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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Letter of notification by the European Union to the Swiss Confederation of a technical amendment, by reason of the accession of Croatia, to Annex I to the Agreement between the European Community and the Swiss Confederation providing for measures equivalent to those laid down in Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments

Sir,

I have the honour to refer to the Agreement between the European Community and the Swiss Confederation providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments.

Due to the accession of Croatia, Annex I to the Agreement between the European Community and the Swiss Confederation providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments requires a technical amendment in the form provided for by Article 21(2), first subparagraph of the Agreement.

Article 21(2), first subparagraph of the Agreement provides that the list of competent authorities in Annex I may be amended simply by notification of the other Contracting Party by Switzerland for the authority referred to in (a) therein and by the Community for the other authorities.

I hereby notify you on behalf of the Union that the competent authority for Croatia is:

— in Croatia: Ministar financija or an authorised representative,

and that this mention has to be added into Annex I to the Agreement under letter (ac) after the competent authorities mentioned under letter (ab).

The application of the technical amendment provided for by this Notification shall have effect as of 1 July 2013.

Please accept, Sir, the assurance of our highest consideration,

For the European Union,

Heinz ZOUREK

*Director-General of the Directorate-General Taxation and
Customs Union*

REGULATIONS

COMMISSION REGULATION (EU) No 1139/2013

of 11 November 2013

establishing a prohibition of fishing for saithe in Norwegian waters south of 62° N by vessels flying the flag of Sweden

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 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,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 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, 11 November 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	64/TQ40
Member State	Sweden
Stock	POK/04-N.
Species	Saithe (<i>Pollachius virens</i>)
Zone	Norwegian waters south of 62° N
Date	28.10.2013

COMMISSION IMPLEMENTING REGULATION (EU) No 1140/2013**of 12 November 2013****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Riz de Camargue (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 Article 52(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected geographical indication 'Riz de Camargue' registered under Commission Regulation (EC) No 1187/2000 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the

amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 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 is 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, 12 November 2013.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 133, 6.6.2000, p. 19.

⁽³⁾ OJ C 127, 4.5.2013, p. 17.

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

Riz de Camargue (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1141/2013

of 12 November 2013

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Huile essentielle de lavande de Haute-Provence / Essence de lavande de Haute-Provence (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) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Huile essentielle de lavande de Haute-Provence' / 'Essence de lavande de Haute-Provence' registered under Commission Regulation (EC) No 1107/96 ⁽²⁾ as amended by Regulation (EC) No 828/2003 ⁽³⁾.

- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments 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 is 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, 12 November 2013.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

⁽³⁾ OJ L 120, 15.5.2003, p. 3.

⁽⁴⁾ OJ C 140, 18.5.2013, p. 29.

ANNEX

Agricultural products and foodstuffs listed in Annex I(l) to Regulation (EU) No 1151/2012:

Class 3.2. Essential oils

FRANCE

Huile essentielle de lavande de Haute-Provence/Essence de lavande de Haute-Provence (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 1142/2013**of 12 November 2013****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Chaource (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) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Chaource' registered under Commission Regulation (EC) No 1107/96 ⁽²⁾, as amended by Regulation (EC) No 1326/2008 ⁽³⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No

1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments 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, 12 November 2013.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

⁽³⁾ OJ L 345, 23.12.2008, p. 20.

⁽⁴⁾ OJ C 159, 5.6.2013, p. 7.

ANNEX

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

Class 1.3. Cheeses

FRANCE

Chaource (PDO)

COMMISSION REGULATION (EU) No 1143/2013**of 13 November 2013****amending Regulation (EU) No 1031/2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowances trading within the Community in particular to list an auction platform to be appointed by Germany****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC ⁽¹⁾, and in particular Articles 3d(3) and 10(4) thereof,

Whereas:

- (1) Member States not participating in the joint action as provided in Article 26(1) and (2) of Commission Regulation (EU) No 1031/2010 of 12 November 2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowances trading within the Community ⁽²⁾ may appoint own auction platforms for the auctioning of their share of the volume of allowances covered by Chapters II and III of Directive 2003/87/EC. Pursuant to the third paragraph of Article 30(5) of Regulation (EU) No 1031/2010, the appointment of such auction platforms is subject to listing of the auction platform concerned in Annex III to that Regulation.
- (2) In accordance with Article 30(4) of Regulation (EU) No 1031/2010, Germany informed the Commission of its decision not to participate in the joint action as provided in Article 26(1) and (2) of that Regulation, and to appoint its own auction platform.
- (3) On 15 March 2013, Germany notified the Commission of its intention to appoint European Energy Exchange AG ('EEX') as an auction platform referred to in Article 30(1) of Regulation (EU) No 1031/2010.
- (4) On 20 March 2013, Germany presented the notification to the Climate Change Committee established under Article 9 of Decision No 280/2004/EC of the European

Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol ⁽³⁾.

- (5) In order to ensure that the proposed appointment of EEX as an auction platform referred to in Article 30(1) of Regulation (EU) No 1031/2010 is compatible with the requirements of that Regulation and is in conformity with the objectives set out in Article 10(4) of Directive 2003/87/EC, it is necessary to impose a number of conditions and obligations on EEX.
- (6) In accordance with Article 35(3)(b) of Regulation (EU) No 1031/2010, an appointed auction platform is required to provide full, fair and equitable access to bid in the auctions for small and medium enterprises (SMEs) and access to bid in the auctions for small emitters. To ensure this, EEX should provide such SMEs and small emitters with transparent, comprehensive and up-to-date information, on access possibilities to auctions conducted by EEX for Germany including all necessary practical guidance on how to make the most of such possibilities. Such information should be publicly available on EEX's webpage. In addition, EEX should report to the auction monitor to be appointed as provided for in Article 24(2) of Regulation (EU) No 1031/2010 on the coverage obtained, including on the level of geographic coverage obtained, and take the utmost account of the auction monitor's recommendations in this regard so as to ensure fulfilment of its obligations under Article 35(3)(a) and (b) of that Regulation.
- (7) In accordance with Article 35(3)(e) of Regulation (EU) No 1031/2010, when appointing an auction platform, Member States must take into account the extent to which a candidate auction platform is able to avoid distortions of competition in the internal market including the carbon market. In particular, an auction platform should not be able to use the contract appointing it to leverage the competitiveness of its other activities, notably the secondary market it organises. An auction platform should provide candidate bidders the option to be admitted to bid in the auctions without being required to become an exchange member or a participant in the secondary market organised by itself or of any other trading place operated by it or by any third party.

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.⁽²⁾ OJ L 302, 18.11.2010, p. 1.⁽³⁾ OJ L 49, 19.2.2004, p. 1.

- (8) In accordance with Article 35(3)(h) of Regulation (EU) No 1031/2010, when appointing an auction platform, Member States have to take into account the extent to which adequate measures are provided to require an auction platform to hand over all tangible and intangible assets necessary for the conduct of the auctions by an auction platform's successor. Such measures should be laid down in a clear and timely manner in an exit strategy that should be reviewed by the auction monitor. Not only EEX as appointed by Germany, but all auction platforms should develop such an exit strategy and take utmost account of the auction monitor's opinion thereon.
- (9) In light of the experience gained, the provisions of Regulation (EU) No 1031/2010 concerning the procurement procedures for appointing auction platforms and the auction monitor, and the holding of auctions should be amended.
- (10) Since the allowances must be delivered within five days from the auction, and since these allowances themselves are tradable, the auctioned product does not need to be tradable.
- (11) On occasion, an auction platform is required to consult the auction monitor. Replying to such consultations entail a responsibility and liability for the auction monitor. In order to mitigate such responsibility and liability, in particular in urgency cases, the consulting auction platform should be allowed to proceed with the intended measure already before obtaining an opinion from the auction monitor. The obligation on the auction platform to take the utmost account of the auction monitor's opinion, where delivered, should remain.
- (12) The determination of auction calendars should also be reviewed. First, it is neither practicable nor necessary to determine the auction calendars as early as February and March of the preceding year. Second, volumes to be auctioned in August should be half of the volumes auctioned in other months, which may be achieved by holding fewer auctions as well as by auctioning smaller volumes. Third, Article 3d of Directive 2003/87/EC determines the volumes and Member State's share of the aviation allowances to be auctioned and the provision in Regulation (EU) No 1031/2010 on the annual volume of aviation allowances to be auctioned should take account of uncertainties of some of the underlying factors determining those volumes and shares. In addition, given the uncertainty on the outcome of international negotiations, some greater flexibility for spreading the volume of aviation allowances to be auctioned over a given calendar year is justified. Fourth, in case of consecutive cancellations, the allowances should be spread over a greater number than the next four scheduled auctions. Finally, provisions should be added as regards the auction calendar for auctions by the common auction platform for a Member State which has decided not to join the joint action, but which has to make use of the common auction platform pending the appointment of an own auction platform. These provisions should mirror the provision for the auction calendars to be determined by auction platforms appointed by such Member States.
- (13) Admission to the auctions shall not be dependent on becoming a member of or a participant in the secondary market organised by the auction platform or any other trading place operated by the auction platform or by any third party. This requirement should apply to any auction platform, and not only to the auction platforms appointed by Member States not participating in the joint action for procuring common auction platforms.
- (14) An auction platform may offer one or more alternative means of accessing its auctions, where the main means of access are inaccessible for whatever reason, provided that such alternative means of access are secure and reliable and their use does not lead to any discrimination between bidders. For the avoidance of doubt, it should be clarified that Member States may require an auction platform to offer such alternative means.
- (15) The implementation of a prohibition on Member States disclosing inside information to persons working for an auctioneer may be impracticable or negatively impact the efficiency of the work of the appointed auctioneer or persons working for the auctioneer. Auctioneers only have a limited role in the conduct of auctions and a range of measures exist to mitigate risks of insider dealing, including measures that address situations where the auctioneer or persons working for the auctioneer would have access to inside information. In this context, a complete prohibition is disproportionate. Nevertheless, Member States should be responsible to ensure that an appointed auctioneer has appropriate measures to prevent insider dealing in place before they disclose such inside information.
- (16) The notification by a Member State that does not participate in the joint action of procuring common auction platforms of the auction platform it intends to appoint cannot contain the full auction calendar, but should contain the relevant information for coordinating auction calendars at a later stage.
- (17) The review of Regulation (EU) No 1031/2010 should benefit from the auction monitor's report on the auction conducted in 2014, which can be expected to be delivered in the beginning of the subsequent year.

- (18) Regulation (EU) No 1031/2010 provides that an auction platform must be a regulated market. In order to benefit from relevant experience and expertise, and mitigate the risks in the execution of the auctions, it is appropriate to clarify that this should be a regulated market, whose operator organises a market in allowances or allowances derivatives.
- (19) As the auction monitor may be paid from the auction revenues, it may be desirable for an auction platform to act as a payment agent for the costs of the auction monitor.
- (20) A restricted procurement procedure for the appointment of the auction monitor has not resulted in a contract as no candidates submitted a request to participate in this joint procurement. A new procedure will have to address complex issues, e.g. concerning the choice of the tender procedure, the form of the contract and the precise description of the tasks, which take time to resolve. The absence of an auction monitor does not, however, entail a risk for the conduct of the auctions to the extent that they should be stopped pending the appointment of the monitor.
- (21) An auction platform may allow the submission of an electronic application for admission to bid but it should also be allowed to require such submission by means of paper documents.
- (22) In case the auction platform appointed by a Member State not participating in the joint action for the procurement of common auction platforms is not able to hold the auctions, the Member State concerned should turn to the common auction platform for the auctioning of its share in the volume of allowances to be auctioned. It should be clarified that the arrangements between the common auction platform and auctioneers appointed by those Member States need to be in place before any such auctioning on a common auction platform, but not earlier.
- (23) All auction platforms should determine an exit strategy and consult the auction monitor thereon. This obligation should not apply exclusively to auction platforms appointed by Member States not participating in the joint action to appoint common auction platforms.
- (24) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee.
- (25) The contract between Germany and EEX in its capacity of the transitional opt-out auction platform expires in December 2013. In order to ensure predictable and timely continuation of the auctions by EEX, this Regulation should enter into force as a matter of urgency.

- (26) Regulation (EU) No 1031/2010 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1031/2010 is amended as follows:

- (1) in Article 4, paragraph 1 is replaced by the following:
- ‘1. Allowances shall be offered for sale on an auction platform by means of standardised electronic contracts (“the auctioned product”).’;
- (2) in Article 7, paragraphs 7 and 8 are replaced by the following:
- ‘7. Before an auction is started, the auction platform shall determine the methodology for the application of paragraph 6, after consulting the auction monitor, if appointed, and notifying the competent national authorities referred to in Article 56.
- In between two bidding windows on the same auction platform, the auction platform concerned may modify the methodology. It shall notify the auction monitor, if appointed, and the competent national authorities referred to in Article 56 without delay.
- The auction platform concerned shall take the utmost account of the auction monitor’s opinion, where provided.
8. Where one or more auctions are cancelled pursuant to paragraph 5 or 6 consecutively, the combined volume of allowances of those auctions shall be distributed evenly over the following auctions scheduled on the same auction platform.

In the case of allowances covered by Chapter III of Directive 2003/87/EC the number of auctions over which the combined volume to be auctioned must be distributed shall equal four times the number of auctions that were cancelled.

In the case of allowances covered by Chapter II of Directive 2003/87/EC the number of auctions over which the combined volume to be auctioned must be distributed shall equal two times the number of auctions that were cancelled.’;

- (3) Article 8 is amended as follows:

- (a) paragraph 3 is replaced by the following:

‘3. In exceptional circumstances, any auction platform may, after consulting the auction monitor, if appointed, change the times of any bidding window, by giving notice to all persons likely to be affected. The auction platform concerned shall take the utmost account of the auction monitor’s opinion, where delivered.’;

(b) paragraph 5 is replaced by the following:

‘5. The volume of allowances covered by Chapter III of Directive 2003/87/EC to be auctioned on the auction platform appointed pursuant to Article 26(1) or (2) shall be distributed evenly over the auctions held in a given year, except that volumes auctioned in August of each year shall be half of the volume auctioned in auctions held in other months of the year.

