fully compatible and interoperable with DATEX II machine-readable format through an access point.

2. Member States shall manage a national access point to the data referred to in paragraph 1, which regroups the access points established by public and/or private road operators and/or service providers operating on their territory.

3. These data shall be accessible for exchange and reuse by any user of road safety-related minimum universal traffic information:

- (a) on a non-discriminatory basis;
- (b) within the Union irrespective of the Member State of establishment;
- (c) in accordance with access rights and procedures defined in Directive 2003/98/EC;
- (d) within a timeframe that ensures the timely provision of the information service;
- (e) through the national access point.

4. Public and private road operators and service providers shall ensure the timely renewal and quality of data made available through their access point.

*Article 8***Dissemination of information**

1. Public road operators, service providers and broadcasters dedicated to traffic information shall provide road safety-related minimum universal traffic information to end users prior to the provision of any other non-safety-related traffic information.

2. The information service shall fulfil the following conditions:

- (a) it shall be provided in such a way as to ensure the widest reach of end users concerned by the given event or condition referred to in Article 3;
- (b) it shall be made available by public and/or private road operators and/or service providers and/or broadcasters dedicated to traffic information, where possible free of charge to end users.

3. Public and private road operators and service providers shall collaborate to harmonise the presentation of the content of the information provided to end users.

They shall inform end users of the existence of the information service and its coverage.

*Article 9***Assessment of compliance with requirements**

1. Member States shall designate an impartial and independent national body competent to assess whether the requirements set out in Articles 3 to 8 are fulfilled by public and private road operators and service providers and broadcasters dedicated to traffic information. Two or more Member States may designate a common body competent to assess compliance with these requirements on their territories.

Member States shall notify the national bodies to the Commission.

2. Public and private road operators, service providers and broadcasters dedicated to traffic information shall provide the designated national bodies with their identification details and a description of the information service they provide, and submit a declaration of compliance with the requirements set out in Articles 3 to 8.

The declaration shall contain the following elements, where applicable:

- (a) the road safety-related categories covered and the road network coverage of the information service;
- (b) information on their access point to road safety-related traffic data and its conditions of use;
- (c) the format of the road safety-related traffic data accessible through their access point;
- (d) the means of dissemination of the information service to end users.

Public and private road operators, service providers and broadcasters dedicated to traffic information shall immediately update their declarations of compliance following any change in the provision of their service.

3. The designated national bodies shall randomly inspect the correctness of the declarations of a number of public and private road operators, service providers and broadcasters dedicated to traffic information, and shall request proof of compliance with the requirements set out in Articles 3 to 8.

Every year, the designated national bodies shall report to the national authorities on the declarations submitted and on the results of their random inspections.

Article 10

Follow-up

1. Member States shall communicate to the Commission no later than 12 months following the entry into force of this Regulation the following information:

- (a) the national body designated for the assessment of compliance with the requirements set out in Articles 3 to 8;
- (b) the description of the existing or envisaged national access point.

2. At the latest 12 months following the entry into force of this Regulation and every calendar year thereafter, Member States shall communicate to the Commission the following information:

- (a) the progress they have made in implementing the information service, including the criteria used to define its level of quality and the means used to monitor its quality;
- (b) the results of the assessment of compliance with the requirements set out in Articles 3 to 8;
- (c) where relevant, a description of changes to the national access point.

Article 11

Entry into force and application

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

It shall apply from 1 October 2013. However, with regard to the information service already deployed on the date of entry into force of this Regulation, it shall apply from 1 October 2015.

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

Done at Brussels, 15 May 2013.

For the Commission

The President

José Manuel BARROSO

COMMISSION DELEGATED REGULATION (EU) No 887/2013**of 11 July 2013****replacing Annexes II and III to Regulation (EU) No 211/2011 of the European Parliament and of the Council on the citizens' initiative**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 16 thereof,

Whereas:

- (1) Article 4(1) of Regulation (EU) No 211/2011 provides that the organisers of a proposed citizens' initiative are required to register it with the Commission, providing the information set out in Annex II to that Regulation.
- (2) The information in Annex II needs to be modified in order to facilitate the verification by the Commission that the criteria for registration set out in point (a) of Article 4(2) are fulfilled, ensure an appropriate administrative handling of the registration requests and facilitate communication between the organisers and the Commission throughout the citizens' initiative procedure.
- (3) Six Member States requested modifications in the data required in the forms set out in Annex III to Regulation (EU) No 211/2011.
- (4) The Commission is empowered to amend Annexes II and III to the Regulation in accordance with Article 290 TFEU. As regards Annex III, the Commission should take into account information forwarded to it by Member States.

- (5) Several organisers of initiatives registered with the Commission are currently collecting statements of support in accordance with Article 5 of Regulation (EU) No 211/2011; it is necessary to allow them to equally use the forms as set out in Annex II to this Regulation and their previous versions,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 211/2011 is amended as follows:

- (a) Annex II is replaced by the text set out in Annex I to this Regulation;
- (b) Annex III is replaced by the text set out in Annex II 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*.

Forms complying with Annex III to Regulation (EU) No 211/2011 in the version in force prior to the entry into force of this Regulation may continue to be used for the collection of statements of support from signatories for proposed citizens' initiatives which have been registered in accordance with Article 4 of Regulation (EU) No 211/2011 before the date of entry into force of this Regulation.

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

Done at Brussels, 11 July 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

ANNEX I

‘ANNEX II

REQUIRED INFORMATION FOR REGISTERING A PROPOSED CITIZENS’ INITIATIVE

1. The title of the proposed citizens’ initiative, in no more than 100 characters;
2. The subject matter, in no more than 200 characters;
3. A description of the objectives of the proposed citizens’ initiative on which the Commission is invited to act, in no more than 500 characters;
4. The provisions of the Treaties considered relevant by the organisers for the proposed action;
5. The full names, postal addresses, nationalities and dates of birth of the seven members of the citizens’ committee, indicating specifically the representative and the substitute as well as their e-mail addresses and telephone numbers ⁽¹⁾;
6. Documents that prove the full names, postal addresses, nationalities and dates of birth of each of the seven members of the citizens’ committee;
7. All sources of support and funding for the proposed citizens’ initiative at the time of registration ⁽¹⁾.

Organisers may provide more detailed information on the subject, objectives and background to the proposed citizens’ initiative in an annex. They may also, if they wish, submit a draft legal act.

⁽¹⁾ Privacy statement: in accordance with Article 11 of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, data subjects are informed that these personal data are compiled by the Commission for the purpose of the procedure in respect of the proposed citizens’ initiative. Only the full names of the organisers, the e-mail addresses of the contact persons and information relating to the sources of support and funding will be made available to the public in the Commission’s online register. Data subjects are entitled to object to the publication of their personal data on compelling legitimate grounds relating to their particular situation, and to request the rectification of that data at any time and its removal from the Commission’s online register after the expiry of a period of two years from the date of registration of the proposed citizens’ initiative.’

STATEMENT OF SUPPORT FORM — PART A ⁽¹⁾

(for Member States that do not require the provision of a personal identification number/personal identification document number)

Unless stated otherwise, all fields on this form are mandatory.

TO BE PRE-COMPLETED BY THE ORGANISERS:

1. All signatories on this form are

Please mark only one Member State per list.

residents in:			IE	UK
residents in or citizens of:	EE	NL	SK	FI
residents in or citizens of (citizens living abroad only if they have informed their national authorities about their place of residence):	BE	DK	DE	LU

2. European Commission registration number: 3. Date of registration: 4. Web address of this proposed citizens' initiative in the European Commission's register: 5. Title of this proposed citizens' initiative: 6. Subject matter: 7. Main objectives: 8. Names and e-mail addresses of registered contact persons: 9. Names of the other registered organisers: 10. Website of this proposed citizens' initiative (if any):

TO BE COMPLETED BY THE SIGNATORIES IN CAPITAL LETTERS:

"I hereby certify that the information that I have provided in this form is correct and that I have not already supported this proposed citizens' initiative."

FULL FIRST NAMES	FAMILY NAMES ⁽²⁾	RESIDENCE (street, number, postal code, city, country) ⁽³⁾	DATE AND PLACE ⁽⁴⁾ OF BIRTH	NATIONALITY	DATE AND SIGNATURE ⁽⁵⁾

⁽¹⁾ The form shall be printed on one sheet. Organisers may use a double-sided sheet.
⁽²⁾ For the Netherlands and Slovakia, please also state the name at birth.
⁽³⁾ For Finland, please only state the country of permanent residence.
⁽⁴⁾ For Ireland, Finland and the United Kingdom, please only state the date of birth.
⁽⁵⁾ Signature is not mandatory if the form is submitted electronically via an online collection system as referred to in Article 6 of Regulation (EU) No 211/2011.

Privacy statement: in accordance with Article 10 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, the personal data provided on this form will only be made available to the competent authorities for the purpose of verification and certification of the number of valid statements of support received for this proposed citizens' initiative (see Article 8 of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative) and, if necessary, further processed for the purpose of administrative or legal proceedings relating to this proposed citizens' initiative (see Article 12 of Regulation (EU) No 211/2011). The data may not be used for any other purpose. Data subjects are entitled to obtain access to their personal data. All statements of support will be destroyed at the latest 18 months after the date of registration of the proposed citizens' initiative, or, in the case of administrative or legal proceedings, at the latest one week after the date of conclusion of the said proceedings.

STATEMENT OF SUPPORT FORM — PART B ⁽¹⁾

(for Member States that require the provision of a personal identification number/personal identification document number)

Unless stated otherwise, all fields on this form are mandatory.

TO BE PRE-COMPLETED BY THE ORGANISERS:

1. All signatories on this form hold personal identification numbers/personal identification document numbers of:

Please mark only one Member State per list.

BG	CZ	EL	ES	FR	HR	IT	CY	LV	LT	HU	MT	AT	PL	PT	RO	SI	SE
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

See Part C for personal identification numbers/personal identification document numbers, one of which must be provided.

2. European Commission registration number: 3. Date of registration: 4. Web address of this proposed citizens' initiative in the European Commission's register: 5. Title of this proposed citizens' initiative: 6. Subject matter: 7. Main objectives: 8. Names and e-mail addresses of registered contact persons: 9. Names of the other registered organisers: 10. Website of this proposed citizens' initiative (if any):

TO BE COMPLETED BY THE SIGNATORIES IN CAPITAL LETTERS:

"I hereby certify that the information that I have provided in this form is correct and that I have not already supported this proposed citizens' initiative."

FULL FIRST NAMES	FAMILY NAMES ⁽²⁾	RESIDENCE (street, number, postal code, city, country) ⁽³⁾	DATE AND PLACE OF BIRTH ⁽⁴⁾	NATIONALITY	PERSONAL IDENTIFICATION NUMBER/PERSONAL IDENTIFICATION DOCUMENT TYPE AND NUMBER ⁽⁵⁾	DATE AND SIGNATURE ⁽⁶⁾

(1) The form shall be printed on one sheet. Organisers may use a double-sided sheet.
(2) For Bulgaria and Greece, please also state the father's name. For Greece and Latvia, please also state the name at birth.
(3) Only for France, Croatia, Italy, Austria, Poland and Romania.
(4) For Greece, Spain, Malta, Portugal and Romania, please only state the date of birth. For France, Italy, Latvia, Austria, Slovenia and Sweden, please state both the date and place of birth. For the other Member States, do not state anything.
(5) For Italian identification documents, please also state the issuing authority.
(6) Signature is not mandatory if the form is submitted electronically via an online collection system as referred to in Article 6 of Regulation (EU) No 211/2011.