The volume of allowances covered by Chapter II of Directive 2003/87/EC to be auctioned on the auction platform appointed pursuant to Article 26(1) or (2) shall in principle be distributed evenly over the auctions held in a given year, except that volumes auctioned in August of each year shall be half of the volume auctioned in auctions held in other months of the year.’;

(4) Article 9 is replaced by the following:

‘Article 9

Circumstances preventing the conduct of auctions

Without prejudice to the application of the rules referred in Article 58 where appropriate, an auction platform may cancel an auction where the proper conduct of that auction is disrupted or is likely to be disrupted. Where one or more auctions are cancelled consecutively, the combined volume of allowances of those auctions shall be distributed evenly over the following auctions scheduled on the same auction platform.

In the case of allowances covered by Chapter III of Directive 2003/87/EC the number of auctions over which the combined volume to be auctioned must be distributed shall equal four times the number of auctions that were cancelled consecutively.

In the case of allowances covered by Chapter II of Directive 2003/87/EC the number of auctions over which the combined volume to be auctioned must be distributed shall equal two times the number of auctions that were cancelled consecutively.’;

(5) Article 11 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. The auction platforms appointed pursuant to Article 26(1) or (2) of this Regulation shall determine and publish the bidding windows, individual volumes, auction dates as well as the auctioned product, payment and delivery dates of the allowances covered by Chapter III of Directive 2003/87/EC to be auctioned in individual auctions each calendar year, by 30 September of the previous year, or as soon as practicable thereafter, having previously consulted the

Commission and obtained its opinion thereon. The auction platforms concerned shall take the utmost account of the Commission’s opinion.’;

(b) paragraph 4 is replaced by the following:

‘4. The calendar for individual auctions of allowances covered by Chapter III of Directive 2003/87/EC conducted by an auction platform other than the auction platforms appointed pursuant to Article 26(1) or (2) of this Regulation shall be determined and published pursuant to Article 32 of this Regulation.

Article 32 shall also apply with respect to the auctions conducted pursuant to the second subparagraph of Article 30(7) by the auction platform appointed pursuant to Article 26(1) or (2).’;

(6) Article 12 is replaced by the following:

‘Article 12

Annual volumes of auctioned allowances covered by Chapter II of Directive 2003/87/EC

1. The volume of allowances covered by Chapter II of Directive 2003/87/EC to be auctioned each year shall be 15 % of the expected volume of those allowances in circulation for that year. Where the auctioned volume in a given year is more or less than 15 % of the volume actually put in circulation for that year, the volume to be auctioned in the subsequent year shall correct for the difference. Any allowances that remain to be auctioned after the last year of a trading period shall be auctioned in the first four months of the subsequent year.

The volume of allowances to be auctioned in the final year of each trading period shall take account of allowances remaining in the special reserve referred to in Article 3f of Directive 2003/87/EC.

2. For each calendar year in a given trading period, each Member State’s share of allowances to be auctioned covered by Chapter II of Directive 2003/87/EC shall be determined in accordance with Article 3d(3) of that Directive.’;

(7) Article 13 is amended as follows:

(a) the first subparagraph of paragraph 2 is replaced by the following:

‘2. As from 2013, the auction platforms appointed pursuant to Article 26(1) or (2) of this Regulation shall in principle determine and publish the bidding windows, individual volumes, auction dates as well as the auctioned product, payment and delivery dates of the allowances covered by Chapter II of Directive 2003/87/EC to be auctioned in individual auctions for each calendar year by 30 September of the previous year, or as soon as practicable thereafter, having previously consulted the Commission and obtained its opinion thereon. The auction platforms concerned shall take the utmost account of the Commission’s opinion.’;

- (b) in paragraph 4, the following second subparagraph is added:

‘Article 32 shall also apply with respect to the auctions conducted pursuant to the second subparagraph of Article 30(7) by the auction platform appointed pursuant to Article 26(1) or (2).’;

- (8) Article 16 is amended as follows:

- (a) the following paragraph 1a is inserted:

‘1a. Admission to the auctions shall not be dependent on becoming a member of or a participant in the secondary market organised by the auction platform or any other trading place operated by the auction platform or by any third party.’;

- (b) paragraph 3 is replaced by the following:

‘3. An auction platform may offer, and Member States may require an auction platform to offer, one or more alternative means of accessing its auctions, should the main means of access be inaccessible for whatever reason, provided that such alternative means of access are secure and reliable and their use does not lead to any discrimination between bidders.’;

- (9) in Article 18(1), point (a) is replaced by the following:

- ‘(a) an operator or an aircraft operator having an operator holding account or an aircraft operator holding account, bidding on its own account, including any parent undertaking, subsidiary undertaking or affiliate undertaking forming part of the same group of undertakings as the operator or the aircraft operator’;

- (10) in Article 20, paragraph 2 is replaced by the following:

‘2. An application for admission to bid made under paragraph 1 shall be made by submitting a completed application form to the auction platform. The application form and its access through the internet shall be provided and maintained by the auction platform concerned.’;

- (11) Article 22 is amended as follows:

- (a) paragraph 3 is replaced by the following:

‘3. For Member States not participating in the joint actions as provided in Article 26(1) and (2), the auctioneer shall be appointed by the appointing Member State so as to conclude and implement the necessary arrangements with the auction platforms appointed pursuant to Article 26(1) and (2), including any clearing system and settlement system connected to them, to enable the auctioneer to auction allowances on behalf of the appointing Member State on such auction platforms upon mutually agreed terms

and conditions, pursuant to the second subparagraph of Article 30(7) and the first subparagraph of Article 30(8).’;

- (b) paragraph 4 is replaced by the following:

‘4. Member States shall refrain from disclosing inside information to persons working for the auctioneer unless the person working or acting for the Member State makes such disclosure on a need-to-know basis in the normal course of the exercise of their employment, profession or duties and the Member State concerned is satisfied that the auctioneer has in place appropriate measures to prevent insider dealing, within the meaning of Article 3(28) or as prohibited by Article 38, by any person working for an auctioneer, additional to the measures foreseen in Article 42(1) and (2).’;

- (12) in Article 24(1), the third subparagraph is replaced by the following:

‘Where reasons of *force majeure* prevent the auction monitor from performing its tasks in respect of a given auction, in full or in part, the auction platform concerned may decide to conduct that auction provided that it takes appropriate measures to ensure adequate monitoring of the auction itself. The foregoing shall also apply until the moment that the first auction monitor appointed pursuant to paragraph 2 starts monitoring the auctions concerned as more particularly specified in the contract appointing it.’;

- (13) in Article 25, paragraph 6 is replaced by the following.

‘6. The auction monitor shall provide opinions pursuant to Articles 7(7), 8(3), 27(3) and 31(1) and as provided in Annex III. Opinions shall be delivered within a reasonable time.’;

- (14) in Article 27, the following paragraph 3 is added:

‘3. Within three months from the date of its appointment, the auction platform shall submit its detailed exit strategy to the Commission, who will consult the auction monitor thereon. Within two months from the date of receipt of the auction monitor’s opinion pursuant to Article 25(6), the auction platform shall review, and where appropriate amend, its exit strategy, taking the utmost account of that opinion.’;

- (15) in Article 30(6), point (c) is replaced by the following:

‘(c) the auctioned product and any information necessary for the Commission to assess whether the envisaged auction calendar is compatible with any prevailing or envisaged auction calendar of the auction platforms appointed pursuant to Article 26(1) or (2) as well as other auction calendars proposed by other Member States not participating in the joint action provided for in Article 26 but opting to appoint their own auction platforms’;

(16) in Article 31, paragraph 1 is replaced by the following:

‘1. Any auction platform appointed pursuant to Article 30(1) shall carry out the same functions as the auction platform appointed pursuant to Article 26(1) as provided for in Article 27.

However, an auction platform appointed pursuant to Article 30(1) shall be exempted from the provisions of Article 27(1)(c) and it shall submit the exit strategy referred to in Article 27(3) to the appointing Member State, who must consult the auction monitor thereon.’;

(17) in Article 32(4), the first subparagraph is replaced by the following:

‘4. The auction platforms appointed pursuant to Article 30(1) or (2) of this Regulation shall determine and publish the bidding windows, individual volumes, auction dates as well as the auctioned product, payment and delivery dates of the allowances, covered by Chapters II and III of Directive 2003/87/EC, to be auctioned in individual auctions each year, by 31 October of the previous year or as soon as practicable thereafter. The auction platforms concerned shall make their determination and publication only after the determination and publication pursuant to Articles 11(1) and 13(1) of this Regulation by the auction platforms appointed pursuant to Article 26(1) or (2) of this Regulation, unless such an auction platform has not yet been appointed. The auction platforms concerned shall make their determination and publication only after having consulted the Commission and obtained its opinion thereon. The auction platforms concerned shall take the utmost account of the Commission’s opinion.’;

(18) in Article 33, the first subparagraph is replaced by the following:

‘Upon delivery by the auction monitor of the annual consolidated report concerning the auctions conducted in

2014, the Commission shall review the arrangements provided for in this Regulation including the operation of all auction processes.’;

(19) in Article 35, paragraph 1 is replaced by the following:

‘1. Auctions shall only be conducted on an auction platform authorised as a regulated market whose operator organises a market in allowances or allowances derivatives.’;

(20) in Article 44, paragraph 2 is replaced by the following:

‘2. An auction platform including the clearing system(s) or settlement system(s) connected to it shall transfer the payments made by the bidders or any successors in title arising from the auctioning of allowances covered by Chapters II and III of Directive 2003/87/EC to the auctioneers that auctioned the allowances in question, except for any amount for which it is asked to act as a payment agent in respect of the auction monitor.’;

(21) Annex III is amended in accordance with the text set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 13 November 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

The table set out in Annex III to Regulation (EU) No 1031/2010 is amended as follows:

In Part 1, following name of the auction platform appointed by Germany, the following row is added:

	'Legal basis	Article 30(2)'
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In Part 2, following name of the auction platform appointed by the United Kingdom, the following row is added:

	'Legal basis	Article 30(1)'
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The following Part 3 is added:

'Auction platforms appointed by Germany		
3	Auction Platform	European Energy Exchange AG (EEX)
	Legal basis	Article 30(1)
	Term of appointment	From 15 November 2013 at the earliest until 14 November 2018 at the latest, without prejudice to the second subparagraph of Article 30(5).
	Conditions	Admission to the auctions shall not be dependent on becoming a member of or a participant in the secondary market organised by EEX or of any other trading place operated by EEX or by any third party.
	Obligations	1. Within two months from 15 November 2013, EEX shall submit its exit strategy to Germany for consultation of the auction monitor. The exit strategy shall be without prejudice to the obligations upon EEX pursuant to the contract with the Commission and the Member States concluded pursuant to Article 26 and the rights of the Commission and those Member States under that contract. 2. EEX shall draw up and maintain on its webpage a comprehensive and up-to-date list of members admitted to bid that are licensed to bid on behalf of SMEs and small emitters with readily comprehensible practical guidance informing SMEs and small emitters of the steps they need to take to access the auctions through such members. 3. Within six months after the start of the auctions or two months from the appointment of the auction monitor, whichever is the latest, EEX shall report to the auction monitor on the coverage obtained, including the level of geographic coverage and take the utmost account of the auction monitor's recommendations in this regard so as to ensure fulfilment of its obligations under Article 35(3)(a) and (b). 4. Germany shall notify the Commission of any substantive changes in relevant contractual relations with EEX notified to the Commission on 15 March 2013 and communicated to the Climate Change Committee on 20 March 2013.'

COMMISSION IMPLEMENTING REGULATION (EU) No 1144/2013**of 13 November 2013****entering a name in the register of traditional specialities guaranteed [Tepertős pogácsa (TSG)]**

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 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽²⁾.
- (2) Pursuant to Article 8(2) of Regulation (EC) No 509/2006, Hungary's application to register the name 'Tepertős pogácsa' was published in the *Official Journal of the European Union* ⁽³⁾.
- (3) Germany and Austria notified statements of objection to the Commission in accordance with Article 9 of Regulation (EC) No 509/2006. In accordance with paragraph 3 of that Article, the Commission examined the statements of objection and found them to be admissible.
- (4) Hungary has indicated that agreement has been reached with Germany and Austria.

(5) As regards Germany, that agreement has resulted in the registration application being amended by deleting the references to the required flour quality parameters (BL55 and BL80).

(6) For its part, Austria has accepted Hungary's confirmation that the purpose of the registration application is to protect only the Hungarian name 'Tepertős pogácsa' as a traditional speciality guaranteed and that the application to register the Hungarian name 'Tepertős pogácsa' has no detrimental effect on products bearing the name 'Grammelpogatsche' and will not compromise the manufacture of the product marketed under the name 'Grammelpogatsche'.

(7) In the light of this information, the name 'Tepertős pogácsa' should be entered in the register of traditional specialities guaranteed and the specification should therefore be updated and published,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

The updated specification is contained in Annex II to this Regulation.

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, 13 November 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 1.

⁽³⁾ OJ C 180, 21.6.2012, p. 16.

ANNEX I

Agricultural products and foodstuffs listed in Annex I, point II, to Regulation (EU) No 1151/2012:

Class 2.3. Confectionery, bread, pastry, cakes, biscuits and other baker's wares

HUNGARY

Tepertős pogácsa (TSG)

ANNEX II

1. **Product specification**1.1. *Name to be registered*

‘Tepertős pogácsa’

When the product is placed on the market, the label may contain the following information: ‘magyar hagyományok szerint előállított’ (produced in accordance with Hungarian traditions). The information shall also be translated into other official languages.

1.2. *Whether the name*

☐ is specific in itself

☒ expresses the specific character of the agricultural product or foodstuff

The adjective ‘tepertős’ in the product name describes the ‘tepertő’ (pork crackling) that remains after fat bacon has been fried, which, following chopping, provides in creamy form the characteristic basic material of the ‘round savoury bakery product’ (pogácsa).

1.3. *Whether reservation of the name is sought under Article 13(2) of Regulation (EC) No 509/2006*

☐ Registration with reservation of the name

☒ Registration without reservation of the name

1.4. *Type of product*

Class 2.3. Confectionery, bread, pastry, cakes, biscuits and other baker’s wares

1.5. *Description of the agricultural product or foodstuff to which the name under point 3.1 applies*

‘Tepertős pogácsa’ is a round, cylindrically shaped savoury bakery product seasoned with salt and pepper, with a diameter of 3-5 cm and weight of 25-50 g. It contains chopped pork crackling and pig fat, is leavened with yeast and its texture may be short (*omlós*) or flaky (*leveles*). The surface is reddish brown and scored into squares. The underside is smooth and reddish brown. Inside, the pieces of pork crackling are evenly distributed. The short variety may be broken into pieces, while the flaky variety has a loose, multi-layered structure. It has the characteristic taste of the fried products used in the pork crackling and is pleasantly salty and mildly peppered. The product contains 20-30 % fat in relation to the weight of the dry matter and 25-40 % pork crackling in relation to the weight of flour. At least 60 % of the fat content comes from the pork crackling.

Organoleptic characteristics:

	Short ‘tepertős pogácsa’	Flaky ‘tepertős pogácsa’
Shape	Round, evenly cylindrical.	Round cylindrical, may ‘tilt’ slightly.
Crust	The top is shiny, reddish brown and deeply scored with squares. The sides are sand coloured and mat and the bottom is reddish brown and mat.	
Internal structure	Clearly short texture but not crumbly. The crackling pieces are evenly distributed and are slightly brown in colour.	Slightly flaky texture, made up of different layers between which the crackling can be seen, slightly brown in colour.
Taste	Characteristic of the crackling, it has a pleasantly salty, mildly peppery taste.	
Aroma	Characteristic of the crackling and the pig fat; peppery.	

Physical and chemical characteristics

Fat content: the fat content of the finished product calculated in relation to the weight of the dry matter is 20-30 % (m/m)

Salt content: the salt content of the finished product calculated in relation to the weight of the dry matter is at most 4,0 % (m/m)

1.6. *Description of the production method of the agricultural product or foodstuff to which the name under point 3.1 applies*

Starting materials:

— For the crackling cream:

— Pork crackling without the skin: 70-75 % of the crackling cream is made up of the fried pieces of lard remaining after the fat bacon with little or no meat has been fried;

— Pig fat: 25-30 % of the crackling cream is made up of the fat obtained while the fat bacon with little or no meat is in the process of being fried;

— Preparation of the dough: wheat flour or spelt flour, egg, egg yolk, milk, yeast, white wine or vinegar, cream, salt and pepper.

It is forbidden to use any kind of food additives (e.g. raising agents or preservatives) to prepare 'Tepertős pogácsa'.

Method of production:

Depending on the method used to prepare the dough, the 'Tepertős pogácsa' may have a short or flaky texture.

Production of short 'TEPERTŐS POGÁCSA'

First stage: preparation of the crackling cream

The fresh, skinless crackling is crushed with a rolling-pin on a board until the coarsest and most irregular pieces have been flattened and the fried pieces are evenly distributed in the cream. They may also be minced with a mincer. In that case, the disk with the smallest perforations should be used.

The cream and the pig fat are mixed with a wooden spoon or mixer. An important requirement is that no additives, preservatives, goose crackling, vegetable fat or margarine may be used to prepare the crackling cream; only fresh, skinless crackling is allowed.

Crackling cream produced industrially must also meet the requirements for making crackling cream.

Second stage: preparation of the dough

250-400 g of crackling cream is rubbed into each kilogram of wheat flour to form an even mixture. In order to obtain a short consistency it is essential to cover the flour particles with the cream. All the ingredients, i.e. the flour mixed with the crackling cream and, for each kilogram of flour, 5 % of yeast activated in milk, 1 egg, 1 egg yolk, 0,02 % of white wine or vinegar, 2,5 % of salt, 0,001 % of ground pepper and enough cream to obtain a fairly firm dough, are kneaded together. Kneading is continued until the dough binds together. The required short consistency will not be achieved if the dough is over-kneaded.

Because of the product's high fat content, the dough should be prepared from cold ingredients and left to rest in a cool place until its core temperature reaches 26 °C. Given the nature of the product, the dough may be placed in a refrigerator at a temperature of + 5–8 °C and left to rest for at least 3 hours.

The risen and cooled dough must then be rolled out into a finger-thick layer and the top scored with deep perpendicular lines. This may also be done with knives assembled together at a distance of about 3 mm from each other. The cutting out is generally done with a dough cutter 3-6 cm in diameter, while making sure that the shapes are regular and remain as cylindrical as possible. The final shaping is done by rolling the dough with the palm of the hand. The scones needed to fill the baking tray are placed close to each other on the pastry board and then coated with beaten egg using a brush, care being taken not to let the egg run down the sides of the cylinders. When the egg has slightly dried on the surface the scones are placed, evenly spaced, on the baking tray. The pieces of dough left over may be gathered together and kneaded at most twice, without handling them too much, and after being left to rest they may be shaped again.

After the scones have been placed on the baking tray they are left to rise for 50-55 minutes, then baked in a hot oven at 220–240 °C for 12-15 minutes. Then they are ready.

The products are sold without packaging (loose) or pre-packed.

Production of flaky 'TEPERTŐS POGÁCSA'

First stage: preparation of the crackling cream

The preparation of the crackling cream is similar to that for the short variety, the only difference being that, in addition to the fat and skinless pork crackling, salt (about 1,5 % in relation to the weight of the flour) and finely ground pepper (about 0,001 % in relation to the weight of the flour) are also used. Salt is used at this stage because, if the amount of salt necessary for the characteristically salty taste of the scones were added only when preparing the dough, the dough would tear and not enable the flaky texture to be obtained.

50 %, i.e. half, of the quantity of fat appropriate for the preparation of the crackling cream is used and the other half is set aside for the dough.

Second stage: preparation of the dough

The 'basic dough' is prepared with flour, the fat set aside when the crackling cream is prepared, and salt (approximately 1 % in relation to the weight of the flour), as well as, per kilogram of flour, 5 % of yeast activated in milk, 0,02 % of white wine or vinegar and, possibly, 1 egg, 1 egg yolk and enough cream to obtain a fairly supple dough which is firm and easily malleable.

Keeping the ingredients and the crackling cream at a low temperature is important for this variety so that the crackling cream can separate the dough layers when the flaky structure is prepared. The fat between the thin layers of cold dough melts during baking and prevents the dough layers from sticking. In the meantime, the water in the dough and the fat turns into steam, softening and separating the layers of dough, a process by which the product being baked separates into leaves.

The flaky structure may be achieved in two ways:

- (a) The crackling cream is spread evenly on the thin layers of dough, then the dough is rolled up starting from one end. This roll is left to rest for 15-30 minutes, then the dough is rolled back out into a thin layer and rolled up again at 90 degrees to the previous rolling. If this process is not carried out, the scones will collapse during baking.
- (b) The rested basic dough is rolled out into a thin layer and the crackling mixture is spread on its surface at each folding. In this case it is not rolled up but folded (at least three times).

Before the last rolling-out the dough is rested for at least 15 minutes, then it is rolled out until it is finger-thick (1-2 cm); its surface is scored with deep perpendicular lines and it is cut up using a dough cutter 3-6 cm in diameter. The scones needed to fill the baking tray are placed close to each other on the pastry board and then coated with beaten egg using a brush, care being taken not to let the egg run down the sides of the cylinders.

When the egg has dried slightly on the surface, the scones are placed, evenly spaced, on the baking tray; they are left to rise for 40-45 minutes and then baked in a hot oven at 220-240 °C for 8-10 minutes. Then they are ready.

The products are sold without packaging (loose) or pre-packed.

1.7. *Specific character of the agricultural product or foodstuff*

The specific character of 'Tepertős pogácsa' is based on the following:

- the basic material comprising pork crackling and pork fat,
- the special technique used to prepare the dough,

— the physical, chemical and organoleptic characteristics.

The basic material, pork crackling, gives the product its character.

The crackling, which comprises the pieces obtained by frying fat bacon containing little or no meat, gives 'Tepertős pogácsa' its specific character. The crackling has a protein content of 12-13 %, a fat content of 82-84 % and provides at least 60 % of the fat contained in the product.

The special technique used to prepare the dough:

The crackling which is used to make the short variety also makes it possible to prepare the dough by means of a special folding technique which gives it its flaky structure; moreover, the high fat content means that the dough must undergo special preparation in cold conditions at 24–26 °C.

The physical, chemical and organoleptic characteristics:

Owing to the 20-30 % fat content achieved by using the pork crackling and fat, 'Tepertős pogácsa' has a higher nutritive value, dries less quickly and has a longer shelf-life than other products in the same category.

1.8. *Traditional character of the agricultural product or foodstuff*

The word 'pogácsa' (scone) was first used around 1395 and originally meant a griddle cake/bread baked in ash and embers. In Hungarian folk tales the scone became known as 'hamuban sült pogácsa' (scone baked in ash). Until the end of the 17th century the griddle cake/bread, which was eaten like bread, was called scone-bread or scone-type bread. The present-day variety – which is smaller, cylindrical and marked with a square pattern – became widespread in Hungary at the end of the Middle Ages. This griddle cake/bread, with its different varieties of dough, was the most common foodstuff in peasant cuisine and its popularity has been undeniable ever since.

Two conditions enabled the development of 'Tepertős pogácsa': firstly, the custom of frying fat from bacon became widespread and, secondly, crackling became an everyday food. According to a description of a middle-ranking noble family in the county of Somogy dating from 1770, frying bacon and making crackling became part of the customs of noble households from the 18th century onwards. Proof of this is provided by the succession inventory of noble families, which shows that fat/lard firkins started to appear in the Great Plain from the 18th century (Cegléd 1850-1900, published by Ceglédi Kossuth Múzeum, Cegléd, 1988, pp. 28 30 Szűcs). The custom of frying bacon and eating fat/lard probably became part of the popular peasant tradition of preparing pig in the mid-19th century, because from the 1850s onwards fat/lard firkins appeared in the peasant registers of the area between the Danube and the Tisza.

According to oral ethnographic data from the turn of the 19th and 20th centuries, crackling was used for making soap by peasant households in the Central Tisza region, and eating crackling developed gradually. After slaughtering a pig, the scones were baked with fresh, generally small, skinless crackling. Major consolidated works produced in the 1930s in the field of ethnography refer to scones made with risen or unrisen dough based on wheat flour and already embellished, among other ingredients, with crackling [Bátty Zs.: Táplálkozás (Food) in: A magyarság néprajza (Ethnography of the Hungarians), Budapest, 1933, p. 100] and it can therefore be maintained that the addition of crackling from bacon fried to risen dough became a widespread custom at the beginning of the 20th century.

Today, 'Tepertős pogácsa' has become an important part of everyday meals and is served after soups (made with meat or beans). It is offered to meeting or conference participants and is a dish favoured in the home, especially on the occasion of family celebrations (weddings, christenings) or feasts (Christmas, Easter); it is also often served as a savoury snack to accompany wine in agri-tourism [Hagyományok Ízek Régiók (Regional Taste Traditions), vol. I, p. 145-147.].

From the 1880s to the present day several cookery books have attested to its reputation, including Dobos C. József: Magyar-Franczia szakácskönyv (Hungarian-French cookery book) pp. 784-785, 1881; Rozsnyai Károly: Legújabb nagy házi cukrászat (The latest home-made confectionery) p. 350, 1905; Kincses Váncza receptkönyv (Kincses Váncza recipe book) p. 21, 1920; Az Új idők második receptkönyve (The second volume of the modern-day recipe book), p. 182, 1934; Hajdú Ernőné: Jaj, mit főzzek (What shall I cook?), p. 73, 1941; Rudnay János: A magyar cukrászat remekei (Masterpieces of Hungarian confectionery), p. 89, 1973.

1.9. Minimum requirements and procedures to check the specific character

Specific character	Minimum requirements	Verification method and frequency
fat content	— 20-30 % (of the dry matter) — only pig fat may be used	In accordance with the product description under point 3.5, in a laboratory once every six months.
crackling (cream)	— pork crackling must be used — crackling without skin must be used	On the basis of the file or sheet relating to the product, with documentation by batch.
ingredients	— in accordance with the product description under point 3.6 (pork crackling, pig fat, wheat flour, egg, egg yolk, milk, yeast, white wine or vinegar, cream, salt and pepper).	On the basis of the file or sheet relating to the product, with documentation by lot.
organoleptic characteristics of the product (content, taste and aroma)	— short or flaky texture — taste and aroma characteristic of the crackling and mildly peppered	Organoleptic test every shift.

2. Authorities or bodies verifying compliance with the product specification

2.1. Name and address

Name: Mezőgazdasági Szakigazgatási Hivatal Központ, Élelmiszer- és Takarmánybiztonsági Igazgatóság [Central Agriculture Administration Office, Food and Feed Safety Directorate]

Address: 1095 Budapest, Mester u. 81

Telephone: 456-30-10

Fax: —

e-mail address: oevi@oai.hu

☒ Public ☐ Private

2.2. Specific tasks of the authority or body

The authority responsible for verification checks that the requirements set out in the specification are indeed being complied with.

COMMISSION IMPLEMENTING REGULATION (EU) No 1145/2013**of 13 November 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, 13 November 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	AL	44,1
	MA	42,2
	MK	28,7
	ZZ	38,3
0707 00 05	AL	40,0
	MK	56,9
	TR	132,8
	ZZ	76,6
0709 93 10	MA	85,3
	TR	166,5
	ZZ	125,9
0805 20 10	MA	66,6
	ZA	148,2
	ZZ	107,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	PE	125,0
	SZ	56,1
	TR	78,8
	ZA	157,1
	ZZ	104,3
0805 50 10	TR	68,6
	ZA	74,0
	ZZ	71,3
0806 10 10	BR	251,7
	LB	239,8
	PE	322,3
	TR	167,2
	US	340,0
	ZZ	264,2
0808 10 80	BA	64,2
	NZ	131,4
	US	142,2
	ZA	178,9
	ZZ	129,2
0808 30 90	CN	65,8
	TR	114,2
	ZZ	90,0

⁽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

COMMISSION IMPLEMENTING DECISION

of 12 November 2013

on the monitoring and reporting of antimicrobial resistance in zoonotic and commensal bacteria

(notified under document C(2013) 7145)

(Text with EEA relevance)

(2013/652/EU)

THE EUROPEAN COMMISSION,

put in place a five-year action plan to fight against AMR based on 12 key actions, including strengthened surveillance systems on AMR.

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

Having regard to Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC⁽¹⁾, and in particular Article 7(3) and the fourth subparagraph of Article 9(1) thereof,

Whereas:

(1) Directive 2003/99/EC provides that Member States are to ensure that monitoring provides comparable data on the occurrence of antimicrobial resistance (AMR) in zoonotic agents and, in so far they present a threat to public health, other agents.

(2) Directive 2003/99/EC also provides that Member States are to assess the trends and sources of AMR in their territory and transmit to the Commission every year a report covering data collected in accordance with that Directive.