Privacy statement: in accordance with Article 10 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, the personal data provided on this form will only be made available to the competent authorities for the purpose of verification and certification of the number of valid statements of support received for this proposed citizens' initiative (see Article 8 of Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative) and, if necessary, further processed for the purpose of administrative or legal proceedings relating to this proposed citizens' initiative (see Article 12 of Regulation (EU) No 211/2011). The data may not be used for any other purpose. Data subjects are entitled to obtain access to their personal data. All statements of support will be destroyed at the latest 18 months after the date of registration of the proposed citizens' initiative, or, in the case of administrative or legal proceedings, at the latest one week after the date of conclusion of the said proceedings.

PART C

1. Requirements for the Member States that do not require the provision of a personal identification number/personal identification document number (statement of support form — Part A):

Member State	Signatories whose statement of support is to be submitted to the Member State concerned
Belgium	— residents in Belgium — Belgian nationals residing outside the country if they have informed their national authorities of their place of residence
Denmark	— residents in Denmark — Danish nationals residing outside the country if they have informed their national authorities of their place of residence
Germany	— residents in Germany — German nationals residing outside the country if they have informed their national authorities of their place of residence
Estonia	— residents in Estonia — Estonian nationals residing outside the country
Ireland	— residents in Ireland
Luxembourg	— residents in Luxembourg — Luxembourgish nationals residing outside the country if they have informed their national authorities of their place of residence
Netherlands	— residents in the Netherlands — Dutch nationals residing outside the country
Slovakia	— residents in Slovakia — Slovak nationals residing outside the country
Finland	— residents in Finland — Finnish nationals residing outside the country
United Kingdom	— residents in the United Kingdom

2. List of Member States that require the provision of one of the personal identification numbers/personal identification document numbers specified below and issued by the Member State concerned (statement of support form — Part B):

BULGARIA

— Единен граждански номер (personal number)

CZECH REPUBLIC

— Občanský průkaz (national identity card)

— Cestovní pas (passport)

GREECE

— Δελτίο Αστυνομικής Ταυτότητας (identity card)

— Διαβατήριο (passport)

— Βεβαίωση Εγγραφής Πολιτών Ε.Ε./Εγγραφο πιστοποίησης μόνιμης διαμονής πολίτη Ε.Ε. (residence certificate/permanent residence certificate)

SPAIN

- Documento Nacional de Identidad (identity card)
- Pasaporte (passport)
- Número de Identidad de Extranjero, de la tarjeta o certificado, correspondiente a la inscripción en el Registro Central de Extranjeros (foreigner's identification number (NIE), of the card or certificate, corresponding to the registration in the Foreigners' Central Registry)

FRANCE

- Passeport (passport)
- Carte nationale d'identité (national identity card)

CROATIA

- Ozone identifikacijski broj (personal identification number)

ITALY

- Passaporto (passport), inclusa l'indicazione dell'autorità di rilascio (including issuing authority)
- Carta di identità (identity card), inclusa l'indicazione dell'autorità di rilascio (including issuing authority)

CYPRUS

- Δελτίο Ταυτότητας (identity card of the national or resident)
- Διαβατήριο (passport)

LATVIA

- Personas kods (personal identification number)

LITHUANIA

- Asmens kodas (personal number)

HUNGARY

- személyazonosító igazolvány (identity card)
- útlevél (passport)
- személyi azonosító szám (személyi szám) (personal identification number)

MALTA

- Karta tal-Identità (identity card)

AUSTRIA

- Reisepass (passport)
- Personalausweis (identity card)

POLAND

- Numer ewidencyjny PESEL (PESEL identification number)

PORTUGAL

- Bilhete de identidade (identity card)
- Passaporte (passport)
- Cartão de Cidadão (citizen's card)

ROMANIA

- carte de identitate (identity card)
- pașaport (passport)
- certificat de înregistrare (registration certificate)
- carte de rezidență permanentă pentru cetățenii UE (permanent residence card for EU citizens)
- Cod Numeric Personal (personal identification number)

SLOVENIA

- Enotna matična številka občana (personal identification number)

SWEDEN

- Personnummer (personal identification number)
-

COMMISSION IMPLEMENTING REGULATION (EU) No 888/2013**of 16 September 2013****entering a name in the register of protected designations of origin and protected geographical indications (Oignon de Roscoff (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Regulation (EU) No 1151/2012 repealed and replaced Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽²⁾.

- (2) Pursuant to Article 6(2) of Regulation (EC) No 510/2006, France's application to register the name 'Oignon de Roscoff' was published in the *Official Journal of the European Union* ⁽³⁾.

- (3) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, the name 'Oignon de Roscoff' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

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 September 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ C 334, 31.10.2012, p. 11.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

FRANCE

Oignon de Roscoff (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 889/2013

of 16 September 2013

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Chufa de Valencia (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and food-stuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

(1) Regulation (EU) No 1151/2012 repealed and replaced Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and food-stuffs ⁽²⁾

(2) In accordance with the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission has examined Spain's application for the approval of amendments to the specification for the protected designation of origin 'Chufa de Valencia' registered under Commission Regulation (EC) No 378/1999 ⁽³⁾

(3) Since the amendments in question are not minor, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾, as required by Article 6(2) of Regulation (EC) No 510/2006. As no statement of objection under Article 7 of that Regulation has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

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 September 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ L 46, 20.2.1999, p. 13.