(3) In the Communication of 15 November 2011 from the Commission to the European Parliament and the Council — Action Plan against the rising threats from Antimicrobial Resistance⁽²⁾, the Commission proposes to

(4) In the Council Conclusions of 22 June 2012 on the impact of antimicrobial resistance in the human health sector and in the veterinary sector — a One Health Perspective⁽³⁾, that Institution calls upon the Commission to follow up on its Communication of 15 November 2011 through concrete initiatives to implement the 12 actions set out in that Communication, and to collaborate closely with the European Centre for Disease Prevention and Control (ECDC), the European Food Safety Authority (EFSA) and the European Medicines Agency (EMA) in strengthening the assessment and evaluation of the occurrence of AMR in humans, in animals and in food in the Union.

(5) During its plenary sitting of 11 December 2012, the Parliament adopted a Report on the Microbial Challenge — Rising threats from Antimicrobial Resistance⁽⁴⁾. In that Report, the Parliament welcomes the Commission's five-year action plan on tackling AMR and considers that the measures recommended in it need to be implemented as soon as possible. The Parliament, in particular, calls on the Commission and the Member States to seek greater cooperation and coordination on the early detection, alert and coordinated response procedures regarding pathogenic antimicrobial resistant bacteria in humans, animals, fish and foodstuffs in order to continuously monitor the extent and growth of AMR.

(6) Under its Joint FAO/WHO Food Standards Programme, the Codex Alimentarius Commission adopted, during its 34th session in Geneva, the Guidelines for the Risk Analysis of Foodborne Antimicrobial Resistance⁽⁵⁾ which highlight AMR as a major global public health

⁽¹⁾ OJ L 325, 12.12.2003, p. 31.

⁽²⁾ COM(2011) 748 final.

⁽³⁾ OJ C 211, 18.7.2012, p. 2.

⁽⁴⁾ OJ C 77 E, 15.3.2013, p. 20.

⁽⁵⁾ CAC/GL 77-2011.

concern and a food safety issue. The use of antimicrobial agents in food-producing animals and crops is a potentially important risk factor for the selection and dissemination of AMR microorganisms and determinants from animals and food crops to humans via the consumption of food.

- (7) Those Codex Guidelines conclude, inter alia, that surveillance programmes on the prevalence of foodborne AMR provide information that is useful for all parts of the AMR risk analysis process. The methodology of surveillance programmes should be internationally harmonised as far as possible. The use of standardised and validated antimicrobial susceptibility testing methods and harmonised interpretive criteria are essential to ensure that data are comparable.

- (8) The Terrestrial Animal Health Code of the World Animal Health Organisation (OIE) ⁽¹⁾ in its Chapter 6.7 on 'Harmonisation of National AMR Surveillance and Monitoring programmes', underlines the need for the surveillance and monitoring of AMR in order to assess and determine the trends and sources of AMR in bacteria, to detect the emergence of new AMR mechanisms, to provide the data necessary for conducting risk analyses that are relevant to animal and human health, to provide a basis for policy recommendations for animal and human health and to provide information for evaluating antimicrobial prescribing practices and for prudent use recommendations.

- (9) On 9 July 2008, the EFSA adopted a Scientific Opinion on Foodborne antimicrobial resistance as a biological hazard ⁽²⁾. On 28 October 2009, the ECDC, the EFSA, the EMA and the Commission's Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) published a joint scientific opinion on antimicrobial resistance focused on infections transmitted to humans from animals and food (zoonoses) ⁽³⁾. On 5 March 2009, the EFSA adopted a scientific opinion on the assessment of the public health significance of methicillin resistant *Staphylococcus aureus* (MRSA) ⁽⁴⁾. On 7 July 2011, the

EFSA adopted a scientific opinion on the public health risks of bacterial strains producing extended-spectrum β -lactamases (ESBL) and/or AmpC β -lactamases (AmpC) in food and food-producing animals ⁽⁵⁾. On 3 October 2011, the EFSA adopted a technical report on EFSA approaches to risk assessment in the area of antimicrobial resistance, with an emphasis on commensal microorganisms ⁽⁶⁾. The main conclusion of all those opinions and reports is that, in view of the increasing public health concern regarding AMR, the use of harmonised methods and epidemiological cut-off values is necessary to ensure the comparability of data over time at Member State level, and also to facilitate the comparison of the occurrence of AMR between Member States.

- (10) On 14 June 2012, the EFSA published a scientific report on technical specifications on the harmonised monitoring and reporting of antimicrobial resistance in *Salmonella*, *Campylobacter* and indicator commensal *Escherichia coli* and *Enterococcus* spp. bacteria transmitted through food ⁽⁷⁾. On 5 October 2012, the EFSA published a scientific report on technical specifications on the harmonised monitoring and reporting of antimicrobial resistance in methicillin-resistant *Staphylococcus aureus* (MRSA) in food-producing animals and food ⁽⁸⁾. Those scientific reports recommend detailed rules for harmonised monitoring and reporting on the prevalence of resistant microorganisms in food-producing animals and food, in particular as regards the microorganisms to be included, the origin of the isolates of the microorganisms, the number of isolates to be tested, the specific monitoring of MRSA and ESBL- or AmpC-producing bacteria and the collection and reporting of the data. The involvement of the ECDC in this work will ensure the comparison between the data of the food-producing animals and food sector and the data of the human sector.

- (11) In accordance with the findings of those reports and opinions, when defining the combinations of bacterial species, food-producing animal species and food products to be included in the harmonised monitoring and reporting of AMR, it is important to prioritise the

⁽¹⁾ <http://www.oie.int>

⁽²⁾ EFSA Journal (2008) 765, 1-87.

⁽³⁾ EFSA Journal 2009; 7(11):1372.

⁽⁴⁾ EFSA Journal (2009) 993, 1-73.

⁽⁵⁾ EFSA Journal 2011; 9(8):2322.

⁽⁶⁾ EFSA Journal 2011; 9(10):196.

⁽⁷⁾ EFSA Journal 2012; 10(6):2742.

⁽⁸⁾ EFSA Journal 2012; 10(10):2897.

most relevant from a public health perspective. In order to minimise the burden, the monitoring should be derived as much as possible from biological samples or isolates collected in the framework of national control programmes that have already been established.

(12) Regulation (EC) No 2160/2003 of the European Parliament and of the Council ⁽¹⁾ provides that Member States are to establish national control programmes which are to include sampling for the testing of *Salmonella* spp. at different stages of the food chain. Commission Regulation (EC) No 2073/2005 ⁽²⁾ lays down the microbiological criteria for certain micro-organisms and the rules to be complied with by food business operators. In particular the competent authority is to ensure that food businesses operators comply with the rules and criteria laid down in that Regulation in accordance with Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽³⁾. The monitoring of AMR in *Salmonella* spp. should be focused on isolates obtained from the national control programmes and from the testing and verification of compliance set up by the competent authority in accordance with Article 1 of Regulation (EC) No 2073/2005.

(13) Commission Decision 2007/407/EC ⁽⁴⁾ lays down detailed rules for monitoring AMR to be carried out by Member States, covering *Salmonella* spp. in fowl, turkeys and slaughter pigs for the period from 2007 to 2012. Such harmonised monitoring should be continued to follow the evolution of trends and be extended to AMR in other pathogens and commensals in line with the increasing public health concern on the role of these microorganisms in the overall risk of AMR referred to in scientific opinions. Monitoring and reporting in accordance to Article 7 and 9 of Directive 2003/99/EC should therefore be in compliance with provisions and technical requirements on the harmonised monitoring and reporting of AMR which takes into account the recommendations set out in the EFSA reports.

(14) For the sake of clarity of Union legislation, Decision 2007/407/EC should be repealed.

⁽¹⁾ Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food borne zoonotic agents (OJ L 325, 12.12.2003, p. 1).

⁽²⁾ Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1).

⁽³⁾ Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).

⁽⁴⁾ Commission Decision 2007/407/EC of 12 June 2007 on a harmonised monitoring of antimicrobial resistance in *Salmonella* in poultry and pigs (OJ L 153, 14.6.2007, p. 26).

(15) In order to allow Member States to organise themselves and to facilitate the planning of the monitoring and reporting provided for in this Decision, it should apply from 1 January 2014.

(16) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

1. This Decision lays down detailed rules for the harmonised monitoring and reporting of antimicrobial resistance (AMR) to be carried out by Member States in accordance with Article 7(3) and 9(1) of Directive 2003/99/EC and Annex II (B) and Annex IV thereto.

That monitoring and reporting shall cover the following bacteria obtained from samples from certain food-producing animal populations and certain food:

(a) *Salmonella* spp.;

(b) *Campylobacter jejuni* and *Campylobacter coli* (*C. jejuni* and *C. coli*);

(c) Indicator commensal *Escherichia coli* (*E. coli*);

(d) Indicator commensal *Enterococcus faecalis* and *Enterococcus faecium* (*E. faecalis* and *E. faecium*).

2. This Decision lays down specific requirements for the harmonised monitoring and reporting of the *Salmonella* spp., and *E. coli* producing the following enzymes in certain food-producing animal populations and in certain food:

- (a) Extended-Spectrum β -Lactamases (ESBL);
- (b) AmpC β -Lactamases (AmpC);
- (c) Carbapenemases.

Article 2

Sampling framework and collection of isolates by Member States

1. Member States shall ensure the sampling for the monitoring of AMR in accordance with the technical requirements set out in Part A of the Annex.

2. Member States shall collect representative isolates of the following bacteria in accordance with the technical requirements set out in the part A of the Annex:

- (a) *Salmonella* spp.;
- (b) *C. jejuni*;
- (c) Indicator commensal *E. coli*; and
- (d) ESBL- or AmpC- or carbapenemase-producing *Salmonella* spp. and *E. coli*.

3. Member States may collect representative isolates of the following bacteria provided that they do so in accordance with the technical requirements set out in Part A of the Annex:

- (a) *C. coli*;
- (b) Indicator commensal *E. faecalis* and *E. faecium*.

Article 3

Isolates of *Salmonella* spp. obtained by food business operators

Where, due to a low bacterial prevalence or a low number of epidemiological units in a Member State the minimum number of *Salmonella* spp. isolates collected by the competent authority during official controls in accordance with point 1(a) of Part A of the Annex is not sufficient to achieve the minimal required number of isolates to be tested for antimicrobial susceptibility, the competent authority may use isolates obtained by food

business operators provided that such isolates have been obtained by the food businesses operator in accordance with the following provisions:

- (a) the national control programme provided for in Article 5 of Regulation (EC) No 2160/2003;
- (b) the process hygiene criteria set out in points 2.1.3, 2.1.4 and 2.1.5 of Chapter 2 of Annex I to Regulation (EC) No 2073/2005.

Article 4

Analysis by national reference laboratories

1. National reference laboratories for AMR shall perform the following analysis:

- (a) the antimicrobial susceptibility testing of the isolates set out in points 2 and 3 of Part A of the Annex;
- (b) the specific monitoring of ESBL- or AmpC- or carbapenemase-producing *Salmonella* spp. and *E. coli* set out in point 4 of Part A of the Annex.

2. The competent authority may designate laboratories other than the national reference laboratory for AMR in accordance with Article 12 of Regulation (EC) No 882/2004 to perform the analysis provided for in paragraph 1.

Article 5

Assessment and reporting

Member States shall assess the results of the AMR monitoring provided for in Articles 2 and 3 and include that assessment in the report on trends and sources of zoonoses, zoonotic agents and antimicrobial resistance provided for in Article 9(1) of Directive 2003/99/EC.

Article 6

Publication and confidentiality of the data

The European Food Safety Authority shall publish in accordance with Article 9(2) of Directive 2003/99/EC the national isolate-based quantitative antimicrobial resistance data and results of the analyses reported in accordance to Article 4.

Article 7

Repeal

Decision 2007/407/EC is hereby repealed.

*Article 8***Application**

This Decision shall apply from 1 January 2014.

*Article 9***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 12 November 2013.

For the Commission

Tonio BORG

Member of the Commission

ANNEX

TECHNICAL REQUIREMENTS

PART A

SAMPLING FRAMEWORK AND ANALYSIS

1. **Origin of isolates**

Member States shall collect representative isolates for monitoring AMR from at least each of the following animal populations and food categories:

(a) *Salmonella* spp. isolates from:

- (i) each population of laying hens, broilers and fattening turkeys sampled in the framework of the national control programmes, established in accordance with Article 5(1) of Regulation (EC) No 2160/2003;
- (ii) carcasses of both broilers and fattening turkeys sampled for testing and verification of compliance, in accordance with point 2.1.5 of Chapter 2 of Annex I to Regulation (EC) No 2073/2005;
- (iii) carcasses of fattening pigs sampled for testing and verification of compliance, in accordance with point 2.1.4 of Chapter 2 of Annex I to Regulation (EC) No 2073/2005;
- (iv) carcasses of bovines under one year of age where the production of meat of those bovines in the Member State is more than 10 000 tonnes slaughtered per year sampled for testing and verification of compliance, in accordance with point 2.1.3 of Chapter 2 of Annex I to Regulation (EC) No 2073/2005.

(b) *C. jejuni* isolates from caecal samples gathered at slaughter from broilers and from fattening turkeys where the production of turkey meat in the Member State is more than 10 000 tonnes slaughtered per year.(c) Indicator commensal *E. coli* isolates from:

- (i) caecal samples gathered at slaughter from broilers and from fattening turkeys where the production of turkey meat in the Member State is more than 10 000 tonnes slaughtered per year;
- (ii) caecal samples gathered at slaughter from fattening pigs and bovines under one year of age where the production of meat of those bovines in the Member State is more than 10 000 tonnes slaughtered per year.

(d) ESBL- or AmpC- or carbapenemase-producing *E. coli* from:

- (i) caecal samples gathered at slaughter from broilers and from fattening turkeys where the production of turkey meat in the Member State is more than 10 000 tonnes slaughtered per year;
- (ii) caecal samples gathered at slaughter from fattening pigs and bovines under one year of age where the production of meat of those bovines in the Member State is more than 10 000 tonnes slaughtered per year;

(iii) samples of fresh meat of broilers, pig meat and bovine meat gathered at retail.

(e) Where a Member State decides to test *C. coli* in accordance with Article 2(3)(a), isolates from:

- (i) caecal samples gathered at slaughter from broilers;
- (ii) caecal samples gathered at slaughter from fattening pigs.