⁽⁴⁾ OJ C 367, 27.11.2012, p. 13.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.8. Other products listed in Annex I to the Treaty

SPAIN

Chufa de Valencia (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 890/2013**of 16 September 2013****approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Amarene Brusche di Modena (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular the second subparagraph of Article 53(2) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Italy's application for the approval of amendments to the specification for the protected geographical indication 'Amarene Brusche di Modena' registered under Commission Regulation (EC) No 1028/2009 ⁽²⁾.
- (2) The purpose of the application is to amend the specification by indicating the sugar content of the fruit at the time of picking and during processing as well as the amount of sugar (saccharose) that may be added before the concentration process and by authorising containers using formats and materials different from those provided for at the time of registration.

- (3) The Commission has examined the amendments in question and decided that they are justified. Since the amendments are minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012, the Commission may approve them without following the procedure set out in Articles 50 to 52 of the Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected geographical indication 'Amarene Brusche di Modena' is hereby amended in accordance with Annex I to this Regulation.

Article 2

Annex II to this Regulation contains the consolidated single document setting out the main points of the specification.

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, 16 September 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 283, 30.10.2009, p. 39.

ANNEX I

In the specification for the protected geographical indication 'Amarene Brusche di Modena', the following amendments are approved:

Method of production

The required sugar content for the fruit used for the production of the 'Amarene Brusche di Modena' PGI should be reduced at the time of picking by 2° Brix in years where the cumulative rainfall was higher than 80 mm in June.

At the processing stage, sugar content of 2° Brix less than that measured at the time of picking is permitted, if the fruit is subject to hydrocooling.

In order to avoid misinterpretation, it is specified that the amount of sugar (saccharose) which may be added prior to the concentration process must not exceed 35 % of the product.

Labelling

The specification indicates that for the purpose of packaging the jam 'Amarene Brusche di Modena', containers using formats and materials different from those previously provided for may also be used, provided that they are suitable for food use. This will enable producers to adapt the packaging to constantly changing market requirements.

ANNEX II

CONSOLIDATED SINGLE DOCUMENT

Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾

'AMARENE BRUSCHE DI MODENA'

EC No: IT-PGI-0105-01065 – 30.11.2012

PGI (X) PDO ()

1. Name

'Amarene Brusche di Modena'

2. Member State or Third Country

Italy

3. Description of the agricultural product or foodstuff**3.1. Type of product**

Class 1.6. Fruit, vegetables and cereals, fresh or processed

3.2. Description of the product to which the name in (1) applies

When released for consumption, 'Amarene Brusche di Modena' PGI jam has a soft consistency and a characteristic intense red-brown colour with dark tinges. It has a refractive index of between 60° and 68° Brix at 20 °C. The typical acidity level is between 2,5 and 3,5 pH. The finished product contains 70 % fresh fruit.

The distinctive flavour of 'Amarene Brusche di Modena' PGI jam is a good balance of sweet and sour, with an acidic tinge. At the time of marketing, 'Amarene Brusche di Modena' jam has a minimum sugar content of 60 %.

3.3. Raw materials (for processed products only)

The raw material from which 'Amarene Brusche di Modena' PGI jam is made comprises sour cherries from orchards growing the varieties Amarena di Castelvetro, Amarena di Vignola dal peduncolo corto (short stalk), Amarena di Vignola dal peduncolo lungo (long stalk), Amarena di Montagna, Amarena di Salvaterra, Marasca di Vigo, Meteor, Mountmorency and Pandi.

At the time of picking, the fruit must be ripe, i.e. be of uniform colour across at least 90 % of the fruit and have the following characteristics:

- colour of skin (when ripe): light to dark red,
- colour of flesh: yellow or orange,
- colour of juice: colourless to yellowish,
- sugar content: > 16° Brix,
- acidic content: medium to moderately high > 18 g/l malic acid,
- yield in juice: > 75 %.

In years with cumulative rainfall of more than 80 mm in the month of June, as measured in the meteorological stations closest to fruit-growing holdings, the minimum sugar content of the fruit at the time of picking may be reduced by 2° Brix.

3.4. Feed (for products of animal origin only)

—

3.5. Specific steps in production that must take place in the defined geographical area

The cherries must be grown and the 'Amarene Brusche di Modena' jam produced in the geographical area delineated under point 4, where conditions are ideal for the cultivation of cherry trees, as explained under point 5.1.

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Replaced by Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

3.6. *Specific rules concerning slicing, grating, packaging, etc.*

The jam must be packaged in the geographical area delineated under point 4 in order that the origin and monitoring of the product can be guaranteed, so that it does not lose the special characteristics described under point 3.2 above and to prevent subsequent pasteurisation, which could affect the typical flavour, based as it is on the right balance between acidity and sweetness.

'Amarene Brusche di Modena' PGI jam is packaged in jars or tins with a capacity of 15 ml, 212 ml, 228 ml, 236 ml, 314 ml, 370 ml, 2 650 ml and 5 000 ml or using other formats and materials suitable for food contact. The 2 650 ml and 5 000 ml capacity containers are for professional use.

3.7. *Specific rules concerning labelling*

The 'Amarene Brusche di Modena' PGI logo consists of a letter 'A' featuring, instead of the cross-line, a picture of a sour cherry with a stalk and a leaf. The logo takes up a 74 × 74 mm square. Below it, on three lines, are set out the words AMARENE BRUSCHE DI MODENA I.G.P. The size of the logo may be adapted in proportion to the different packaging sizes.



The wording 'Amarene Brusche di Modena' must be in Italian.