(f) Where a Member State decides to test *E. faecalis* and *E. faecium* in accordance with Article 2(3)(b), isolates from:

- (i) caecal samples gathered at slaughter from broilers and from fattening turkeys where the production of turkey meat in the Member State is more than 10 000 tonnes slaughtered per year;
- (ii) caecal samples gathered at slaughter from fattening pigs and bovines under one year of age where the production of meat of those bovines in the Member State is more than 10 000 tonnes slaughtered per year.

Isolates obtained by the Member State from an origin other than those referred to in points (a) to (f), may be tested for AMR by the competent authority on a voluntary basis and kept separately when reported in accordance with point 2 of Part B of the Annex. However, when carrying out such testing for AMR, the specific technical requirements of points 3, 4 and 5 shall apply.

2. Sampling frequency, size and design

2.1. Sampling frequency

Member States shall carry out every two years the sampling, the collection and the antimicrobial susceptibility testing provided for in Article 2 to 4 of each combination of bacterial species and type of sample of animal populations or food categories listed in point 1 of this Part and the specific monitoring of ESBL- or AmpC- or carbapenemase-producing *Salmonella* spp. and *E. coli* in accordance with point 4 of this Part in accordance with the following rotation system:

- (a) In the years 2014, 2016, 2018 and 2020 for laying hens, broilers and fresh meat thereof, and fattening turkeys. However, the specific monitoring of ESBL- or AmpC- or carbapenemase-producing indicator commensal *E. coli* in accordance with point 4.1 shall not be mandatory in the year 2014;
- (b) In the years 2015, 2017 and 2019, for pigs, bovines under one year of age, pig meat and bovine meat.

2.2. Sample size

Member States shall test 170 isolates for antimicrobial susceptibility testing for each combination of bacterial species and type of sample of animal population or food category listed in point 1(a), (b), (c), (e) and (f). However, in Member States with a production of less than 100 000 tonnes of poultry meat slaughtered per year and less than 100 000 tonnes of pig meat slaughtered per year⁽¹⁾, they shall test 85 isolates instead of 170 isolates for each corresponding specific combination.

In those Member States where, in any given year, a higher number of isolates for some of the combinations of bacterial species and type of sample of animal population or food category listed in point 1(a), (b), (c), (e) and (f) is available, all isolates or a representative random selection equal to or greater than the number of isolates required in accordance with the first paragraph, shall be included in the antimicrobial susceptibility testing.

In those Member States where, due to a low bacterial prevalence or low number of epidemiological units, in any given year, the number of isolates required in accordance with the first paragraph for some of the combinations of bacterial species and type of sample of animal population or food category listed in point 1(a), (b), (c), (e) and (f), cannot be achieved, all available isolates at the end of the monitoring period shall be included in the antimicrobial susceptibility testing.

For the specific monitoring of ESBL- or AmpC- or carbapenemase-producing indicator commensal *E. coli* set out in point 4.1, Member States shall analyse 300 samples of each of the animal population and food category, listed in point 1(d). However, in Member States with a production of less than 100 000 tonnes of poultry meat slaughtered per year, less than 100 000 tonnes of pig meat slaughtered per year and less than 50 000 tonnes bovine meat slaughtered per year⁽²⁾ the Member States shall analyse 150 samples instead of 300 samples for each corresponding specific combination.

⁽¹⁾ According to the most recent data available at Eurostat (<http://epp.eurostat.ec.europa.eu>).

⁽²⁾ See footnote 1.

2.3. Sampling design

Isolates which are tested for antimicrobial susceptibility as provided for in Article 2 shall be obtained from monitoring programmes, based on randomised sampling design. The bacterial isolates referred to in Article 2 must originate from randomly selected epidemiological units or randomly selected within the slaughterhouses. Where diseased animals are sampled, the result of the antimicrobial susceptibility testing shall be kept separately when reported in accordance with point 2 of Part B.

The competent authority shall ensure the randomisation of the sampling scheme and its correct implementation.

In the case of sampling at slaughterhouses as provided for in point 1 of Part A, sampling shall be performed at slaughterhouses processing at least 60 % of the specific domestic animal population in the Member State, starting with the slaughterhouses of largest throughput.

Not more than one isolate per bacterial species from the same epidemiological unit per year shall be included in the monitoring provided for this Decision. The epidemiological unit for laying hens, broilers, and fattening turkeys shall be the flock. For fattening pigs and bovines under one year of age, the epidemiological unit shall be the holding.

2.3.1. Representative sampling of samples at slaughter

The random sampling plan shall be stratified per slaughterhouse by allocating the number of samples from domestically produced animals collected per slaughterhouse proportionally to the annual throughput of the slaughterhouse.

The collected samples at slaughter shall be evenly distributed over each month of the year to enable the different seasons to be covered.

Only one representative sample of caecal content per epidemiological unit, derived either from a unique carcass or from a number of carcasses, shall be gathered to account for clustering. The sampling shall otherwise be based on a random selection regarding sampling days each month and which batches are to be sampled on a selected sampling day.

The number of biological samples to be collected in accordance with point 1(a), (b), (c), (e) and (f) of Part A shall be determined in order to achieve the required number of isolates by accounting for the prevalence of the bacteria species monitored.

2.3.2. Collection of representative *Salmonella* spp. isolates collected in the framework of the national control programmes for *Salmonella* spp. in relevant animal populations and in the framework of Regulation (EC) No 2073/2005

Antimicrobial susceptibility testing shall be carried out for no more than one isolate per *Salmonella* serovar from the same epidemiological unit per year.

Where the number of *Salmonella* isolates yearly available per animal population in the Member State is higher than the number of isolates required in accordance with point 2.2, a random selection of at least 170 or 85 isolates shall be performed from the collection of yearly available isolates in the Member State, in a way that ensures geographical representativeness and an even distribution of the date of sampling over the year. Conversely, in the case of a low prevalence, all the *Salmonella* isolates available shall be tested for susceptibility.

2.3.3. Collection of samples at retail

Member States shall collect at retail random samples of fresh meat of broilers, pig meat and bovine meat without pre-selecting samples based on the origin of the food.

3. Antimicrobials for susceptibility testing, epidemiological cut-off values and concentration ranges to be used for antimicrobial susceptibility testing of the isolates

Member States shall test the antimicrobials and interpret the results using the epidemiological cut-off values and the concentration ranges that are set out in Tables 1, 2 and 3, to determine the susceptibility of *Salmonella* spp., *C. coli*, *C. jejuni*, indicator commensal *E. coli*, *E. faecalis* and *E. faecium*.

Dilution methods shall be performed according to the methods described by the European Committee on Antimicrobial Susceptibility Testing (EUCAST) and the Clinical and Laboratory Standards Institute (CLSI), accepted as the international reference method (ISO standard 20776-1:2006).

Table 1

Panel of antimicrobial substances to be included in AMR monitoring, EUCAST thresholds for resistance and concentration ranges to be tested in *Salmonella* spp. and indicator commensal *E. coli* (First panel)

Antimicrobial	Species	Interpretative thresholds of AMR (mg/L)		Range of concentrations (mg/L) (No of wells in brackets)
		ECOFF ^(a)	Clinical breakpoint ^(b)	
Ampicillin	<i>Salmonella</i>	> 8	> 8	1-64 (7)
	<i>E. coli</i>	> 8	> 8	
Cefotaxime	<i>Salmonella</i>	> 0,5	> 2	0,25-4 (5)
	<i>E. coli</i>	> 0,25	> 2	
Ceftazidime	<i>Salmonella</i>	> 2	> 4	0,5-8 (5)
	<i>E. coli</i>	> 0,5	> 4	
Meropenem	<i>Salmonella</i>	> 0,125	> 8	0,03-16 (10)
	<i>E. coli</i>	> 0,125	> 8	
Nalidixic acid	<i>Salmonella</i>	> 16	NA	4-128 (6)
	<i>E. coli</i>	> 16	NA	
Ciprofloxacin	<i>Salmonella</i>	> 0,064	> 1	0,015-8 (10)
	<i>E. coli</i>	> 0,064	> 1	
Tetracycline	<i>Salmonella</i>	> 8	NA	2-64 (6)
	<i>E. coli</i>	> 8	NA	
Colistin	<i>Salmonella</i>	> 2	> 2	1-16 (5)
	<i>E. coli</i>	> 2	> 2	
Gentamicin	<i>Salmonella</i>	> 2	> 4	0,5-32 (7)
	<i>E. coli</i>	> 2	> 4	
Trimethoprim	<i>Salmonella</i>	> 2	> 4	0,25-32 (8)
	<i>E. coli</i>	> 2	> 4	
Sulfamethoxazole	<i>Salmonella</i>	NA	NA	8-1 024 (8)
	<i>E. coli</i>	> 64	NA	
Chloramphenicol	<i>Salmonella</i>	> 16	> 8	8-128 (5)
	<i>E. coli</i>	> 16	> 8	
Azithromycin	<i>Salmonella</i>	NA	NA	2-64 (6)
	<i>E. coli</i>	NA	NA	
Tigecycline	<i>Salmonella</i>	> 1 (*)	> 2 (*)	0,25-8 (6)
	<i>E. coli</i>	> 1	> 2	

^(a) EUCAST epidemiological cut-off values.

^(b) EUCAST clinical resistance breakpoints.

(*) Data from EUCAST available for *Salmonella* Enteritidis, Typhimurium, Typhi and Paratyphi.

NA: not available.

Table 2

Panel of antimicrobial substances to be included in AMR monitoring, EUCAST interpretative thresholds for resistance and concentration ranges to be tested in *C. jejuni* and *C. coli*

Antimicrobial	Species	Interpretative thresholds of AMR (mg/L)		Range of concentrations (mg/L) (No of wells in brackets)
		ECOFF ^(a)	Clinical breakpoint ^(b)	
Erythromycin	<i>C. jejuni</i>	> 4	> 4	1-128 (8)
	<i>C. coli</i>	> 8	> 8	
Ciprofloxacin	<i>C. jejuni</i>	> 0,5	> 0,5	0,12-16 (8)
	<i>C. coli</i>	> 0,5	> 0,5	
Tetracycline	<i>C. jejuni</i>	> 1	> 2	0,5-64 (8)
	<i>C. coli</i>	> 2	> 2	
Gentamicin	<i>C. jejuni</i>	> 2	NA	0,12-16 (8)
	<i>C. coli</i>	> 2	NA	
Nalidixic acid	<i>C. jejuni</i>	> 16	NA	1-64 (7)
	<i>C. coli</i>	> 16	NA	
Streptomycin ^(c)	<i>C. jejuni</i>	> 4	NA	0,25-16 (7)
	<i>C. coli</i>	> 4	NA	

^(a) EUCAST epidemiological cut-off values.

^(b) EUCAST clinical resistance breakpoints.

^(c) At a voluntary basis.

NA: not available.

Table 3

Panel of antimicrobial substances to be included in AMR monitoring, EUCAST thresholds for resistance and concentration ranges to be tested in *E. faecalis* and *E. faecium*

Antimicrobial	Species	Interpretative thresholds of AMR (mg/L)		Range of concentrations (mg/L) (No of wells in brackets)
		ECOFF ^(a)	Clinical breakpoint ^(b)	
Gentamicin	<i>E. faecalis</i>	> 32	NA	8-1 024 (8)
	<i>E. faecium</i>	> 32	NA	
Chloramphenicol	<i>E. faecalis</i>	> 32	NA	4-128 (6)
	<i>E. faecium</i>	> 32	NA	
Ampicillin	<i>E. faecalis</i>	> 4	> 8	0,5-64 (8)
	<i>E. faecium</i>	> 4	> 8	
Vancomycin	<i>E. faecalis</i>	> 4	> 4	1-128 (8)
	<i>E. faecium</i>	> 4	> 4	
Teicoplanin	<i>E. faecalis</i>	> 2	> 2	0,5-64 (8)
	<i>E. faecium</i>	> 2	> 2	

Antimicrobial	Species	Interpretative thresholds of AMR (mg/L)		Range of concentrations (mg/L) (No of wells in brackets)
		ECOFF ^(a)	Clinical breakpoint ^(b)	
Erythromycin	<i>E. faecalis</i>	> 4	NA	1-128 (8)
	<i>E. faecium</i>	> 4	NA	
Quinupristin/ Dalfopristin	<i>E. faecalis</i>	NA	NA	0,5-64 (8)
	<i>E. faecium</i>	> 1	> 4	
Tetracycline	<i>E. faecalis</i>	> 4	NA	1-128 (8)
	<i>E. faecium</i>	> 4	NA	
Tigecycline	<i>E. faecalis</i>	> 0,25	> 0,5	0,03-4 (8)
	<i>E. faecium</i>	> 0,25	> 0,5	
Linezolid	<i>E. faecalis</i>	> 4	> 4	0,5-64 (8)
	<i>E. faecium</i>	> 4	> 4	
Daptomycin	<i>E. faecalis</i>	> 4	NA	0,25-32 (8)
	<i>E. faecium</i>	> 4	NA	
Ciprofloxacin	<i>E. faecalis</i>	> 4	NA	0,12-16 (8)
	<i>E. faecium</i>	> 4	NA	

^(a) EUCAST epidemiological cut-off values.

^(b) EUCAST clinical resistance breakpoints.

NA: not available.

4. Specific monitoring of ESBL- or AmpC- or carbapenemase-producing *Salmonella* and *E. coli*

4.1. Method for detection of ESBL- or AmpC- or carbapenemase-producing *E. coli* in broilers, fattening turkeys, fattening pigs, bovines under one year of age and fresh meat of broilers, pig meat and bovine meat

For the purpose of estimating the proportion of samples containing ESBL- or AmpC- or carbapenemase-producing *E. coli* amongst the caecal samples collected from broilers, fattening turkeys, fattening pigs, bovines under one year of age, fresh meat of broilers, pig meat and bovine meat in accordance with point 1(d) of this Part, the following method shall apply.

For the detection of ESBL- or AmpC-producing *E. coli* the method shall start by a pre-enrichment step, followed by inoculation on McConkey agar containing a third generation cephalosporin in a selective concentration according to the most recent version of the detailed protocol for standardisation of the European Union Reference Laboratory for Antimicrobial Resistance ⁽³⁾. The microbial species *E. coli* shall be identified using an appropriated method.

The Member State may decide, based on the epidemiological circumstances, to test in parallel an additional selective plate that inhibits for the growth of AmpC-producing *E. coli* to facilitate the specific detection of ESBL-producing *E. coli*. When using this possibility, the results of the additional selective plate that inhibits for growth of AmpC-producing *E. coli* shall be kept separately when reported in accordance with point 2 of Part B.

Member States may decide to detect for carbapenemase-producing micro-organisms by using selective pre-enrichment and subsequent selective plating on carbapenem-containing media, according to the most recent version of the detailed protocol for standardisation of the European Union Reference Laboratory for AMR ⁽⁴⁾.

One presumptive ESBL- or AmpC- or carbapenemase-producing *E. coli* isolate obtained from each positive caecal sample and meat sample shall be tested on the first panel of antimicrobials in accordance with Table 1 and further submitted to extended susceptibility testing as set out in point 4.2 if they are resistant to cefotaxime or ceftazidime or meropenem based on the interpretative criteria (epidemiological cut-off values) listed in Table 1.

⁽³⁾ www.crl-ar.eu

⁽⁴⁾ See footnote 3.

4.2. Method for further characterisation and classification of *Salmonella* spp. and *E. coli* isolates showing resistance to third-generation cephalosporins or meropenem

All presumptive ESBL- or AmpC- or carbapenemase-producing *E. coli* isolates identified through the selective plating described in point 4.1 as well as all those randomly selected isolates of *Salmonella* spp. and *E. coli* that after testing with the first panel of antimicrobials in accordance with Table 1, are resistant to cefotaxime or ceftazidime or meropenem, shall be further tested with a second panel of antimicrobial substances in accordance with Table 4. This panel includes ceftaxitin, cefepime and clavulanate synergy test in combination with cefotaxime and ceftazidime for detection of ESBL and AmpC production. In addition the second panel also contains imipenem, meropenem and ertapenem to phenotypically verify the presumptive carbapenemase-producers.

Table 4

Panel of antimicrobial substances, EUCAST epidemiological cut-off values (ECOFFs) and clinical resistance breakpoints and concentrations ranges to be used for testing only *Salmonella* spp. and indicator commensal *E. coli* isolates resistant to cefotaxime or ceftazidime or meropenem — (Second panel)

Antimicrobial	Species	Interpretative thresholds of AMR (mg/L)		Range of concentrations (mg/L) (No of wells in brackets)
		ECOFF ^(a)	Clinical breakpoint ^(b)	
Cefoxitin	<i>Salmonella</i>	> 8	NA	0,5-64 (8)
	<i>E. coli</i>	> 8	NA	
Cefepime	<i>Salmonella</i>	NA	NA	0,06-32 (10)
	<i>E. coli</i>	> 0,125	> 4	
Cefotaxime + clavulanic acid (*)	<i>Salmonella</i>	NA (**)	NA (**)	0,06-64 (11)
	<i>E. coli</i>	NA (**)	NA (**)	
Ceftazidime + clavulanic acid (*)	<i>Salmonella</i>	NA (**)	NA (**)	0,125-128 (11)
	<i>E. coli</i>	NA (**)	NA (**)	
Meropenem	<i>Salmonella</i>	> 0,125	> 8	0,03-16 (10)
	<i>E. coli</i>	> 0,125	> 8	
Temocillin	<i>Salmonella</i>	NA	NA	0,5-64 (8)
	<i>E. coli</i>	NA	NA	
Imipenem	<i>Salmonella</i>	> 1	> 8	0,12-16 (8)
	<i>E. coli</i>	> 0,5	> 8	
Ertapenem	<i>Salmonella</i>	> 0,06	> 1	0,015-2 (8)
	<i>E. coli</i>	> 0,06	> 1	
Cefotaxime	<i>Salmonella</i>	> 0,5	> 2	0,25-64 (9)
	<i>E. coli</i>	> 0,25	> 2	
Ceftazidime	<i>Salmonella</i>	> 2	> 4	0,25-128 (10)
	<i>E. coli</i>	> 0,5	> 4	

^(a) EUCAST epidemiological cut-off values.

^(b) EUCAST clinical resistance breakpoints.

NA: not available.

(*) 4 mg/L clavulanic acid.

(**) The values shall be compared to the values of Cefotaxime and Ceftazidime and interpreted according to CLSI or EUCAST guidelines regarding synergy testing.

4.3. Quantitative method to assess the proportion of ESBL- or AmpC-producing *E. coli*

Member States, especially the Member States which have detected a high prevalence of ESBL- or AmpC-producing *E. coli* by the detection method set out in point 4.1, may characterise the proportion of ESBL- or AmpC-producing *E. coli* within the whole *E. coli* population.

That shall be done by enumerating ESBL- or AmpC-producing *E. coli* and total *E. coli* present in a sample using dilution methods and subsequent plating onto selective media and non-selective media, according to the most recent version of the detailed protocol of the European Union Reference Laboratory for Antimicrobial Resistance ⁽⁵⁾.

5. Quality control and storage of the isolates

The laboratories designated by the competent authority to perform the antimicrobial susceptibility testing of the isolates included in the harmonised monitoring programme, shall be involved in a quality assurance system including proficiency test set up either at national or Union level, in identification, typing and susceptibility testing of the bacteria targeted by the harmonised monitoring of AMR.

Isolates shall be stored by the national reference laboratories for AMR at a temperature of – 80 °C for a minimum period of five years. Other methods of storage may alternatively be used provided that they ensure viability and absence of changes in strain properties.

PART B

REPORTING

1. General provisions for reporting of the data

Where AMR monitoring is performed by the competent authority from isolates obtained by a competent authority at other stages of the food chain than the ones referred to in point 1 of part A, but in accordance with the technical specifications referred to in points 3, 4 and 5 of part A, the results of this AMR monitoring shall be reported according to point 2 of this Part but they shall be kept separately reported and this will not change the number of isolates to be tested according to point 2 of Part A.

2. Information to be included for each individual sample

Reports shall be made including the information referred to in points 2.1 to 2.6 for each individual isolate, considering separately each bacterial species and animal population combination and bacterial species and food combination referred to in point 1 of Part A.

Member States shall submit the results of the harmonised AMR monitoring provided for in this Decision in the form of raw isolate-based data using the data dictionary and the electronic collection forms provided by EFSA ⁽⁶⁾.

2.1. Overall description of the implementation of the AMR monitoring

— Description of sampling designs, stratification and randomisation procedures per animal populations and food categories.

2.2. General information

- Identifier or code of the isolate
- Bacterial species
- Serovar (for *Salmonella* spp.)
- Phage type of *Salmonella* Enteritidis and *Salmonella* Typhimurium (optional)

2.3. Specific information with regard to the sampling

- Food-producing animal population or food category
- Stage of sampling
- Type of sample
- Sampler
- The sampling strategy

⁽⁵⁾ See footnote 3.

⁽⁶⁾ www.efsa.europa.eu

— Date of sampling

— Date of isolation

2.4. *Specific information with regard to antimicrobial resistance testing*

— Identifier or code of the isolate given by the laboratory performing the antimicrobial susceptibility testing of the isolate

— Date of susceptibility testing

— Antimicrobial substance

2.5. *Specific information with regard to dilution method results*

— Minimum Inhibitory Concentration (MIC) value (in mg/L)

2.6. *Synergy testing results*

— Synergy testing with clavulanic acid for ceftazidime

— Synergy testing with clavulanic acid for cefotaxime

COMMISSION IMPLEMENTING DECISION**of 12 November 2013****as regards a Union financial aid towards a coordinated control plan for antimicrobial resistance monitoring in zoonotic agents in 2014***(notified under document C(2013) 7289)**(2013/653/EU)*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽¹⁾, and in particular Article 66 thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 ⁽²⁾ (the Financial Regulation), and in particular Article 84(2) thereof,

Whereas:

- (1) Regulation (EC) No 882/2004 lays down, among others, procedures governing the financial support from the Union to conduct measures necessary to ensure the application of Regulation (EC) No 882/2004.
- (2) Directive 2003/99/EC of the European Parliament and of the Council ⁽³⁾ provides that Member States shall ensure that monitoring provides comparable data on the occurrence of antimicrobial resistance (AMR) in zoonotic agents and, in so far as they present a threat to public health, other agents.
- (3) Article 7(3) of this Directive provides that the Commission shall set out detailed rules for the implementation of monitoring of antimicrobial resistance.
- (4) Several scientific opinions published by the European Food Safety Authority and reports published by the World Health Organization (WHO), the Food and Agriculture Organization of the United Nations (FAO) and the World Animal Health Organisation (OIE) call for a harmonised monitoring of antimicrobial resistance (AMR) in zoonotic and commensal bacteria, present in animals or food. The Commission therefore laid down

detailed rules for harmonised monitoring and reporting of AMR in accordance with Article 7(3) of Directive 2003/99/EC to be carried out by the Member States in Commission Implementing Decision 2013/652/EU ⁽⁴⁾.

- (5) This harmonised monitoring must be performed in accordance with Article 3 of Regulation (EC) No 882/2004 ensuring that official controls are carried out regularly, on a risk basis and with appropriate frequency, so as to achieve the objectives of that Regulation taking account of identified risks associated with animals, feed or food, feed or food businesses, the use of feed or food or any process, material, substance, activity or operation that may influence feed or food safety, animal health or animal welfare.
- (6) In order to facilitate smooth and fast application of this monitoring, the Union should financially support the Member States which carry out this monitoring at the most appropriate level as provided for in Article 66(1)(c) of Regulation (EC) No 882/2004.
- (7) In accordance with Article 84 of the Financial Regulation and Article 94 of the Commission Delegated Regulation (EU) No 1268/2012 ⁽⁵⁾, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.
- (8) The measures eligible for Union financial support are defined within the current Implementing Decision.
- (9) The financial contribution from the Union should be granted subject to the condition that the tests and analyses have been carried out in accordance with the present Implementing Decision and with Implementing Decision 2013/652/EU and that the competent authorities supply all the necessary information within the time limits laid down in the present Implementing Decision.

⁽¹⁾ OJ L 165, 30.4.2004, p. 1.

⁽²⁾ OJ L 298, 26.10.2012, p. 1.

⁽³⁾ Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents (OJ L 325, 12.12.2003, p. 31).

⁽⁴⁾ Commission Implementing Decision 2013/652/EU of 12 November 2013 on the monitoring and reporting of antimicrobial resistance in zoonotic and commensal bacteria (see page 26 of this Official Journal).

⁽⁵⁾ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

- (10) For reasons of administrative efficiency all expenditure submitted for a financial contribution by the Union should be expressed in euro and the conversion rate for expenditure in a currency other than the euro should be set,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

The Union shall contribute to the costs incurred by the Member States relating to the application of the harmonised antimicrobial resistance monitoring in accordance with Implementing Decision 2013/652/EU on samples of poultry collected between 1 January and 31 December 2014, with a total maximum amount of EUR 1 407 585 to be financed from line 17 04 07 01.

Article 2

Eligible costs

The Union financial contribution:

- (a) shall be at a rate of 50 % of the costs incurred by each Member State to implement the monitoring referred to in Article 1 of Implementing Decision 2013/652/EU and performed by the competent authority;
- (b) shall not exceed the following:
- (i) EUR 8 for staff costs per caecal sampling;
 - (ii) EUR 11 per *E. coli* isolation and identification;
 - (iii) EUR 21,5 per *Campylobacter* isolation and identification;
 - (iv) EUR 15 per antimicrobial susceptibility testing (AST) of each *Salmonella* or *E. coli* isolate;
 - (v) EUR 15 per AST of each *Campylobacter* isolate;
 - (vi) EUR 17,5 per characterisation and classification of *Salmonella* or *E. coli* isolates showing resistance to third-generation cephalosporins and meropenem;
 - (vii) EUR 22 per *Salmonella* serotyping;
 - (viii) the maximum amounts indicated in Annex I;
- (c) only the costs indicated in Annex II shall be eligible for contribution.

Article 3

Eligibility rules

1. The Union contribution is subject to the following conditions:

- (a) by 31 May 2015, the Member States have provided to the European Food Safety Authority who was mandated for this task by the European Commission, with a technical report covering at least the information requested in Part B of the Annex to Implementing Decision 2013/652/EU;
- (b) by 31 May 2015, the Member States have provided the Commission, in electronic form, with a financial report according to the format laid out in Annex III to this Decision. In order to be eligible for funding, the expenditure incurred must have been paid before the submission of the claim. The supporting documents evidencing all the expenditure referred to in the financial report shall be sent to the Commission on request only.

2. The Commission may reduce the amount of the contributions referred to in Annex I in cases where the conditions referred to in paragraph 1 of this Article are not met, having regard to the nature and gravity of the non-compliance and to the potential financial loss for the Union.

Article 4

Conversion rate for expenditure

For reasons of administrative efficiency all expenditure submitted for a financial contribution by the Union should be expressed in euro. When a Member State's expenditure is in a currency other than euro, the Member State shall convert it into euro by applying the most recent exchange rate set by the European Central Bank prior to the first day of the month in which the application is submitted by the Member State concerned.

Article 5

This Decision constitutes a financing decision in the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 12 November 2013.