4. **Concise definition of the geographical area**

The fruit is grown and 'Amarene Brusche di Modena' PGI jam produced in an area made up of the administrative territory of the municipalities of Bastiglia, Bomporto, Campogalliano, Camposanto, Carpi, Castelfranco Emilia, Castelnuevo Rangone, Castelvetro di Modena, Cavezzo, Concordia sul Secchia, Finale Emilia, Fiorano Modenese, Formigine, Guiglia, Maranello, Marano sul Panaro, Medolla, Mirandola, Modena, Montese, Nonantola, Novi di Modena, Pavullo nel Frignano, Prignano sul Secchia, Ravarino, S. Cesario sul Panaro, S. Felice sul Panaro, S. Possidonio, S. Prospero sul Secchia, Sassuolo, Savignano sul Panaro, Serramazzoni, Soliera, Spilamberto, Vignola and Zocca in the Province of Modena, and the neighbouring parts of the Province of Bologna, limited to the following municipalities: Anzola nell'Emilia, Bazzano, Castel d'Aiano, Castello di Serravalle, Crespellano, Crevalcore, Monte S. Pietro, Monteveglio, San Giovanni in Persiceto, Sant'Agata Bolognese, Savigno and Vergato.

5. **Link with the geographical area**

5.1. *Specificity of the geographical area*

The area in which 'Amarene Brusche di Modena' PGI jam is produced is characterised by very deep soil which is generally fertile and well-structured, fairly porous and permeable, with essentially a silt-loam composition and traces of clay. Hence it is ideally suited to growing sour cherry trees, which need permeable, well-drained and cool ground. The particular structure and texture of the soil mean that it has good porosity and drains well, and therefore that the ground is well aerated. The area in question is criss-crossed by a dense network of natural and man-made waterways. The climate type tends to be sub-humid, and sub-arid in the lower-lying parts of the low plain around Modena; such conditions are particularly conducive to the cultivation of sour cherry trees.

5.2. *Specificity of the product*

The 'Amarene Brusche di Modena' protected geographical indication differs, in particular, from other products belonging to the same category of goods by virtue of the particular organoleptic and chemical and physical characteristics of the raw material, which in turn come from the variety of sour cherries grown in the area of production,

and by virtue, above all, of the characteristic flavour of the jam, which strikes a good balance between sweetness and sourness, with an acidic tinge. Another important distinguishing characteristic is the natural production process, which is based on concentrating the fruit through thermal evaporation without the use of thickeners, colourings or preservatives, the high ratio of fruit to added sugar and the absence of further processing prior to packaging.

5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)*

The application for recognition of 'Amarene Brusche di Modena' jam as a PGI is justified by the product's fame and reputation. The jam's reputation is documented by abundant bibliographical references attesting to the special know-how, passed down over the centuries among the locals, in dealing with the need to process quickly a fruit that does not keep well and creating a product renowned and appreciated especially for the natural way in which it is produced.

To illustrate the product's reputation, one cannot ignore the existence of a production base, in the area delineated under point 4 above, that already at the start of the last century was home to many cherry orchards and centres for the collection and cold storage of cherries, as well as a number of small-scale businesses and small and medium-sized jam producers. Farmers involved in producing the jam make up a pool of over 350 skilled workers and bring considerable production value. The first trials involving the intensive cultivation of cherry trees were conducted in 1882 by Luigi Mancini, a lawyer and owner of the 'La Colombarina' estate near Vignola, although in fact the renowned botanist Giorgio Gallesio recorded as early as 1820 the practice of planting cherry trees around country cottages so that the fruit could be used for making syrups, preserves, jams, puddings and cakes, in line with the solid family tradition of preparing cherries in the rural province of Modena.

There are many centuries-old recipes that testify to the use of the product for preparing typical local cakes, both in the home and on a small-scale commercial basis, from the oldest to the most recent, involving the use of the jam for home-made tarts, in particular. Evidence of this can be found in two Modenese manuscripts from the 19th century which explain how to prepare the jam; one of the manuscripts consists of four notebooks kept by four generations of middle-class house-owners and was published in 1970; the other, published in 2001, was written by Ferdinando Cavazzoni, maker of sweetmeats and preserves for the Molza family.

Reference to publication of the specification

[Article 5(7) of Regulation (EC) No 510/2006]

The Ministry launched the national objection procedure with the publication of the proposed amendments to the specification for the 'Amarene Brusche di Modena' PGI in the *Official Gazette of the Italian Republic (Gazzetta Ufficiale della Repubblica Italiana)* No 246 of 20 October 2012.

The full text of the product specification is available on the following website: <http://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/3335>

or alternatively:

by going directly to the home page of the Ministry of Agricultural, Food and Forestry Policy (<http://www.politicheagricole.it>) and clicking on 'Qualità e sicurezza' (on the top right of the screen) and then on 'Disciplinari di Produzione all'esame dell'UE'.

COMMISSION REGULATION (EU) No 891/2013**of 16 September 2013****establishing a prohibition of fishing for bigeye tuna in the Atlantic Ocean by vessels flying the flag of Portugal**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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,

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2013 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2013.

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.

(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 2013.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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, 16 September 2013.

*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⁾ OJ L 23, 25.1.2013, p. 54.

ANNEX

No	43/TQ40
Member State	Portugal
Stock	BET/ATLANT
Species	Bigeye tuna (<i>Thunnus obesus</i>)
Zone	Atlantic Ocean
Date	20.8.2013

COMMISSION REGULATION (EU) No 892/2013**of 16 September 2013****establishing a prohibition of fishing for redfish in EU and international waters of V; international waters of XII and XIV by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Quota exhaustion**

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,

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2013 shall be deemed to be exhausted from the date set out in that Annex.

Whereas:

*Article 2***Prohibitions**

(1) Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2013.

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.

(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 2013.

*Article 3***Entry into force**

(3) It is therefore necessary to prohibit fishing activities for that stock,

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, 16 September 2013.

*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⁾ OJ L 23, 25.1.2013, p. 54.