For the Commission

Tonio BORG

Member of the Commission

ANNEX I

Table 1

Member States	Number of					
	Caecal samples	Isolation/Identification & AST		AST <i>Salmonella</i>	Serotyping <i>Salmonella</i>	Characterisation and classification of resistant isolates
		<i>Campylobacter</i>	<i>E. coli</i>			
BE	850	170	170	550	550	150
BG	425	85	85	200	200	50
CZ	850	170	170	550	550	150
DK	850	170	170	250	250	100
DE	1 700	340	340	700	700	200
EE	425	85	85	100	100	50
IE	850	170	170	300	300	100
EL	850	170	170	450	450	100
ES	1 700	340	340	1 000	1 000	250
FR	1 700	340	340	800	800	250
HR	425	85	85	250	250	100
IT	1 700	340	340	800	800	250
CY	425	85	85	200	200	100
LV	425	85	85	100	100	50
LT	425	85	85	200	200	50
LU	425	85	85	100	100	50
HU	1 700	340	340	900	900	250
MT	425	85	85	100	100	50
NL	850	170	170	450	450	150
AT	1 700	340	340	550	550	200
PL	1 700	340	340	800	800	250
PT	1 700	340	340	500	500	200
RO	850	170	170	600	600	150
SI	425	85	85	200	200	50
SK	425	85	85	100	100	50
FI	850	170	170	50	50	50
SE	850	170	170	50	50	50
UK	1 700	340	340	800	800	250
Total	27 200	5 440	5 440	11 650	11 650	3 700

Table 2

Member States	Maximum reimbursement (EUR)								
	Caecal sampling	E. coli Isolation & identification	Campylobacter Isolation & identification	Salmonella serotyping	AST		Characterisation & classification resistant isolates	Total	Overheads included (7 %)
					Salmonella + E. coli	Campylobacter			
BE	6 800	2 200	14 800	14 700	10 800	2 600	2 700	54 600	58 422
BG	500	2 200	8 600	5 700	4 000	1 300	900	23 200	24 824
CZ	1 600	1 300	9 100	7 200	8 800	1 200	1 900	31 100	33 277
DK	6 800	2 200	18 300	9 300	6 300	2 600	1 800	47 300	50 611
DE	13 600	4 400	36 600	22 900	14 100	4 400	3 500	99 500	106 465
EE	400	1 000	3 300	4 100	2 200	1 100	200	12 300	13 161
IE	5 900	1 200	11 400	8 700	5 000	1 400	1 200	34 800	37 236
EL	2 000	2 200	14 900	7 700	8 500	2 600	1 300	39 200	41 944
ES	5 200	1 800	14 600	29 500	20 100	5 100	4 400	80 700	86 349
FR	13 600	4 400	36 600	25 100	17 100	4 100	4 400	105 300	112 671
HR	2 000	2 200	500	6 500	5 100	1 300	1 200	18 800	20 116
IT	13 600	4 400	25 000	16 500	12 200	3 700	2 700	78 100	83 567
CY	1 400	2 200	9 200	6 300	3 800	1 000	1 300	25 200	26 964
LV	700	900	3 400	3 900	1 600	800	500	11 800	12 626
LT	400	2 000	4 900	2 900	3 200	600	600	14 600	15 622
LU	3 400	2 200	9 200	4 100	2 800	1 300	900	23 900	25 573
HU	3 600	2 500	29 600	25 000	13 100	4 000	2 900	80 700	86 349
MT	1 300	500	5 500	3 500	2 000	700	900	14 400	15 408
NL	6 800	1 300	12 500	7 100	7 900	2 600	2 700	40 900	43 763
AT	13 600	4 400	36 600	17 000	13 400	5 100	3 500	93 600	100 152
PL	6 200	2 200	17 800	17 700	7 700	3 600	1 900	57 100	61 097
PT	4 400	3 900	36 600	18 500	5 600	2 100	1 700	72 800	77 896
RO	6 800	1 500	9 000	17 000	11 600	2 600	2 700	51 200	54 784
SI	3 400	1 900	9 200	5 200	2 700	1 300	900	24 600	26 322
SK	1 600	2 000	9 200	3 300	2 800	1 300	900	21 100	22 577
FI	6 800	1 900	8 300	0	3 300	2 300	900	23 500	25 145
SE	6 800	1 300	10 700	4 900	3 000	2 400	600	29 700	31 779
UK	13 600	3 600	36 600	25 100	17 100	5 100	4 400	105 500	112 885
Total	152 800	63 800	442 000	319 400	215 800	68 200	53 500	1 315 500	1 407 585

ANNEX II

ELIGIBILITY RULES

1. Laboratory costs

- Staff costs shall be limited to actual attributable labour costs (wages, social charges and retirement costs) accrued in implementation of Implementing Decision 2013/652/EU. To this end timesheets have to be maintained.
- Reimbursement of consumables shall be based on actual costs incurred by Member States to perform the tests at the laboratory designated by the competent authority.
- Test kits, reagents and all other consumables shall only be reimbursed if used specifically in the performance of the following tests:
 - (i) *E. coli* isolation and identification;
 - (ii) *Campylobacter* isolation and identification;
 - (iii) AST of *Salmonella* and *E. coli* isolates;
 - (iv) AST of *Campylobacter* isolates;
 - (v) Characterisation and classification of *Salmonella* and *E. coli* isolates showing resistance to third-generation cephalosporins and meropenem;
 - (vi) *Salmonella* serotyping.

2. Sampling costs

Costs for sampling shall be limited to staff costs of work within the slaughterhouse for the actual attributable labour (wages, social charges and retirement costs) accrued in implementation of Implementing Decision 2013/652/EU. To this end timesheets have to be maintained.

3. Overheads

A flat rate contribution of 7 % calculated on the basis of all direct eligible costs may be claimed.

4. The expenditure submitted by the Member States for a financial contribution by the Union shall be expressed in euro and shall exclude value added tax (VAT) and all other taxes.
-

ANNEX III

TEMPLATE FOR FINANCIAL REPORTS AS REFERRED TO IN ARTICLE 3(1)(B)

Reporting period: 2014

Member State:

Reference number of Commission Implementing Decision providing a financial contribution from the Union:
2013/653/EU**Laboratory costs (total effective eligible costs)**

<i>E. coli</i> isolation and identification			
Staff category	Number of working hours	Rate (EUR per hour)	Total (EUR)
...			
...			
Consumables (description)	Quantity	Unit cost (EUR)	Total (EUR)
...			
...			
		Total (EUR)	
Total nr of tests:		Unit cost per analysis (EUR)	

<i>Campylobacter</i> isolation and identification			
Staff category	Number of working hours	Rate (EUR per hour)	Total (EUR)
...			
...			
Consumables (description)	Quantity	Unit cost (EUR)	Total (EUR)
...			
...			
		Total (EUR)	
Total nr of tests:		Unit cost per analysis (EUR)	

AST <i>Salmonella</i> and <i>E. coli</i> isolates			
Staff category	Number of working hours	Rate (EUR per hour)	Total (EUR)
...			
...			
Consumables (description)	Quantity	Unit cost (EUR)	Total (EUR)
...			

...			
		Total (EUR)	
Total nr of tests:		Unit cost per analysis (EUR)	

AST Campylobacter isolates

Staff category	Number of working hours	Rate (EUR per hour)	Total (EUR)
...			
...			
Consumables (description)	Quantity	Unit cost (EUR)	Total (EUR)
...			
...			
		Total (EUR)	
Total nr of tests:		Unit cost per analysis (EUR)	

Characterisation and classification of resistant isolates

Staff category	Number of working hours	Rate (EUR per hour)	Total (EUR)
...			
...			
Consumables (description)	Quantity	Unit cost (EUR)	Total (EUR)
...			
...			
		Total (EUR)	
Total nr of tests:		Unit cost per analysis (EUR)	

Salmonella serotyping

Staff category	Number of working hours	Rate (EUR per hour)	Total (EUR)
...			
...			
Consumables (description)	Quantity	Unit cost (EUR)	Total (EUR)
...			
...			
		Total (EUR)	
Total nr of tests:		Unit cost per analysis (EUR)	

Sampling costs (total effective eligible costs)

Staff category	Number of working hours	Rate (EUR per hour)	Total (EUR)
...			
...			
		Total (EUR)	
Total nr of samples:		Unit cost per sample (EUR)	

Total expenditure for the coordinated control programme (real costs, VAT excluded) (EUR):

...

Declaration by the beneficiary

We certify that:

- the expenditure listed above was incurred in the performance of tasks described in Implementing Decision 2013/652/EU and directly related to the implementation of the coordinated control plan for which financial support was granted according to Implementing Decision 2013/653/EU;
- the expenditure was actually incurred, paid by the submission date of the current claim, accurately accounted for and eligible under the provisions of Implementing Decision 2013/653/EU;
- all supporting documents supporting for the costs are available for audit purposes;
- no other contribution from the Union was requested for this coordinated control plan.

Date:

Person responsible:

Signature:

COMMISSION IMPLEMENTING DECISION

of 12 November 2013

amending Decision 2008/294/EC to include additional access technologies and frequency bands for mobile communications services on aircraft (MCA services)

(notified under document C(2013) 7491)

(Text with EEA relevance)

(2013/654/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision)⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission Decision 2008/294/EC⁽²⁾ sets in its Annex technical and operational conditions necessary to allow the use of GSM on board aircraft.
- (2) The development of enhanced means of communications supported by technical progress would improve the capacity for all citizens to be connected everywhere and at all time. It would also contribute to fulfilling the objectives of the Digital Agenda for Europe⁽³⁾ and of the Europe 2020 strategy.
- (3) In order to prepare for the use of the latest available technologies and frequencies for the provision of MCA services, the Commission gave a mandate on 5 October 2011 to the European Conference of Postal and Telecommunications Administrations ('the CEPT') pursuant to Article 4(2) of Decision No 676/2002/EC to assess technical compatibility between the operation of airborne UMTS systems and other feasible airborne technologies such as LTE or WiMax in frequency bands such as the 2 GHz and the 2,6 GHz band, and potentially affected radio services.
- (4) Pursuant to that mandate, the CEPT provided its report on 8 March 2013. The CEPT Report 48 concluded that it would be possible to introduce, subject to the relevant

technical conditions, UMTS and LTE technologies in the 2 100 MHz and 1 800 MHz bands, respectively. Therefore, the Annex to Decision 2008/294/EC should be amended, based on the results of the CEPT Report 48, to include these technologies and allow their use on board aircraft.

- (5) This Decision should apply as soon as possible considering the increasing use of LTE and UMTS technologies in the Union.
- (6) An appropriate protection by limiting the transmission power of the MCA services should be provided to existing potentially affected radio services. However, since the use of the upgraded network control unit (NCU) for the 2,6 GHz band would be delayed until the technical constraints are agreed by the competent aeronautical certification authorities to allow the start of the production of the NCUs and until airworthiness certification has been completed for each type of aircraft, the application of the NCU parameters for the 2,6 GHz band could be postponed until 1 January 2017.
- (7) MCA technical specifications should continue to match technological progress.
- (8) Decision 2008/294/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2008/294/EC is replaced by the text in the Annex to this Decision.

Article 2

The values for the band 2 570-2 690 MHz set in Table 3 of the Annex to this Decision shall apply from 1 January 2017.

⁽¹⁾ OJ L 108, 24.4.2002, p. 1.⁽²⁾ Commission Decision 2008/294/EC of 7 April 2008 on harmonised conditions of spectrum use for the operation of mobile communication services on aircraft (MCA services) in the Community (OJ L 98, 10.4.2008, p. 19).⁽³⁾ COM(2010) 245 final.

Article 3

As early as possible, and no later than six months following the entry into force of this Decision, the Member States shall make the frequency bands listed in Table 1 in the Annex available for MCA services on a non-interference and non-protected basis, provided such services meet the conditions set out in the Annex.

Article 4

The Member States shall set the minimum height above ground for any transmission from an MCA system in operation in accordance with Section 3 of the Annex.

Member States may impose greater minimum heights of MCA operation where justified by national topographical and ground network deployment conditions. This information, supported by

appropriate justification, shall be notified to the Commission within four months of adoption of this Decision and shall be published in the *Official Journal of the European Union*.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 12 November 2013.

For the Commission

Neelie KROES

Vice-President

ANNEX

1. FREQUENCY BANDS AND SYSTEMS ALLOWED FOR MCA SERVICES

Table 1

Type	Frequency	System
GSM 1 800	1 710-1 785 MHz (uplink) 1 805-1 880 MHz (downlink)	GSM complying with the GSM Standards as published by ETSI, in particular EN 301 502, EN 301 511 and EN 302 480, or equivalent specifications.
UMTS 2 100 (FDD)	1 920-1 980 MHz (uplink) 2 110-2 170 MHz (downlink)	UMTS complying with the UMTS Standards as published by ETSI, in particular EN301 908-1, EN 301 908-2, EN 301 908-3 and EN 301 908-11, or equivalent specifications.
LTE 1 800 (FDD)	1 710-1 785 MHz (uplink) 1 805-1 880 MHz (downlink)	LTE complying with LTE Standards, as published by ETSI, in particular EN301 908-1, EN301 908-13, EN301 908-14 and EN301 908-15, or equivalent specifications.

2. PREVENTION OF CONNECTION OF MOBILE TERMINALS TO GROUND NETWORKS

During the period when operation of MCA services is authorised on an aircraft, mobile terminals receiving within the frequency bands listed in Table 2 must be prevented from attempting to register with mobile networks on the ground.

Table 2

Frequency band (MHz)	Systems on the ground
460-470	CDMA2000, FLASH OFDM
791-821	LTE
921-960	GSM, UMTS, LTE, WiMAX
1 805-1 880	GSM, UMTS, LTE, WiMAX
2 110-2 170	UMTS, LTE
2 570-2 620	UMTS, LTE, WiMAX
2 620-2 690	UMTS, LTE

3. TECHNICAL PARAMETERS

(a) **Equivalent isotropic radiated power (e.i.r.p.), outside the aircraft, from the NCU/aircraft BTS**

Table 3

The total e.i.r.p., outside the aircraft, from the NCU/aircraft BTS/aircraft Node B must not exceed:

Height above ground (m)	Maximum e.i.r.p. density produced by NCU/aircraft BTS/aircraft Node B outside the aircraft					
	460-470 MHz	791-821 MHz	921-960 MHz	1 805-1 880 MHz	2 110-2 170 MHz	2 570-2 690 MHz
	dBm/1,25 MHz	dBm/10 MHz	dBm/200 kHz	dBm/200 kHz	dBm/3,84 MHz	dBm/4,75 MHz
3 000	- 17,0	- 0,87	- 19,0	- 13,0	1,0	1,9
4 000	- 14,5	1,63	- 16,5	- 10,5	3,5	4,4

Height above ground (m)	Maximum e.i.r.p. density produced by NCU/aircraft BTS/aircraft Node B outside the aircraft					
	460-470 MHz	791-821 MHz	921-960 MHz	1 805-1 880 MHz	2 110-2 170 MHz	2 570-2 690 MHz
	dBm/1,25 MHz	dBm/10 MHz	dBm/200 kHz	dBm/200 kHz	dBm/3,84 MHz	dBm/4,75 MHz
5 000	– 12,6	3,57	– 14,5	– 8,5	5,4	6,3
6 000	– 11,0	5,15	– 12,9	– 6,9	7,0	7,9
7 000	– 9,6	6,49	– 11,6	– 5,6	8,3	9,3
8 000	– 8,5	7,65	– 10,5	– 4,4	9,5	10,4

(b) **Equivalent isotropic radiated power (e.i.r.p.), outside the aircraft, from the onboard terminal**

Table 4

The e.i.r.p., outside the aircraft, from the mobile terminal must not exceed:

Height above ground (m)	Maximum e.i.r.p., outside the aircraft, from the GSM mobile terminal in dBm/200 kHz	Maximum e.i.r.p., outside the aircraft, from the LTE mobile terminal in dBm/5 MHz	Maximum e.i.r.p., outside the aircraft, from the UMTS mobile terminal in dBm/3,84 MHz
	GSM 1 800 MHz	LTE 1 800 MHz	UMTS 2 100 MHz
3 000	– 3,3	1,7	3,1
4 000	– 1,1	3,9	5,6
5 000	0,5	5	7
6 000	1,8	5	7
7 000	2,9	5	7
8 000	3,8	5	7

(c) **Operational requirements**

- I. The minimum height above ground for any transmission from an MCA system in operation must be 3 000 metres.
- II. The aircraft BTS, while in operation, must limit the transmit power of all GSM mobile terminals transmitting in the 1 800 MHz band to a nominal value of 0 dBm/200 kHz at all stages of communication, including initial access.
- III. The aircraft Node B, while in operation, must limit the transmit power of all LTE mobile terminals transmitting in the 1 800 MHz band to a nominal value of 5 dBm/5 MHz at all stages of communication.
- IV. The aircraft Node B, while in operation, must limit the transmit power of all UMTS mobile terminals transmitting in the 2 100 MHz band to a nominal value of – 6 dBm/3,84 MHz at all stages of communication and the maximum number of users should not exceed 20.

COMMISSION DECISION**of 13 November 2013****adjusting monthly from 1 August 2012 to 1 June 2013 the weightings applicable to the remuneration of officials, temporary staff and contract staff of the European Union serving in third countries**

(2013/655/EU)

THE EUROPEAN COMMISSION,

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

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, as laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, and in particular the second paragraph of Article 13 of Annex X thereto,

Whereas:

- (1) The statistics available to the Commission show that for certain third countries the variation in the cost of living measured on the basis of the weighting and the corresponding exchange rate has exceeded 5 % since weightings applicable to remuneration of officials, temporary staff and contract staff of the European Union serving in third countries payable in the currency of their country of employment were last laid down.
- (2) In accordance with the second paragraph of Article 13 of Annex X to the Staff Regulations in such case those weightings need to be adjusted monthly, with effect from 1 August, 1 October, 1 November, 1 December 2012 and 1 January, 1 February, 1 March, 1 April, 1 May and 1 June 2013, respectively,

HAS ADOPTED THIS DECISION:

Article 1

The weightings applied to the remuneration of officials, temporary staff and contract staff of the European Union serving in third countries, payable in the currency of the country of employment, shall be adjusted for countries as shown in the Annex hereto. It contains 10 monthly tables showing which countries are affected and the applicable effective dates for each one of them.

The exchange rates used for the calculation of this remuneration shall be established in accordance with the detailed rules for the implementation of the Financial Regulation ⁽²⁾ and correspond to the relevant dates referred to in the tables from the Annex hereto.

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, 13 November 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 56, 4.3.1968, p. 1.

⁽²⁾ OJ L 298, 26.10.2012, p. 1.

ANNEX

August 2012

PLACE OF EMPLOYMENT	Economic parity August 2012	Exchange rate August 2012 (*)	Weighting August 2012 (**)
Sudan (Khartoum)	4,584	6,20915	73,8

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

October 2012

PLACE OF EMPLOYMENT	Economic parity October 2012	Exchange rate October 2012 (*)	Weighting October 2012 (**)
Nepal	84,89	110,170	77,1

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

November 2012

PLACE OF EMPLOYMENT	Economic parity November 2012	Exchange rate November 2012 (*)	Weighting November 2012 (**)
Democratic Republic of Congo (Kinshasa)	USD 2,057	USD 1,29620	158,7
Liberia	USD 1,528	USD 1,29620	117,9
Malawi	216,6	404,926	53,5

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

December 2012

PLACE OF EMPLOYMENT	Economic parity December 2012	Exchange rate December 2012 (*)	Weighting December 2012 (**)
Venezuela	6,090	5,58047	109,1

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

January 2013

PLACE OF EMPLOYMENT	Economic parity January 2013	Exchange rate January 2013 (*)	Weighting January 2013 (**)
Belarus	6 723	11 320,0	59,4
Guinea (Conakry)	6 716	9 250,40	72,6
Sudan (Khartoum)	4,916	7,56599	65,0

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

February 2013

PLACE OF EMPLOYMENT	Economic parity February 2013	Exchange rate February 2013 (*)	Weighting February 2013 (**)
Congo (Brazzaville)	792,1	655,957	120,8
Cuba	0,9438	1,35410	69,7
Jordan	0,9175	0,960057	95,6
Serbia (Belgrade)	82,53	111,934	73,7
Timor Leste	1,583	1,35410	116,9
Uzbekistan	1 396	2 706,60	51,6
Venezuela	6,429	5,81539	110,6
Zambia	6,630	7,18680	92,3

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

March 2013

PLACE OF EMPLOYMENT	Economic parity March 2013	Exchange rate March 2013 (*)	Weighting March 2013 (**)
Angola	168,2	126,516	132,9
Kosovo (Pristina)	0,7227	1,00000	72,3
Kyrgyzstan	48,69	62,3897	78,0
Malawi	238,5	479,834	49,7
Russia	46,33	40,0240	115,8
Sierra Leone	6 785	5 663,73	119,8
South Africa	6,746	11,6220	58,0
Sudan (Khartoum)	5,331	7,43654	71,7

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

April 2013

PLACE OF EMPLOYMENT	Economic parity April 2013	Exchange rate April 2013 (*)	Weighting April 2013 (**)
China	7,903	7,96000	99,3
Djibouti	222,3	227,572	97,7
Ghana	2,025	2,48950	81,3
Japan	149,8	120,870	123,9
South Korea	1 534	1 425,03	107,6
Uzbekistan	1 467	2 611,71	56,2

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

May 2013

PLACE OF EMPLOYMENT	Economic parity May 2013	Exchange rate May 2013 (*)	Weighting May 2013 (**)
Belarus	7 086	11 230,0	63,1
Central African Republic	671,7	655,957	102,4
India	49,37	71,0370	69,5
Tunisia	1,381	2,09250	66,0
Venezuela	6,839	8,25083	82,9

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

June 2013

PLACE OF EMPLOYMENT	Economic parity June 2013	Exchange rate June 2013 (*)	Weighting June 2013 (**)
Australia	1,439	1,34930	106,6
Belize	1,859	2,61469	71,1
Gambia	31,18	47,5800	65,5
Nicaragua	18,39	31,8519	57,7
Turkey	2,242	2,42740	92,4
Uzbekistan	1 545	2 694,41	57,3
Vanuatu	145,8	122,435	119,1
Venezuela	7,195	8,14449	88,3

(*) 1 EUR = x units of local currency, except USD for: Cuba, El Salvador, Ecuador, Liberia, Panama, D.R. Congo, Timor-Leste.

(**) Brussels = 100.

III

(Other acts)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY DECISION

No 311/13/COL

of 17 July 2013

amending the list contained in point 39 of Part 1.2 of Chapter I of Annex I to the Agreement on the European Economic Area listing border inspection posts in Iceland and Norway agreed for veterinary checks on live animals and animal products from third countries and repealing EFTA Surveillance Authority Decision No 131/13/COL ⁽¹⁾

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to points 4(B)(1) and (3) and point 5(b) of the Introductory Part of Chapter I of Annex I to the EEA Agreement,

Having regard to the Act referred to at point 4 of Part 1.1 of Chapter I of Annex I to the EEA Agreement (Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries) ⁽²⁾, as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement, and in particular to Article 6(2) thereof,

Having regard to College Decision No 295/13/COL empowering the competent College Member to adopt this decision,

Whereas:

By a letter of 6 June 2013, the Norwegian Food Safety Authority (hereinafter NFSA) informed the Authority that it had made changes to the Norwegian list of Border Inspection Posts (BIPs). These changes follow certain recommendations made by the Authority during an inspection on import controls carried out by the Authority to Norway from 21 to 30 January 2013 and, in particular, the necessity to have adequate equipment and facilities to handle products for which the BIPs are approved ⁽³⁾.

In reply to this recommendation and to bring its import control system in line with EEA requirements, the NFSA has decided to modify the listing of categories for which the following BIPs are approved:

— OSLO Airport (TRACES code NO OSL4)

— OSLO Port (TRACES code NO OSL 1)

— BORG Port (TRACES code NO BRG1)

The NFSA asked the Authority to change the list of approved border inspection posts as follows.

Borg	NO BRG 1	P		HC(2), NHC(2)	E(7)
Oslo	NO OSL 1	P		HC(2), NHC(2)	
Oslo	NO OSL 4	A		HC(2), NHC(2)	U,E,O

It is therefore the Authority's obligation to amend the list of border inspection posts in Iceland and Norway and to publish a new list to reflect changes in the national lists.

The Authority, by its decision 295/13/COL of 10 July 2013, referred the matter to the EFTA Veterinary Committee assisting the EFTA Surveillance Authority. The Committee approved unanimously the proposed modification to the list. Consequently, the measures provided for in this Decision are in accordance with the unanimous opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority and the final text of the measures remains unchanged.

⁽¹⁾ OJ L 175, 27.6.2013, p. 76 and EEA Supplement No 36, 27.6.2013, p. 1.

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

⁽³⁾ See final report of 3 May 2013 by the Authority concerning the mission to Norway from 21 to 30 January 2013 regarding the application of EEA legislation related to import/transit control systems and border inspection posts.

HAS ADOPTED THIS DECISION:

Article 1

The categories of products for which BIPS Oslo Airport, Oslo Port and Borg Port are approved are modified in the list contained in point 39 of Part 1.2 of Chapter I of Annex I to the Agreement on the European Economic Area. The BIPs are now approved for packed products only.

Article 2

Veterinary checks on live animals and animal products brought into Iceland and Norway from third countries shall be carried out by the competent national authorities at the agreed border inspection posts listed in the Annex to this Decision.

Article 3

The EFTA Surveillance Authority Decision No 131/13/COL of 18 March 2013 is hereby repealed.

Article 4

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

Article 5

This Decision is addressed to Iceland and Norway.

Article 6

This Decision shall be authentic in the English language.

Done at Brussels, 17 July 2013.

For the EFTA Surveillance Authority

Sverrir Haukur GUNNLAUGSSON
College Member

Xavier LEWIS
Director

ANNEX

LIST OF AGREED BORDER INSPECTION POSTS

Country: **Iceland**

1	2	3	4	5	6
Akureyri	IS AKU1	P		HC-T(1)(2)(3), NHC(16)	
Hafnarfjörður	IS HAF 1	P		HC(1)(2)(3), NHC-NT(2)(6)(16)	
Húsavík	IS HUS 1	P		HC-T(FR)(1)(2)(3)	
Ísafjörður	IS ISA1	P		HC-T(FR)(1)(2)(3)	
Keflavík Airport	IS KEF 4	A		HC(2), NHC(2)	O(15)
Reykjavík Eimskip	IS REY 1a	P		HC(2), NHC(2)	
Reykjavík Samskip	IS REY 1b	P		HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3), NHC-NT(2)(6)(16)	
Þorlákshöfn	IS THH1	P		HC-T(FR)(1)(2)(3), HC-NT(6), NHC-NT(6)	

Country: **Norway**

1	2	3	4	5	6
Borg	NO BRG 1	P		HC (2), NHC(2)	E(7)
Båtsfjord	NO BJF 1	P		HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3)	
Egersund	NO EGE 1	P		HC-NT(6), NHC-NT(6)(16)	
Hammerfest	NO HFT 1	P	Rypefjord	HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3)	
Honningsvåg	NO HVG 1	P	Honningsvåg	HC-T(FR)(1)(2)(3)	
Kirkenes	NO KKN 1	P		HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3)	
Kristiansund	NO KSU 1	P	Kristiansund	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) HC-NT(6), NHC-NT(6)	
Larvik	NO LAR 1	P		HC(2)	
Måløy	NO MAY 1	P	Gotteberg	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
Oslo	NO OSL 1	P		HC(2), NHC(2)	
Oslo	NO OSL 4	A		HC(2), NHC(2)	U,E,O
Sortland	NO SLX 1	P	Sortland	HC-T(FR)(1)(2)(3)	
Storskog	NO STS 3	R		HC, NHC	U,E,O
Tromsø	NO TOS 1	P	Bukta	HC-T(FR)(1)(2)(3)	
			Solstrand	HC-T(FR)(1)(2)(3)	

1	2	3	4	5	6
Ålesund	NO AES 1	P	Breivika	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
			Skutvik	HC-T(1)(2)(3), HC-NT(6), NHC-T(FR) (2)(3), NHC-NT(6)	

1 = **Name**2 = **TRACES Code**3 = **Type**

A = Airport

F = Rail

P = Port

R = Road

4 = **Inspection centre**5 = **Products**

HC = All products for Human Consumption

NHC = Other Products

NT = No temperature requirements

T = Frozen/chilled products

T(FR) = Frozen products

T(CH) = Chilled products

6 = **Live Animals**

U = Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds

E = Registered equidae as defined in Council Directive 90/426/EEC

O = Other animals

5-6 = **Special remarks**

(1) = Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 19(3) of Council Directive 97/78/EC

(2) = Packed products only

(3) = Fishery products only

(4) = Animal proteins only

(5) = Wool hides and skins only

(6) = Only liquid fats, oils, and fish oils

(7) = Icelandic ponies (from April to October only)

(8) = Equidae only

(9) = Tropical fish only

(10) = Only cats, dogs, rodents, lagomorphs, live fish, reptiles and other birds than ratites

(11) = Only feedstuffs in bulk

(12) = For (U) in the case of solipeds, only those consigned to a zoo; and for (O), only day old chicks, fish, dogs, cats, insects, or other animals consigned to a zoo

(13) = Nagylak HU: This is a border inspection post (for products) and crossing point (for Live animals) on the Hungarian Romanian border, subject to transitional measures as negotiated and laid down in the Treaty of Accession for both products and live animals. See Commission Decision 2003/630/EC

(14) = Designated for transit across the European Community for consignments of certain products of animal origin for human consumption, coming to or from Russia under the specific procedures foreseen in relevant Community legislation

(15) = Aquaculture animals only

(16) = Fish meal only

III *Other acts*

EUROPEAN ECONOMIC AREA

★ EFTA Surveillance Authority Decision No 311/13/COL of 17 July 2013 amending the list contained in point 39 of Part 1.2 of Chapter I of Annex I to the Agreement on the European Economic Area listing border inspection posts in Iceland and Norway agreed for veterinary checks on live animals and animal products from third countries and repealing EFTA Surveillance Authority Decision No 131/13/COL 56

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