ANNEX

No	38/TQ40
Member State	France
Stock	RED/51214D.
Species	Redfish (deep pelagic) (<i>Sebastes</i> spp.)
Zone	EU and international waters of V; international waters of XII and XIV
Date	17.8.2013

COMMISSION REGULATION (EU) No 893/2013**of 16 September 2013****establishing a prohibition of fishing for mackerel in areas IIIa and IVbc by vessels flying the flag of the Netherlands**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements ⁽²⁾, lays down quotas for 2013.
- (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 2013.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

*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 2013 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, 16 September 2013.

*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⁾ OJ L 23, 25.1.2013, p. 54.

ANNEX

No	46/TQ40
Member State	The Netherlands
Stock	MAC/*3A4BC
Species	Mackerel (<i>Scomber scombrus</i>)
Zone	IIIa and IVbc
Date	26.8.2013

COMMISSION IMPLEMENTING REGULATION (EU) No 894/2013**of 17 September 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, 17 September 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
0702 00 00	MK	56,9
	XS	23,1
	ZZ	40,0
0707 00 05	MK	53,8
	TR	121,6
	ZZ	87,7
0709 93 10	TR	132,7
	ZZ	132,7
0805 50 10	AR	116,2
	CL	146,0
	IL	142,1
	TR	80,0
	UY	114,4
	ZA	103,3
	ZZ	117,0
0806 10 10	EG	187,8
	TR	147,9
	ZZ	167,9
0808 10 80	AR	100,3
	BA	65,7
	BR	41,7
	CL	106,2
	CN	74,8
	NZ	146,7
	US	158,4
	ZA	94,8
	ZZ	98,6
0808 30 90	AR	231,4
	CL	29,5
	CN	82,4
	TR	131,0
	ZA	206,6
	ZZ	136,2
0809 30	TR	124,3
	ZZ	124,3
0809 40 05	BA	46,9
	XS	46,6
	ZZ	46,8

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

DECISIONS

COUNCIL DECISION

of 16 September 2013

appointing a Judge to the European Union Civil Service Tribunal

(2013/457/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the fourth paragraph of Article 257 thereof,

Having regards to the Treaty establishing the European Atomic Energy Community, and in particular paragraph 1 of Article 106a thereof,

Whereas:

- (1) Under Articles 2 and 3(1) of the Annex I to Protocol No 3 on the Statute of the Court of Justice of the European Union, annexed to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, and following the resignation with effect from 1 October 2013 of Ms Irena BORUTA, a judge of the European Union Civil Service Tribunal (hereinafter referred to as 'the Civil Service Tribunal') should be appointed for the period from 1 October 2013 to 30 September 2019.
- (2) A public call for applications ⁽¹⁾ was issued.
- (3) The Committee provided for by Article 3(3) of Annex I to Protocol No 3 met on 4 and 5 June and on 2 and 3 July 2013. Following its discussions, it delivered an opinion on the candidates' suitability to perform the duties of a Judge of the Civil Service Tribunal to which opinion it appended a list of candidates having the most appropriate high-level experience.

- (4) It is therefore appropriate to appoint one of the persons included on that list as Judge of the Civil Service Tribunal, for the period from 1 October 2013 to 30 September 2019, ensuring a balanced composition of the Civil Service Tribunal on as broad a geographical basis as possible from among nationals of the Member States and with respect to the national legal systems represented,

HAS ADOPTED THIS DECISION:

Article 1

Mr Jesper SVENNINGSSEN is hereby appointed as Judge to the European Union Civil Service Tribunal for the period from 1 October 2013 to 30 September 2019.

Article 2

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

Done at Brussels, 16 September 2013.

For the Council
The President
L. LINKEVIČIUS

⁽¹⁾ OJ C 82, 21.3.2013, p. 5.

GUIDELINES

GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 30 July 2013

amending Guideline ECB/2011/23 on the statistical reporting requirements of the European Central Bank in the field of external statistics

(ECB/2013/25)

(2013/458/EU)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 3.1 and 3.3, Articles 5.1, 12.1, 14.3 and Article 16 thereof,

Having regard to Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank ⁽¹⁾, and in particular Articles 4 and 8 thereof,

Having regard to Article 7 of Guideline ECB/2011/23 of 9 December 2011 on the statistical reporting requirements of the European Central Bank in the field of external statistics ⁽²⁾,

Having regard to the views of the Statistics Committee of the European System of Central Banks,

Whereas:

(1) In certain cases a strict application of the current standard valuation method for equity stocks in unlisted direct investment companies, as set out in Annex III to Guideline ECB/2011/23, may lead to distortions in the net international investment position. In these cases, Member States should be allowed to apply one of the other valuation methods set out in the sixth edition of the IMF's Balance of Payments and International Investment Position Manual and therefore Guideline ECB/2011/23 should be amended accordingly.

(2) Under Article 7 of Guideline ECB/2011/23, the Executive Board of the European Central Bank (ECB) is entitled to make technical amendments to the Annexes to Guideline ECB/2011/23, provided that they neither change the underlying conceptual framework nor affect the reporting burden of reporting agents in Member States.

(3) The changes to the Annexes provided for in this Guideline are technical amendments which neither change the conceptual provision underlying the data reporting requirements nor affect the reporting burden in Member States,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Annexes II and III to Guideline ECB/2011/23 are amended in accordance with the Annex to this Guideline.

Article 2

Final provisions

1. This Guideline shall take effect on the day of its notification to the national central banks of the Member States whose currency is the euro.

2. Without prejudice to Article 8(2) of Guideline ECB/2011/23, this Guideline shall apply from 1 June 2014.

Article 3

Addressees

This Guideline is addressed to all Eurosystem central banks.

Done at Frankfurt am Main, 30 July 2013.

For the Executive Board of the ECB

The President of the ECB

Mario DRAGHI

⁽¹⁾ OJ L 318, 27.11.1998, p. 8.

⁽²⁾ OJ L 65, 3.3.2012, p. 1.

ANNEX

Annexes II and III to Guideline ECB/2011/23 are amended as follows:

1. in Annex II, Parts II and III of Table 3 are replaced by the following:

II. Predetermined short-term net drains on foreign currency assets (nominal value)				
	Residual maturity			
	Up to one month	More than one month and up to three months	More than three months and up to one year	All maturities
Foreign currency loans, securities and deposits	Geo 0	Geo 0	Geo 0	Geo 0
Outflows (–)	Geo 0	Geo 0	Geo 0	
Principal	Geo 0	Geo 0	Geo 0	
Interest	Geo 0	Geo 0	Geo 0	
Inflows (+)	Geo 0	Geo 0	Geo 0	
Principal	Geo 0	Geo 0	Geo 0	
Interest	Geo 0	Geo 0	Geo 0	
Aggregate short and long positions in forwards and futures in foreign currencies vis-à-vis the domestic currency (including the forward leg of currency swaps)	Geo 0	Geo 0	Geo 0	
Short positions (–)	Geo 0	Geo 0	Geo 0	
Long positions (+)	Geo 0	Geo 0	Geo 0	
Other	Geo 0	Geo 0	Geo 0	
Outflows related to repos (–)	Geo 0	Geo 0	Geo 0	
Inflows related to reverse repos (+)	Geo 0	Geo 0	Geo 0	
Trade credits (–)	Geo 0	Geo 0	Geo 0	
Trade credits (+)	Geo 0	Geo 0	Geo 0	
Other accounts payable (–)	Geo 0	Geo 0	Geo 0	
Other accounts receivable (+)	Geo 0	Geo 0	Geo 0	
III. Contingent short-term net drains on foreign currency assets				
Contingent liabilities in foreign currency	Geo 0	Geo 0	Geo 0	Geo 0
Collateral guarantees on debt falling due within one year	Geo 0	Geo 0	Geo 0	
Other contingent liabilities	Geo 0	Geo 0	Geo 0	
Foreign currency securities issued with embedded options (puttable bonds)				
Undrawn, unconditional credit lines provided by:	Geo 0	Geo 0	Geo 0	
Other national monetary authorities, BIS, IMF, and other international organisations	Geo 0	Geo 0	Geo 0	
Other national monetary authorities (+)	Geo 0	Geo 0	Geo 0	
BIS (+)	Geo 0	Geo 0	Geo 0	
IMF (+)	Geo 0	Geo 0	Geo 0	
Other international organisations (+)	Geo 0	Geo 0	Geo 0	

	Residual maturity			
	Up to one month	More than one month and up to three months	More than three months and up to one year	All maturities
With banks and other financial institutions head-quartered in the reporting country (+)	Geo 0	Geo 0	Geo 0	
With banks and other financial institutions head-quartered outside the reporting country (+)	Geo 0	Geo 0	Geo 0	
Undrawn, unconditional credit lines provided to:	Geo 0	Geo 0	Geo 0	
Other national monetary authorities, BIS, IMF, and other international organisations	Geo 0	Geo 0	Geo 0	
Other national monetary authorities (–)	Geo 0	Geo 0	Geo 0	
BIS (–)	Geo 0	Geo 0	Geo 0	
IMF (–)	Geo 0	Geo 0	Geo 0	
Other international organisations (–)	Geo 0	Geo 0	Geo 0	
With banks and other financial institutions head-quartered in the reporting country (–)	Geo 0	Geo 0	Geo 0	
With banks and other financial institutions head-quartered outside the reporting country (–)	Geo 0	Geo 0	Geo 0	
Aggregate short and long positions of options in foreign currencies vis-à-vis the domestic currency	Geo 0	Geo 0	Geo 0	
Short positions	Geo 0	Geo 0	Geo 0	
Bought puts	Geo 0	Geo 0	Geo 0	
Written calls	Geo 0	Geo 0	Geo 0	
Long positions	Geo 0	Geo 0	Geo 0	
Bought calls	Geo 0	Geo 0	Geo 0	
Written puts	Geo 0	Geo 0	Geo 0	
PRO MEMORIA: In-the-money options	Geo 0	Geo 0	Geo 0	
At current exchange rates	Geo 0	Geo 0	Geo 0	
Short position	Geo 0	Geo 0	Geo 0	
Long position	Geo 0	Geo 0	Geo 0	
+ 5 % (depreciation of 5 %)	Geo 0	Geo 0	Geo 0	
Short position	Geo 0	Geo 0	Geo 0	
Long position	Geo 0	Geo 0	Geo 0	
– 5 % (appreciation of 5 %)	Geo 0	Geo 0	Geo 0	
Short position	Geo 0	Geo 0	Geo 0	
Long position	Geo 0	Geo 0	Geo 0	
+ 10 % (depreciation of 10 %)	Geo 0	Geo 0	Geo 0	
Short position	Geo 0	Geo 0	Geo 0	
Long position	Geo 0	Geo 0	Geo 0	
– 10 % (appreciation of 10 %)	Geo 0	Geo 0	Geo 0	
Short position	Geo 0	Geo 0	Geo 0	
Long position	Geo 0	Geo 0	Geo 0	

	Residual maturity			
	Up to one month	More than one month and up to three months	More than three months and up to one year	All maturities
Other	Geo 0	Geo 0	Geo 0	
Short position	Geo 0	Geo 0	Geo 0	
Long position	Geo 0	Geo 0	Geo 0'	

2. in Annex III, Section 6.1 is replaced by the following:

6.1. Direct investment

Direct investment is associated with a resident in one economy having control or a significant degree of influence on the management of an enterprise that is resident in another economy. Following international standards (BPM6), the direct or indirect ownership of 10 % or more of the voting power of an enterprise resident in one economy by an investor resident in another economy is evidence of such a relationship. Based on this criterion, a direct investment relationship can exist between a number of related enterprises, regardless of whether the linkage involves a single or a number of chains. It can extend to a direct investment enterprise's subsidiaries, sub-subsidiaries and associates. Once the direct investment is established, all subsequent financial flows/holdings between the related entities are recorded as direct investment transactions/positions.

Equity capital comprises equity in branches as well as all shares in subsidiaries and associates. Reinvested earnings consist of the offsetting entry to the direct investor's share of earnings not distributed as dividends by subsidiaries or associates, and earnings of branches not remitted to the direct investor and that are recorded under "investment income" (see 3.2.3).

Direct investment equity and debt are further disaggregated according to the type of relationship between entities and according to the direction of the investment. Three types of direct investment relationships can be distinguished:

- (a) Direct investors' investment in direct investment enterprises. This category includes investment flows (and stocks) from the direct investor to its direct investment enterprises (regardless of whether it is directly or indirectly controlled or influenced).
- (b) Reverse investment. This type of relationship covers investment flows (and stocks) from the direct investment enterprises to the direct investor.
- (c) Between fellow enterprises. This covers flows (and stocks) between enterprises that do not control or influence each other, but that are both under the control or influence of the same direct investor.

With regard to the valuation of direct investment positions, the equity stocks listed in stock exchanges are valued at market prices. Conversely, in the case of unlisted direct investment companies, equity stocks are valued on the basis of book values using a common definition comprising the following accounting items:

- (a) paid-up capital (excluding own shares and including shares premium accounts);
- (b) all types of reserves (including investment grants when accounting guidelines consider them as company's reserves);
- (c) non-distributed profits net of losses (including results for the current year).

For equity shares of unlisted companies, the transactions recorded in the financial account may differ from the own funds at book value recorded in the IIP. Such differences are recorded as revaluations due to other price changes.

To increase the consistency in the valuation of assets and liabilities, equity stocks in unlisted direct investment companies can alternatively be valued according to one of the other valuation methods mentioned in paragraph 7.16 of the BPM6, if at least one of the following cases applies:

- (a) at least one enterprise in a direct investment chain is listed on the stock-exchange, while at least one is not and this leads to a significant distortion in the net IIP of a company in the chain; in this case the market price of the listed company may be used as a reference for the valuation of the related unlisted companies; or

- (b) if differences occur in the recording of acquired goodwill along a chain of direct investment enterprises, leading to a significant distortion in the net IIP of the country in which the company in the middle of the chain is resident; or
- (c) if the accounts of enterprises in a direct investment chain are denominated in different currencies and exchange rate fluctuations lead to a significant distortion in the net IIP of the country in which the company in the middle of the chain is resident.

If an alternative method is applied for valuing equity stocks in unlisted direct investment companies, the IIP compiler is encouraged to inform the compiler in the counterpart country of the alternative method and to cooperate with this compiler to minimise the risk of bilateral asymmetric recording. This information should be transmitted within the ESCB in the framework of existing arrangements, as well as published in the ECB's publication "European Union balance of payments/international investment position statistical methods", which is used to monitor the concepts, definitions and compilation methods applied by the euro area Member States (as described in Annex V).

It is recommended as a best practice that all Member States should compile foreign direct investment equity stocks and reinvested earnings on the basis of the results of foreign direct investment surveys to be collected at least annually (*).

(*) The following unacceptable practices should be abandoned: (i) leaving the choice of the valuation criterion to reporting agents (market values or book values); (ii) the application of a perpetual inventory method/accumulation of BOP flows to compile stocks.'

CORRIGENDA

Corrigendum to Decision of the EEA Joint Committee No 46/2013 of 15 March 2013 amending Annex XXI (Statistics) to the EEA Agreement*(Official Journal of the European Union L 231 of 29 August 2013)*

Decision of the EEA Joint Committee No 46/2013 should read as follows:

'DECISION OF THE EEA JOINT COMMITTEE**No 46/2013****of 15 March 2013****amending Annex XXI (Statistics) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Commission Implementing Regulation (EU) No 995/2012 of 26 October 2012 laying down detailed rules for the implementation of Decision No 1608/2003/EC of the European Parliament and of the Council concerning the production and development of Community statistics on science and technology ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Implementing Regulation (EU) No 995/2012 repeals Commission Regulation (EC) No 753/2004 ⁽²⁾ and Commission Regulation (EC) No 1450/2004 ⁽³⁾, which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement.
- (3) Annex XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XXI to the EEA Agreement shall be amended as follows:

- (1) the text of point 30 (Commission Regulation (EC) No 753/2004) is replaced by the following:

'32012 R 0995: Commission Implementing Regulation (EU) No 995/2012 of 26 October 2012 laying down detailed

rules for the implementation of Decision No 1608/2003/EC of the European Parliament and of the Council concerning the production and development of Community statistics on science and technology (OJ L 299, 27.10.2012, p. 18).';

- (2) the text of point 31 (Commission Regulation (EC) No 1450/2004) is deleted.

Article 2

The text of Implementing Regulation (EU) No 995/2012 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 16 March 2013, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

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

Done at Brussels, 15 March 2013.

For the EEA Joint Committee

The President

Gianluca GRIPPA

⁽¹⁾ OJ L 299, 27.10.2012, p. 18.

⁽²⁾ OJ L 118, 23.4.2004, p. 23.

⁽³⁾ OJ L 267, 14.8.2004, p. 32.

(*) No constitutional requirements indicated.'

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.

NOTE TO READERS — WAY OF REFERRING TO ACTS

As of 1 July 2013 the way of referring to acts has changed.

During a transitional period this new practice will coexist with the previous one.

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

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



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN