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Price: EUR 3

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 67/2014

of 27 January 2014

implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2015 list of target secondary variables on social and cultural participation and material deprivation

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1177/2003 of the European Parliament and of the Council of 16 June 2003 concerning Community statistics on income and living conditions (EU-SILC) ⁽¹⁾, and in particular Article 15(2)(f) thereof,

Whereas:

- (1) Regulation (EC) No 1177/2003 established a common framework for the systematic production of European statistics on income and living conditions, encompassing comparable and timely cross-sectional and longitudinal data on income and on the level and composition of poverty and social exclusion at national and European levels.
- (2) Pursuant to Article 15(2)(f) of Regulation (EC) No 1177/2003, implementing measures are necessary in respect of the list of target secondary areas and variables that is to be included every year in the cross-sectional component of EU-SILC. The list of

target secondary variables to be incorporated in the module on social and cultural participation and material deprivation should be laid down for the year 2015, together with the corresponding variables' identifiers.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The list of target secondary variables and the variables' identifiers for the 2015 module on social and cultural participation and material deprivation to be included in the cross-sectional component of European statistics on income and living conditions (EU-SILC) shall be as laid down in the Annex.

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, 27 January 2014.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 165, 3.7.2003, p. 1.

ANNEX

For the purposes of this Regulation, the following units, modes of data collection and reference periods apply:

1. Unit

The target variables relate to two types of units:

Individual: all variables except for the one related to the 'Financial stress'.

Household: variable related to the 'Financial stress'.

2. Mode of data collection

For the variable applying at household level, the mode of data collection is personal interview with the household respondent.

For variables applying at individual level, the mode of data collection is personal interview with all current household members aged 16 and over or, if applicable, with each selected respondent.

The age refers to the age at the end of the income reference period.

Given the type of information to be collected, only personal interviews (proxy interviews as an exception for persons temporarily absent or incapacitated) are allowed.

3. Reference period

The target variables relate to three types of reference periods:

Last 12 months: for the variables related to the 'Participation in cultural and sport event' and 'Formal and informal social participation'.

Usual: for the variables related to the 'Practise of artistic activities' and 'Integration with relatives, friends and neighbours'.

Current: for the variables related to the 'Material deprivation'.

4. Data transmission

The target secondary variables should be sent to the Commission (Eurostat) in the Household Data File (H-file) and in the Personal Data File (P-file) after the target primary variables.

2015 MODULE ON SOCIAL AND CULTURAL PARTICIPATION AND MATERIAL DEPRIVATION AREAS AND LIST OF TARGET VARIABLES

Variable identifier	Values	Target variable
Social and cultural participation		
Participation in cultural or sport event		
PS010		Going to the cinema
	1	At most 3 times
	2	More than 3 times
	3	No — cannot afford it
	4	No — lack of interest
	5	No — no cinema nearby
	6	No — other reasons

Variable identifier	Values	Target variable
PS010_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PS020		Going to live performances
	1	At most 3 times
	2	More than 3 times
	3	No — cannot afford it
	4	No — lack of interest
	5	No — no live performances nearby
	6	No — other reasons
PS020_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PS030		Visits to cultural sites
	1	At most 3 times
	2	More than 3 times
	3	No — cannot afford it
	4	No — lack of interest
	5	No — no cultural sites nearby
	6	No — other reasons
PS030_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PS040		Attendance to live sport events
	1	At most 3 times
	2	More than 3 times
	3	No — cannot afford it
	4	No — lack of interest
	5	No — no live sport events nearby
	6	No — other reasons

Variable identifier	Values	Target variable
PS040_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Practice of artistic activities		
PS041		Practice of artistic activities
	1	Daily
	2	Every week (not every day)
	3	Several times a month (not every week)
	4	Once a month
	5	At least once a year (less than once a month)
	6	Never
PS041_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Integration with relatives, friends and neighbours		
PS050		Frequency of getting together with family (relatives)
	1	Daily
	2	Every week (not every day)
	3	Several times a month (not every week)
	4	Once a month
	5	At least once a year (less than once a month)
	6	Never
PS050_F	1	Filled
	– 1	Missing
	– 2	NA (No relatives)
	– 3	Not selected respondent
PS060		Frequency of getting together with friends
	1	Daily
	2	Every week (not every day)
	3	Several times a month (not every week)
	4	Once a month
	5	At least once a year (less than once a month)
	6	Never

Variable identifier	Values	Target variable
PS060_F	1	Filled
	– 1	Missing
	– 2	NA (No friends)
	– 3	Not selected respondent
PS070		Frequency of contacts with family (relatives)
	1	Daily
	2	Every week (not every day)
	3	Several times a month (not every week)
	4	Once a month
	5	At least once a year (less than once a month)
	6	Never
PS070_F	1	Filled
	– 1	Missing
	– 2	NA (No relatives)
	– 3	Not selected respondent
PS080		Frequency of contacts with friends
	1	Daily
	2	Every week (not every day)
	3	Several times a month (not every week)
	4	Once a month
	5	At least once a year (less than once a month)
	6	Never
PS080_F	1	Filled
	– 1	Missing
	– 2	NA (No friends)
	– 3	Not selected respondent
PS081		Communication via social media
	1	Daily
	2	Every week (not every day)
	3	Several times a month (not every week)
	4	Once a month
	5	At least once a year (less than once a month)
	6	Never

Variable identifier	Values	Target variable
PS081_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PS090		Help from others
	1	Yes
	2	No
PS090_F	1	Filled
	– 1	Missing
	– 2	NA (No relatives, friends, neighbours)
	– 3	Not selected respondent
PS091		Personal matters (anyone to discuss with)
	1	Yes
	2	No
PS091_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Formal and informal social participation		
PS100		Participation in informal voluntary activities
	1	Yes
	2	No — lack of interest
	3	No — lack of time
	4	No — other reason
PS100_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PS101		Participation in formal voluntary work
	1	Yes
	2	No — lack of interest
	3	No — lack of time
	4	No — other reason
PS101_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent

Variable identifier	Values	Target variable
PS102	1 2 3 4	Active citizenship Yes No — lack of interest No — lack of time No — other reason
PS102_F	1 – 1 – 3	Filled Missing Not selected respondent
Material deprivation		
Variables applying at household level		
Financial stress		
HD080	1 2 3	Replace worn-out furniture Yes No — household cannot afford it No — other reason
HD080_F	1 – 1	Filled Missing
Variables applying at personal level (People aged 16+)		
Basic needs		
PD020	1 2 3	Replace worn-out clothes by some new (not second-hand) ones Yes No — cannot afford it No — other reason
PD020_F	1 – 1 – 3	Filled Missing Not selected respondent
PD030	1 2 3	Two pairs of properly fitting shoes (including a pair of all-weather shoes) Yes No — cannot afford it No — other reason
PD030_F	1 – 1 – 3	Filled Missing Not selected respondent

Variable identifier	Values	Target variable
Leisure and social activities		
PD050		Get-together with friends/family (relatives) for drink/meal at least once a month
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD050_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PD060		Regularly participate in a leisure activity
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD060_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PD070		Spend a small amount of money each week on yourself
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD070_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Durables		
PD080		Internet connection for personal use at home
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD080_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent

COMMISSION REGULATION (EU) No 68/2014**of 27 January 2014****amending Regulation (EU) No 141/2013 implementing Regulation (EC) No 1338/2008 of the European Parliament and of the Council on Community statistics on public health and health and safety at work, as regards statistics based on the European Health Interview Survey (EHIS) by reason of the accession of Croatia to the European Union****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1338/2008 of the European Parliament and of the Council of 16 December 2008 on Community statistics on public health and health and safety at work ⁽¹⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Annex II to Commission Regulation (EU) No 141/2013 ⁽²⁾ provides for the minimum effective sample size, calculated on the assumption of simple random sampling.
- (2) It is necessary to adapt Annex II to Regulation (EU) No 141/2013 to take into account the accession of Croatia.

(3) Regulation (EU) No 141/2013 should therefore be amended accordingly.

(4) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 141/2013 is replaced by the text set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 27 January 2014.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 354, 31.12.2008, p. 70.

⁽²⁾ Commission Regulation (EU) No 141/2013 of 19 February 2013 implementing Regulation (EC) No 1338/2008 of the European Parliament and of the Council on Community statistics on public health and health and safety at work, as regards statistics based on the European Health Interview Survey (EHIS) (OJ L 47, 20.2.2013, p. 20).

ANNEX

‘ANNEX II

Final sample sizes to be achieved

	Persons aged 15 or over to be interviewed
EU Member States	
Belgium	6 500
Bulgaria	5 920
Czech Republic	6 510
Denmark	5 350
Germany	15 260
Estonia	4 270
Ireland	5 057
Greece	6 667
Spain	11 620
France	13 110
Croatia	5 000
Italy	13 180
Cyprus	4 095
Latvia	4 555
Lithuania	4 850
Luxembourg	4 000
Hungary	6 410
Malta	3 975
Netherlands	7 515
Austria	6 050
Poland	10 690
Portugal	6 515
Romania	8 420
Slovenia	4 486
Slovakia	5 370
Finland	5 330
Sweden	6 200

	Persons aged 15 or over to be interviewed
United Kingdom	13 085
Total of EU Member States	199 990
Switzerland	5 900
Iceland	3 940
Norway	5 170
Total including Switzerland, Iceland and Norway	215 000'

COMMISSION REGULATION (EU) No 69/2014**of 27 January 2014****amending Regulation (EU) No 748/2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

transitional regime ended definitively on 28 September 2009, Article 5 of Regulation (EU) No 748/2012 should be deleted.

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

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ⁽¹⁾, and in particular Article 5(5) thereof,

Whereas:

(1) Article 5 of Regulation (EC) No 216/2008 dealing with airworthiness was extended to include the elements of operational suitability evaluation into the implementing rules for type-certification.

(2) The European Aviation Safety Agency (the 'Agency') found that it was necessary to amend Commission Regulation (EU) No 748/2012 ⁽²⁾ in order to allow the Agency to approve operational suitability data as part of the type-certification process.

(3) The Agency prepared draft implementing rules on the concept of operational suitability data and submitted them as an opinion ⁽³⁾ to the Commission in accordance with Article 19(1) of Regulation (EC) No 216/2008.

(4) Article 5 of Regulation (EU) No 748/2012 derives from Article 2c of Commission Regulation (EC) No 1702/2003 ⁽⁴⁾. Article 2c of Regulation (EC) No 1702/2003 was introduced for a temporary grandfathering of types that were not grandfathered by Article 2a of Regulation (EC) No 1702/2003. As this

(5) In order to avoid confusion and legal uncertainty with regard to Article 3, points 21.A.16A, 21.A.16B, 21.A.17, 21.A.31, 21.A.101 and 21.A.174 of Annex I (Part 21) to Regulation (EU) No 748/2012, it is necessary to replace the references to 'airworthiness codes' with 'certification specifications'.

(6) In order to avoid confusion and legal uncertainty with regard to points 21.A.4, 21.A.90A, 21.A.90B, 21.A.91, 21.A.92, 21.A.93, 21.A.95, 21.A.97, 21.A.103, 21.A.107, 21.A.109, 21.A.111, 21.A.263 and 21.A.435 of Annex I (Part 21) to Regulation (EU) No 748/2012, it is necessary to replace the references to 'type design' with 'type-certificate'.

(7) Regulation (EU) No 748/2012 should therefore be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 748/2012 is amended as follows:

(1) Article 3 is amended as follows:

(a) in paragraph 1, point (a), point (i) is replaced by the following:

'(i) its type-certification basis was:

— the JAA type-certification basis, for products that have been certificated under JAA procedures, as defined in their JAA data sheet, or

⁽¹⁾ OJ L 79, 19.3.2008, p. 1.

⁽²⁾ OJ L 224, 21.8.2012, p. 1.

⁽³⁾ Opinion No 07/2011 of the European Aviation Safety Agency of 13 December 2011, available at <http://easa.europa.eu/official-publication/agency-opinions.php>

⁽⁴⁾ OJ L 243, 27.9.2003, p. 6.

— for other products, the type-certification basis as defined in the type-certificate data sheet of the State of design, if that State of design was:

— a Member State, unless the Agency determines, taking into account, in particular, certification specifications used and service experience, that such type-certification basis does not provide for a level of safety equivalent to that required by Regulation (EC) No 216/2008 and this Regulation, or

— a State with which a Member State had concluded a bilateral airworthiness agreement or similar arrangement under which such products have been certificated on the basis of the certification specifications of that State of design, unless the Agency determines that such certification specifications or service experience or the safety system of that State of design do not provide for a level of safety equivalent to that required by Regulation (EC) No 216/2008 and this Regulation.

The Agency shall make a first evaluation of the implication of the provisions of the second indent in view of producing an opinion to the Commission including possible amendments to this Regulation;'

(b) in paragraph 2, points (c) and (d) are replaced by the following:

'(c) by way of derogation from point 21.A.17A of Annex I (Part 21), the type-certification basis shall be that established by the JAA or, where applicable, the Member State at the date of application for the approval;

(d) compliance findings made under JAA or Member State procedures shall be deemed to have been made by the Agency for the purpose of complying with points 21.A.20(a) and (d) of Annex I (Part 21).';

(2) Article 5 is deleted;

(3) the following Article 7a is inserted:

'Article 7a

Operational suitability data

1. The holder of an aircraft type-certificate issued before 17 February 2014 intending to deliver a new aircraft to an EU operator on or after 17 February 2014 shall obtain approval in accordance with point 21.A.21(e) of Annex I (Part 21) except for the minimum syllabus of maintenance certifying staff type rating training and except for aircraft validation source data to support the objective qualification of simulator(s). The approval shall be obtained not later than 18 December 2015 or before the aircraft is operated by an EU operator, whichever is the latest. The operational suitability data may be limited to the model which is delivered.

2. The applicant for an aircraft type-certificate for which the application was filed before 17 February 2014 and for which a type-certificate is not issued before 17 February 2014 shall obtain approval in accordance with point 21.A.21(e) of Annex I (Part 21) except for the minimum syllabus of maintenance certifying staff type rating training and for aircraft validation source data to support the objective qualification of simulator(s). The approval shall be obtained not later than 18 December 2015 or before the aircraft is operated by an EU operator, whichever is the latest. Compliance findings made by the authorities in Operational Evaluation Board processes conducted under the responsibility of the JAA or the Agency before the entry into force of this Regulation shall be accepted by the Agency without further verification.

3. Operational Evaluation Board reports and master minimum equipment lists issued in accordance with JAA procedures or by the Agency before the entry into force of this Regulation shall be deemed to constitute the operational suitability data approved in accordance with point 21.A.21(e) of Annex I (Part 21) and shall be included in the relevant type-certificate. Before 18 June 2014 the relevant type-certificate holders shall propose to the Agency a division of the operational suitability data in mandatory data and non-mandatory data.

4. Holders of a type-certificate including operational suitability data shall be required to obtain approval of an extension of the scope of their design organisation approval or procedures alternative to design organisation approval, as applicable, to include operational suitability aspects before 18 December 2015;'

(4) Annex I (Part 21) is amended in accordance with the Annex to this Regulation.

Article 2

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

Points 16-34 and point 43 of the Annex shall apply to applicants for the approval of a change to a type-certificate as well as applicants for a supplemental type-certificate from 19 December 2016.

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

Done at Brussels, 27 January 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

Annex I (Part 21) to Regulation (EU) No 748/2012 is amended as follows:

(1) point 21.A.4 is replaced by the following:

‘21.A.4 Coordination between design and production

Each holder of a type-certificate, restricted type-certificate, supplemental type-certificate, ETSO authorisation, approval of a change to type-certificate or approval of a repair design, shall collaborate with the production organisation as necessary to ensure:

- (a) the satisfactory coordination of design and production required by 21A.122, 21A.130(b)(3) and (4), 21A.133 and 21A.165(c)(2) and (3) as appropriate, and
- (b) the proper support of the continued airworthiness of the product, part or appliance.’;

(2) in point 21.A.15, the following point (d) is added:

‘(d) An application for a type-certificate or restricted type-certificate for an aircraft shall include, or be supplemented with, after the initial application, the application for approval of operational suitability data, consisting of, as applicable:

- 1. the minimum syllabus of pilot type rating training, including determination of type rating;
- 2. the definition of scope of the aircraft validation source data to support the objective qualification of simulator(s) associated to the pilot type rating training, or provisional data to support their interim qualification;
- 3. the minimum syllabus of maintenance certifying staff type rating training, including determination of type rating;
- 4. determination of type or variant for cabin crew and type specific data for cabin crew;
- 5. the master minimum equipment list; and
- 6. other type-related operational suitability elements.’;

(3) point 21.A.16A is replaced by the following:

‘21.A.16A Certification specifications

The Agency shall issue in accordance with Article 19 of Regulation (EC) No 216/2008 certification specifications, including certification specifications for operational suitability data, as standard means to demonstrate compliance of products, parts and appliances with the relevant essential requirements of Annex I, III and IV to Regulation (EC) No 216/2008. Such specifications shall be sufficiently detailed and specific to indicate to applicants the conditions under which certificates will be issued, amended or supplemented.’;

(4) point 21.A.16B is replaced by the following:

‘21.A.16B Special conditions

(a) The Agency shall prescribe special detailed technical specifications, named special conditions, for a product if the related certification specifications do not contain adequate or appropriate safety standards for the product, because:

- 1. the product has novel or unusual design features relative to the design practices on which the applicable certification specifications are based; or
- 2. the intended use of the product is unconventional; or

3. experience from other similar products in service or products having similar design features, has shown that unsafe conditions may develop.
- (b) The special conditions shall contain such safety standards as the Agency finds necessary to establish a level of safety equivalent to that established in the applicable certification specifications.;
- (5) point 21.A.17 is amended as follows:
- (a) the title is replaced by the following:
- ‘21.A.17A Type-certification basis’;**
- (b) in point (a), point 1 is replaced by the following:
- ‘1. the applicable certification specifications established by the Agency that are effective on the date of application for that certificate unless:
- (i) otherwise specified by the Agency; or
- (ii) compliance with certification specifications of later effective amendments is chosen by the applicant or required under points (c) and (d).’;
- (c) in point (c), point 2 is replaced by the following:
- ‘2. file for an extension of the original application and comply with the applicable certification specifications that were effective on a date, to be selected by the applicant, not earlier than the date which precedes the date of issue of the type-certificate by the time limit established under point (b) for the original application.’;
- (6) the following point 21.A.17B is inserted:
- ‘21.A.17B Operational suitability data certification basis**
- (a) The Agency shall notify to the applicant the operational suitability data certification basis. It shall consist of:
1. the applicable certification specifications for operational suitability data issued in accordance with point 21.A.16A that are effective on the date of application or application supplement, unless:
- (i) the Agency accepts other means to demonstrate compliance with the relevant essential requirements of Annexes I, III and IV to Regulation (EC) No 216/2008; or
- (ii) compliance with certification specifications of later effective amendments is chosen by the applicant;
2. any special condition prescribed in accordance with point 21.A.16B(a).
- (b) If an applicant chooses to comply with an amendment to the certification specifications that is effective after the filing of the application for a type-certificate, the applicant shall also comply with any other certification specification that the Agency finds is directly related.;
- (7) point 21.A.20 is amended as follows:
- (a) the title is replaced by the following:
- ‘Compliance with the type-certification basis, operational suitability data certification basis and environmental protection requirements’;**
- (b) point (a) is replaced by the following:
- ‘(a) The applicant for a type-certificate or a restricted type-certificate shall demonstrate compliance with the applicable type-certification basis, the applicable operational suitability data certification basis and environmental protection requirements and shall provide the Agency with the means by which such compliance has been demonstrated.’;

(8) point 21.A.21 is amended as follows:

(a) in point (c), point 1 is replaced by the following:

‘1. the product to be certificated meets the applicable type-certification basis and environmental protection requirements designated in accordance with point 21.A.17A and 21.A.18;’;

(b) the following points (e) and (f) are added:

‘(e) In the case of an aircraft type-certificate, it is demonstrated that the operational suitability data meets the applicable operational suitability data certification basis designated in accordance with 21.A.17B.

(f) By derogation from point (e), and at the request of the applicant included in the declaration referred to in point 21.A.20(d), an aircraft type-certificate may be issued before compliance with the applicable operational suitability data certification basis has been demonstrated, subject to the applicant demonstrating compliance with the operational suitability data certification basis before the operational suitability data must actually be used.’;

(9) point 21.A.23 is replaced by the following:

‘21.A.23 Issue of a restricted type-certificate

(a) For an aircraft that does not meet the provisions of point 21.A.21(c), the applicant shall be entitled to have a restricted type-certificate issued by the Agency after:

1. complying with the appropriate type-certification basis established by the Agency ensuring adequate safety with regard to the intended use of the aircraft, and with the applicable environmental protection requirements;

2. expressly stating that it is prepared to comply with point 21.A.44;

3. in the case of an aircraft restricted type-certificate, it is demonstrated that the operational suitability data meets the applicable operational suitability data certification basis designated in accordance with point 21.A.17B.

(b) By derogation from point 3 of point (a), and at the request of the applicant included in the declaration referred to in point 21.A.20(d), a restricted type-certificate may be issued before compliance with the applicable operational suitability data certification basis has been demonstrated, subject to the applicant demonstrating compliance with the operational suitability data certification basis before the operational suitability data must actually be used.

(c) The engine or propeller installed in the aircraft, or both, shall:

1. have a type-certificate issued or determined in accordance with this Regulation; or

2. have been shown to be in compliance with the certification specifications necessary to ensure safe flight of the aircraft.’;

(10) in point 21.A.31(a), point 3 is replaced by the following:

‘3. an approved airworthiness limitations section of the instructions for continued airworthiness as defined by the applicable certification specifications; and’;

(11) point 21.A.41 is replaced by the following:

‘21.A.41 Type-certificate

The type-certificate and restricted type-certificate shall include the type design, the operating limitations, the type-certificate data sheet for airworthiness and emissions, the applicable type-certification basis, and environmental protection requirements with which the Agency records compliance, and any other conditions or limitations prescribed for the product in the applicable certification specifications and environmental protection requirements. The aircraft type-certificate and restricted type-certificate, in addition, shall both include the applicable operational suitability data certification basis, the operational suitability data and the type-certificate data sheet for noise. The engine type-certificate data sheet shall include the record of emission compliance.’;

(12) in point 21.A.44, point (a) is replaced by the following:

- ‘(a) undertake the obligations laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.55, 21.A.57, 21.A.61 and 21.A.62; and, for this purpose, shall continue to meet the qualification requirements for eligibility under point 21.A.14; and’;

(13) point 21.A.55 is replaced by the following:

‘21.A.55 Record-keeping

All relevant design information, drawings and test reports, including inspection records for the product tested, shall be held by the type-certificate or restricted type-certificate holder at the disposal of the Agency and shall be retained in order to provide the information necessary to ensure the continued airworthiness, continued validity of the operational suitability data and compliance with applicable environmental protection requirements of the product.’;

(14) point 21.A.57 is replaced by the following:

‘21.A.57 Manuals

The holder of a type-certificate or restricted type-certificate shall produce, maintain and update master copies of all manuals required by the applicable type-certification basis, the applicable operational suitability data certification basis and environmental protection requirements for the product, and provide copies, on request, to the Agency.’;

(15) the following point 21.A.62 is added to Subpart B:

‘21.A.62 Availability of operational suitability data

The holder of the type-certificate or restricted type-certificate shall make available:

- (a) at least one set of complete operational suitability data prepared in accordance with the applicable operational suitability certification basis, to all known EU operators of the aircraft, before the operational suitability data must be used by a training organisation or an EU operator; and
- (b) any change to the operational suitability data to all known EU operators of the aircraft; and
- (c) on request, the relevant data referred to in points (a) and (b) above, to:
 - 1. the competent authority responsible for verifying conformity with one or more elements of this set of operational suitability data; and
 - 2. any person required to comply with one or more elements of this set of operational suitability data.’;

(16) point 21.A.90A is replaced by the following:

‘21.A.90A Scope

This Subpart establishes the procedure for the approval of changes to type-certificates, and establishes the rights and obligations of the applicants for, and holders of, those approvals. This Subpart also defines standard changes that are not subject to an approval process under this Subpart. In this Subpart, references to type-certificates include type-certificate and restricted type-certificate.’;

(17) in point 21.A.90B, point (a) is replaced by the following:

- ‘(a) Standard changes are changes to a type-certificate:

- 1. in relation to:
 - (i) aeroplanes of 5 700 kg Maximum Take-Off Mass (MTOM) or less;
 - (ii) rotorcraft of 3 175 kg MTOM or less;
 - (iii) sailplanes, powered sailplanes, balloons and airships, as defined in ELA1 or ELA2,
- 2. that follow design data included in certification specifications issued by the Agency, containing acceptable methods, techniques and practices for carrying out and identifying standard changes, including the associated instructions for continuing airworthiness; and

3. that are not in conflict with TC holders data.;

(18) point 21.A.91 is replaced by the following:

‘21.A.91 Classification of changes to a type-certificate

Changes to a type-certificate are classified as minor and major. A “minor change” is one that has no appreciable effect on the mass, balance, structural strength, reliability, operational characteristics, noise, fuel venting, exhaust emission, operational suitability data or other characteristics affecting the airworthiness of the product. Without prejudice to point 21.A.19, all other changes are “major changes” under this Subpart. Major and minor changes shall be approved in accordance with points 21.A.95 or 21.A.97, as appropriate, and shall be adequately identified.;

(19) point 21.A.92 is replaced by the following:

‘21.A.92 Eligibility

(a) Only the type-certificate holder may apply for approval of a major change to a type-certificate under this Subpart; all other applicants for a major change to a type-certificate shall apply under Subpart E.

(b) Any natural or legal person may apply for approval of a minor change to a type-certificate under this Subpart.;

(20) point 21.A.93 is replaced by the following:

‘21.A.93 Application

An application for approval of a change to a type-certificate shall be made in a form and manner established by the Agency and shall include:

(a) A description of the change identifying:

1. all parts of the type design and the approved manuals affected by the change; and
2. the certification specifications and environmental protection requirements with which the change has been designed to comply in accordance with point 21.A.101.

(b) Identification of any re-investigations necessary to show compliance of the changed product with the applicable certification specifications and environmental protection requirements.

(c) When the change affects the operational suitability data, the application shall include, or be supplemented after the initial application to include the necessary changes to the operational suitability data.;

(21) point 21.A.95 is replaced by the following:

‘21.A.95 Minor changes

Minor changes to a type-certificate shall be classified and approved either:

(a) by the Agency; or

(b) by an appropriately approved design organisation under a procedure agreed with the Agency.;

(22) in point 21.A.97, point (b) is replaced by the following:

‘(b) Approval of a major change in a type-certificate is limited to that or those specific configuration(s) in the type-certificate upon which the change is made.;

(23) point 21.A.101 is replaced by the following:

‘21.A.101 Designation of applicable certification specifications and environmental protection requirements

(a) An applicant for a change to a type-certificate shall demonstrate that the changed product complies with the certification specifications that are applicable to the changed product and that are in effect at the date of the application for the change, unless compliance with certification specifications of later effective amendments is chosen by the applicant or required under points (e) and (f), and with the applicable environmental protection requirements laid down in point 21.A.18.

- (b) By derogation from point (a), an applicant may show that the changed product complies with an earlier amendment of the certification specifications referred to in point (a), and of any other certification specification the Agency finds is directly related. However, the earlier amended certification specifications shall not precede the corresponding certification specifications incorporated by reference in the type-certificate. The applicant may show compliance with an earlier amendment of the certification specifications for any of the following:
1. A change that the Agency finds not to be significant. In determining whether a specific change is significant, the Agency considers the change in context with all previous relevant design changes and all related revisions to the applicable certification specifications incorporated in the type-certificate for the product. Changes that meet one of the following criteria are automatically considered significant:
 - (i) the general configuration or the principles of construction are not retained;
 - (ii) the assumptions used for certification of the product to be changed do not remain valid.
 2. Each area, system, part or appliance that the Agency finds is not affected by the change.
 3. Each area, system, part or appliance that is affected by the change, for which the Agency finds that compliance with the certification specifications referred to in point (a) would not contribute materially to the level of safety of the changed product or would be impractical.
- (c) An applicant for a change to an aircraft (other than a rotorcraft) of 2 722 kg (6 000 lbs) or less maximum weight or to a non-turbine rotorcraft of 1 361 kg (3 000 lbs) or less maximum weight may show that the changed product complies with the type-certification basis incorporated by reference in the type-certificate. However, if the Agency finds that the change is significant in an area, the Agency may designate compliance with an amendment to the type-certification basis incorporated by reference in the type-certificate in effect at the date of the application and any certification specification that the Agency finds is directly related, unless the Agency also finds that compliance with that amendment or certification specification would not contribute materially to the level of safety of the changed product or would be impractical.
- (d) If the Agency finds that the certification specifications in effect at the date of the application for the change do not provide adequate standards with respect to the proposed change, the applicant shall also comply with any special conditions, and amendments to those special conditions, prescribed under the provisions of point 21.A.16B, to provide a level of safety equivalent to that established in the certification specifications in effect at the date of the application for the change.
- (e) An application for a change to a type-certificate for large aeroplanes and large rotorcraft is effective for five years, and an application for a change to any other type-certificate is effective for three years. In a case where the change has not been approved, or it is clear that it will not be approved under the time limit established under this point, the applicant may:
1. file a new application for a change to the type-certificate and comply with all the provisions of point (a) applicable to an original application for a change; or
 2. file for an extension of the original application and comply with the provisions of point (a) for an effective date of application, to be selected by the applicant, not earlier than the date which precedes the date of approval of the change by the time period established under this point for the original application for the change.
- (f) If an applicant chooses to comply with a certification specification of an amendment to the certification specifications that is effective after the filing of the application for a change to a type, the applicant shall also comply with any other certification specification that the Agency finds is directly related.
- (g) When the application for a change to a type-certificate for an aircraft includes, or is supplemented after the initial application to include changes to the operational suitability data, the operational suitability data certification basis shall be designated in accordance with points (a), (b), (c), (d) and (f) above.;
- (24) point 21.A.103 is replaced by the following:

21.A.103 Issue of approval

- (a) The applicant shall be entitled to have a major change to a type-certificate approved by the Agency after:

1. submitting the declaration referred to in point 21.A.20(d); and
 2. it is demonstrated that:
 - (i) the changed product meets the applicable certification specifications and environmental protection requirements, as specified in point 21.A.101;
 - (ii) any airworthiness provisions not complied with are compensated for by factors that provide an equivalent level of safety; and
 - (iii) no feature or characteristic makes the product unsafe for the uses for which certification is requested.
 3. in the case of a change affecting the operational suitability data, it is demonstrated that the necessary changes to the operational suitability data meet the applicable operational suitability data certification basis designated in accordance with point 21.A.101(g);
 4. by derogation from point 3, and at the request of the applicant included in the declaration referred to in point 21.A.20(d), a major change to an aircraft type-certificate may be approved before compliance with the applicable operational suitability data certification basis has been demonstrated, subject to the applicant demonstrating compliance with the operational suitability data certification basis before the operational suitability data must actually be used.
- (b) A minor change to a type-certificate shall only be approved in accordance with point 21.A.95 if it is shown that the changed product meets the applicable certification specifications, as specified in point 21.A.101.;
- (25) point 21.A.105 is replaced by the following:

‘21.A.105 Record-keeping

For each change, all relevant design information, drawings and test reports, including inspection records for the changed product tested, shall be held by the applicant at the disposal of the Agency and shall be retained in order to provide the information necessary to ensure the continued airworthiness, continued validity of the operational suitability data and compliance with applicable environmental protection requirements of the changed product.;

- (26) in point 21.A.107, point (a) is replaced by the following:

- ‘(a) The holder of a minor change approval to a type-certificate shall furnish at least one set of the associated variations, if any, to the instructions for continued airworthiness of the product on which the minor change is to be installed, prepared in accordance with the applicable type-certification basis, to each known owner of one or more aircraft, engine, or propeller incorporating the minor change, upon its delivery, or upon issuance of the first certificate of airworthiness for the affected aircraft, whichever occurs later, and thereafter make those variations in instructions available, on request, to any other person required to comply with any of the terms of those instructions.;

- (27) the following point 21.A.108 is inserted:

‘21.A.108 Availability of operational suitability data

In the case of a change affecting the operational suitability data, the holder of the minor change approval shall make available:

- (a) at least one set of changes to the operational suitability data prepared in accordance with the applicable operational suitability certification basis, to all known EU operators of the changed aircraft, before the operational suitability data must be used by a training organisation or an EU operator; and
- (b) any further change to the affected operational suitability data, to all known EU operators of the changed aircraft; and
- (c) on request, the relevant parts of the changes in points (a) and (b) above, to:
 1. the competent authority responsible for verifying conformity with one or more elements of the affected operational suitability data; and
 2. any person required to comply with one or more elements of this set of operational suitability data.;

(28) point 21.A.109 is replaced by the following:

‘21.A.109 Obligations and EPA marking

The holder of a minor change approval to a type-certificate shall:

- (a) undertake the obligations laid down in points 21.A.4, 21.A.105, 21.A.107 and 21.A.108; and
- (b) specify the marking, including EPA (European Part Approval) letters, in accordance with point 21.A.804(a).’;

(29) point 21.A.111 is replaced by the following:

‘21.A.111 Scope

This Subpart establishes the procedure for the approval of major changes to the type-certificate under supplemental type-certificate procedures, and establishes the rights and obligations of the applicants for, and holders of, those certificates.’;

(30) in point 21.A.113, point (b) is replaced by the following:

- ‘(b) An application for a supplemental type-certificate shall include the descriptions, identification, and changes to the operational suitability data required by point 21.A.93. In addition, such an application shall include a justification that the information on which those elements are based is adequate either from the applicant’s own resources, or through an arrangement with the type-certificate holder.’;

(31) in point 21.A.118A, point (a) is replaced by the following:

- ‘(a) undertake the obligations:

1. laid down in points 21.A.3A, 21.A.3B, 21.A.4, 21.A.105, 21.A.119, 21.A.120A and 21.A.120B;
 2. implicit in the collaboration with the type-certificate holder under point 21.A.115(d)(2);
- and for this purpose continue to meet the criteria of point 21.A.112B.’;

(32) point 21.A.119 is replaced by the following:

‘21.A.119 Manuals

The holder of a supplemental type-certificate shall produce, maintain, and update master copies of variations in the manuals required by the applicable type-certification basis, the applicable operational suitability data certification basis and environmental protection requirements for the product, necessary to cover the changes introduced under the supplemental type-certificate, and furnish copies of those manuals to the Agency on request.’;

(33) in point 21.A.120, the title is replaced by the following:

‘21.A.120A Instructions for continued airworthiness’;

(34) the following point 21.A.120B is added to Subpart E:

‘21.A.120B Availability of operational suitability data

In the case of a change affecting the operational suitability data, the holder of the supplemental type-certificate shall make available:

- (a) at least one set of changes to the operational suitability data prepared in accordance with the applicable operational suitability certification basis, to all known EU operators of the changed aircraft, before the operational suitability data must be used by a training organisation or an EU operator; and
- (b) any further change to the affected operational suitability data, to all known EU operators of the changed aircraft; and
- (c) on request, the relevant parts of the changes in points (a) and (b) above, to:
 1. the competent authority responsible for verifying conformity with one or more elements of the affected operational suitability data; and
 2. any person required to comply with one or more elements of this set of operational suitability data.’;

(35) in point 21.A.174(b)(2), point (iii) is replaced by the following:

‘(iii) the flight manual, when required by the applicable certification specifications for the particular aircraft;’

(36) in point 21.A.239(a), point 1 is replaced by the following:

‘1. to ensure that the design of the products, parts and appliances or the design change thereof, comply with the applicable type-certification basis, the applicable operational suitability data certification basis and environmental protection requirements; and’;

(37) point 21.A.245 is replaced by the following:

‘21.A.245 Approval requirements

The design organisation shall demonstrate, on the basis of the information submitted in accordance with point 21.A.243 that, in addition to complying with point 21.A.239:

- (a) the staff in all technical departments are of sufficient numbers and experience and have been given appropriate authority to be able to discharge their allocated responsibilities and these, together with the accommodation, facilities and equipment are adequate to enable the staff to achieve the airworthiness, operational suitability and environmental protection objectives for the product;
- (b) there is full and efficient coordination between departments and within departments in respect of airworthiness, operational suitability and environmental protection matters.’;

(38) point 21.A.247 is replaced by the following:

‘21.A.247 Changes in design assurance system

After the issue of a design organisation approval, each change to the design assurance system that is significant to the showing of compliance or to the airworthiness, operational suitability and environmental protection of the product, shall be approved by the Agency. An application for approval shall be submitted in writing to the Agency and the design organisation shall demonstrate to the Agency, on the basis of submission of proposed changes to the handbook, and before implementation of the change, that it will continue to comply with this Subpart after implementation.’;

(39) point 21.A.251 is replaced by the following:

‘21.A.251 Terms of approval

The terms of approval shall identify the types of design work, the categories of products, parts and appliances for which the design organisation holds a design organisation approval, and the functions and duties that the organisation is approved to perform in regard to the airworthiness, operational suitability and characteristics of noise, fuel venting and exhaust emissions of products. For design organisation approval covering type-certification or ETSO authorisation for Auxiliary Power Unit (APU), the terms of approval shall contain in addition the list of products or APU. Those terms shall be issued as part of a design organisation approval.’;

(40) point 21.A.263 is amended as follows:

(a) point 2 of point (b) is replaced by the following:

‘2. a type-certificate or approval of a major change to a type-certificate; or’;

(b) points 1 and 2 of point (c) are replaced by the following:

‘1. to classify changes to the type-certificate and repairs as “major” or “minor”;

2. to approve minor changes to the type-certificate and minor repairs;’;

(41) in point 21.A.435, point (a) is replaced by the following:

‘(a) A repair may be “major” or “minor”. The classification shall be made in accordance with the criteria of point 21.A.91 for a change in the type-certificate.’

- (42) in point 21.A.604, point (a) is replaced by the following:
- ‘(a) points 21.A.15, 21.A.16B, 21.A.17A, 21.A.17B, 21.A.20, 21.A.21, 21.A.31, 21.A.33, 21.A.44 shall apply by way of derogation from points 21.A.603, 21.A.606(c), 21.A.610 and 21.A.615, except that an ETSO Authorisation shall be issued in accordance with 21.A.606 instead of the type-certificate;’
- (43) in Section B of Annex I (Part 21), Subpart D is amended as follows:
- (a) The existing statement ‘Administrative procedures established by the Agency shall apply’ is deleted;
- (b) The following point 21.B.70 is added:
- ‘21.B.70 Approval of changes to type-certificates**
- The approval of the changes to the operational suitability data is included in the approval of the change to the type-certificate. However, the Agency shall use a separate classification and approval process for administering changes to operational suitability data.’;
- (44) in point 21.B.326(b)(1), point (iii) is replaced by the following:
- ‘(iii) the aircraft has been inspected in accordance with the applicable provisions of Annex I (Part M) of Regulation (EC) No 2042/2003;’;
- (45) in point 21.B.327(a)(2)(i), point (C) is replaced by the following:
- ‘(C) the aircraft has been inspected in accordance with the applicable provisions of Annex I (Part M) of Regulation (EC) No 2042/2003;’;
- (46) in Appendix I, blocks 14a, 14b, 14c, 14d and 14e of the EASA Form 1 shall be in grey shading;
- (47) in Appendix I, the introductory phrase to the instructions for the use of EASA Form 1 is replaced by following:
- ‘These instructions relate only to the use of the EASA Form 1 for production purposes. Attention is drawn to Appendix II to Annex I (Part M) of Regulation (EC) No 2042/2003 which covers the use of the EASA Form 1 for maintenance purposes’.
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COMMISSION REGULATION (EU) No 70/2014**of 27 January 2014****amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ⁽¹⁾, and in particular Article 7(6), 8(5) and 10(5) thereof,

Whereas:

(1) Commission Regulation (EU) No 1178/2011 ⁽²⁾ lays down detailed rules for certain pilots' licences, the conversion of national licences and certificates, as well as the conditions for the acceptance of licences from third countries. In addition, Regulation (EU) No 1178/2011 includes provisions on the certification of approved training organisations and of operators of flight simulation training devices used for pilot training, testing and checking.

(2) Article 5 of Regulation (EC) No 216/2008 dealing with airworthiness was extended to include the elements of operational suitability evaluation into the implementing rules for type-certification.

(3) The European Aviation Safety Agency (the 'Agency') found that it was necessary to amend Commission Regulation (EU) No 748/2012 ⁽³⁾ in order to allow the Agency to approve operational suitability data as part of the type-certification process.

(4) The operational suitability data should include mandatory training elements for flight crew type rating training. Those elements should be the basis for developing type training courses.

(5) The requirements related to the establishment of flight crew type rating training courses refer to the operational suitability data, however where the operational suitability data is not available there should be a general provision as well as transitional measures.

(6) The Agency prepared draft implementing rules on the concept of operational suitability data and submitted them as an opinion ⁽⁴⁾ to the Commission in accordance with Article 19(1) of Regulation (EC) No 216/2008.

(7) Regulation (EU) No 1178/2011 should therefore be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1178/2011 is amended as follows:

(1) The following Article 9a is inserted:

*'Article 9a***Type rating training and operational suitability data**

1. Where the Annexes to this Regulation make reference to the operational suitability data established in accordance with Regulation (EU) No 748/2012, and that data is not available for the relevant type aircraft, the applicant for a type rating training course shall comply with the provisions of the Annexes of Regulation (EU) No 1178/2011 only.

⁽¹⁾ OJ L 79, 19.3.2008, p. 1.

⁽²⁾ OJ L 311, 25.11.2011, p. 1.

⁽³⁾ OJ L 224, 21.8.2012, p. 1.

⁽⁴⁾ Opinion No 07/2011 of the European Aviation Safety Agency of 13 December 2011, available at <http://easa.europa.eu/agency-measures/opinions.php>

2. Type rating training courses approved before the approval of the minimum syllabus of pilot type rating training in the operational suitability data for the relevant type of aircraft in accordance with Regulation (EU) No 748/2012 shall include the mandatory training elements not later than 18 December 2017 or within two years after the operational suitability data was approved, whichever is the latest.’.

(2) Annex VII (PART-ORA) is amended in accordance with the Annex to this Regulation:

Article 2

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

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

Done at Brussels, 27 January 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

Annex VII (PART-ORA) to Regulation (EU) No 1178/2011 is amended as follows:

(1) In point ORA.GEN.160, point (b) is replaced by the following:

‘(b) Without prejudice to paragraph (a) the organisation shall report to the competent authority and to the organisation responsible for the design of the aircraft any incident, malfunction, technical defect, exceeding of technical limitations and any occurrence that would highlight inaccurate, incomplete or ambiguous information contained in the operational suitability data established in accordance with Commission Regulation (EU) No 748/2012 (*) or other irregular circumstance that has or may have endangered the safe operation of the aircraft and that has not resulted in an accident or serious incident.

(*) OJ L 224, 21.8.2012, p. 1.’;

(2) Point ORA.ATO.145 is replaced by the following:

‘ORA.ATO.145 Pre-requisites for training

(a) The ATO shall ensure that the students meet all the pre-requisites for training established in Part-Medical, Part-FCL, and, if applicable, as defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.

(b) In the case of ATOs providing flight test training, the students shall meet all the pre-requisites for training established in accordance with Regulation (EU) No 748/2012.’;

(3) In point ORA.FSTD.210(a), point (2) is replaced by the following:

‘(2) the aircraft validation data defined by the mandatory part of the operational suitability data as approved under Regulation (EU) No 748/2012, if applicable; and’.

COMMISSION REGULATION (EU) No 71/2014**of 27 January 2014****amending Regulation (EU) No 965/2012 laying down technical requirements and administrative procedures related to Air Operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

certain conditions the validity of certificates issued before the entry into force and application of this Regulation.

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

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ⁽¹⁾, and in particular Articles 8(5) and 10(5) thereof,

Whereas:

(1) Article 5 of Regulation (EC) No 216/2008 dealing with airworthiness was extended to include the elements of operational suitability evaluation into the implementing rules for type-certification.

(2) The European Aviation Safety Agency (the 'Agency') found that it was necessary to amend Commission Regulation (EU) No 748/2012 ⁽²⁾ in order to allow the Agency to approve operational suitability data as part of the type-certification process.

(3) The operational suitability data should include mandatory elements for Master Minimum Equipment List ('MMEL'), flight crew training and cabin crew training which will be the basis for developing the Minimum Equipment List ('MEL') and crew training courses by operators.

(4) The requirements related to the establishment of MEL, flight crew training and cabin crew training refer to the operational suitability data, however where the operational suitability data is not available there should be a general provision as well as transitional measures.

(5) The aeronautical industry and Member State administrations should be given enough time to adapt to the new regulatory framework and to recognise under

(6) The Agency prepared draft implementing rules on the concept of operational suitability data and submitted them as an opinion ⁽³⁾ to the Commission in accordance with Article 19(1) of Regulation (EC) No 216/2008.

(7) Commission Regulation (EU) No 965/2012 ⁽⁴⁾ should therefore be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 965/2012 is amended as follows:

(1) Article 9 is replaced by the following:

*'Article 9***Minimum equipment lists**

Minimum equipment lists ("MEL") approved by the State of Operator or Registry before the application of this Regulation, are deemed to be approved in accordance with this Regulation and may continue to be used by the operator.

After the entry into force of this Regulation any change to the MEL referred to in the first subparagraph for which a Master Minimum Equipment List ("MMEL") is established as part of the operational suitability data in accordance with Commission Regulation (EU) No 748/2012 ^(*) shall be made in compliance with point ORO.MLR.105 of Section 2 of Annex III to this Regulation at the earliest opportunity and not later than 18 December 2017 or two years after the operational suitability data was approved, whichever is the latest.

⁽¹⁾ OJ L 79, 19.3.2008, p. 1.

⁽²⁾ OJ L 224, 21.8.2012, p. 1.

⁽³⁾ Opinion No 07/2011 of the European Aviation Safety Agency of 13 December 2011, available at <http://easa.europa.eu/agency-measures/opinions.php>

⁽⁴⁾ OJ L 296, 25.10.2012, p. 1.

Any change to an MEL referred to in the first subparagraph, for which an MMEL has not been established as part of the operational suitability data, shall continue to be made in accordance with the MMEL accepted by the State of Operator or Registry as applicable.

CC of Annex III which did not include the mandatory elements established in the relevant operational suitability data, undertake training covering those mandatory elements not later than 18 December 2017 or two years after the approval of the operational suitability data, whichever is the latest.;

(*) OJ L 224, 21.8.2012, p. 1.;

(3) Annex III (PART-ORO) is amended in accordance with Annex I to this Regulation.

(2) A new Article 9a is inserted:

(4) Annex V (PART-SPA) is amended in accordance with Annex II to this Regulation.

‘Article 9a

Flight and cabin crew training

Article 2

Operators shall ensure that flight crew and cabin crew members who are already in operation and have completed training in accordance with Subparts FC and

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, 27 January 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Annex III (PART-ORO) to Regulation (EU) No 965/2012 is amended as follows:

(1) In point ORO.GEN.160, point (b) is replaced by the following:

‘(b) Without prejudice to point (a) the operator shall report to the competent authority and to the organisation responsible for the design of the aircraft any incident, malfunction, technical defect, exceeding of technical limitations or occurrence that would highlight inaccurate, incomplete or ambiguous information contained in the operational suitability data established in accordance with Regulation (EU) No 748/2012 or other irregular circumstance that has or may have endangered the safe operation of the aircraft and that has not resulted in an accident or serious incident.’;

(2) Point ORO.MLR.105 is amended as follows:

(a) Point (a) is replaced by the following:

‘(a) A minimum equipment list (“MEL”) shall be established as specified in point 8.a.3 of Annex IV to Regulation (EC) No 216/2008, based on the relevant master minimum equipment list (“MMEL”) as defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.’;

(b) In point (j), point (1) is replaced by the following:

‘(1) the concerned instruments, items of equipment or functions are within the scope of the MMEL as defined in point (a);’;

(3) In point ORO.FC.140, point (a) is replaced by the following:

‘(a) Flight crew members operating more than one type or variant of aircraft shall comply with the requirements prescribed in this Subpart for each type or variant, unless credits related to the training, checking, and recent experience requirements are defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012 for the relevant types or variants.’;

(4) In point ORO.FC.145, point (b) is replaced by the following:

‘(b) When establishing the training programmes and syllabi, the operator shall include the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.’;

(5) In point ORO.FC.220, point (e) is replaced by the following:

‘(e) In the case of aeroplanes, pilots that have been issued a type rating based on a zero flight-time training (“ZFTT”) course shall:

(1) commence line flying under supervision not later than 21 days after the completion of the skill test or after appropriate training provided by the operator. The content of that training shall be described in the operations manual;

(2) complete six take-offs and landings in an FSTD not later than 21 days after the completion of the skill test under the supervision of a type rating instructor for aeroplanes (“TRI(A)”) occupying the other pilot seat. The number of take-offs and landings may be reduced when credits are defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012. If those take-offs and landings have not been performed within 21 days, the operator shall provide refresher training the content of which shall be described in the operations manual;

- (3) conduct the first four take-offs and landings of the LIFUS in the aeroplane under the supervision of a TRI(A) occupying the other pilot seat. The number of take-offs and landings may be reduced when credits are defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.’;
- (6) In point ORO.CC.125, point (b) is replaced by the following:
- ‘(b) When establishing the aircraft type specific and the operator conversion training programmes and syllabi, the operator shall include, where available, the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.’;
- (7) In point ORO.CC.130, point (c) is replaced by the following:
- ‘(c) When establishing a differences training programme and syllabus for a variant of an aircraft type currently operated, the operator shall include, where available, the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.’;
- (8) In point ORO.CC.250(b), point (1) is replaced by the following:
- ‘(1) each aircraft as a type or a variant taking into account, where available, the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012 for the relevant aircraft type or variant; and’.
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ANNEX II

Annex V (PART-SPA) Regulation (EU) No 965/2012 is amended as follows:

- (1) In point SPA.GEN.105(b), point (2) is replaced by the following:
- ‘(2) that the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012 are taken into account.’;
- (2) Point SPA.GEN.120 is replaced by the following:

‘SPA.GEN.120 Continued validity of a specific approval

Specific approvals shall be issued for an unlimited duration and shall remain valid subject to the operator remaining in compliance with the requirements associated with the specific approval and taking into account the relevant elements defined in the mandatory part of the operational suitability data established in accordance with Regulation (EU) No 748/2012.’.

COMMISSION IMPLEMENTING REGULATION (EU) No 72/2014**of 27 January 2014****amending Implementing Regulation (EU) No 770/2013 as regards deductions from the 2013 Portuguese quota for redfish in NAFO area 3LN**

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, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ⁽¹⁾, and in particular Article 105(1), (2) and (3) thereof,

Whereas:

- (1) Following the publication of Commission Implementing Regulation (EU) No 770/2013 ⁽²⁾, the Portuguese fisheries industry discovered a mistake in the published 2012 catch figures for redfish in NAFO (Northwest Atlantic Fisheries Organization) area 3LN.
- (2) The Portuguese fisheries authorities noticed that the catch reports on which these 2012 catch figures are based were not correctly transmitted to the Commission. This was confirmed by an independent audit.
- (3) On the basis of the corrected data transmitted by Portugal on 14 November 2013, it appears that the

Portuguese quota for redfish in NAFO area 3LN (RED/N3LN) was overfished by a lower amount than that taken into account for the purpose of Implementing Regulation (EU) No 770/2013.

- (4) The deduction from the 2013 Portuguese quota for redfish in NAFO area 3LN should therefore be corrected as regards figures concerning the overfishing of the quota concerned.
- (5) Considering that this Implementing Regulation is amending deductions already operated on the redfish in NAFO area 3LN quota for 2013, its provisions should apply retroactively from the date of entry into force of Implementing Regulation (EU) No 770/2013.
- (6) Implementing Regulation (EU) No 770/2013 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 770/2013 is amended in accordance with the Annex to this Regulation.

Article 2

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

However, it shall apply from 15 August 2013.

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

Done at Brussels, 27 January 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 770/2013 of 8 August 2013 operating deductions from fishing quotas available for certain stocks in 2013 on account of overfishing in the previous years (OJ L 215, 10.8.2013, p. 1).

ANNEX

In the Annex to Implementing Regulation (EU) No 770/2013, on page 12, the line hereunder

'PRT	RED	N3NL	Redfish	NAFO 3LN	0	982,5	1 204,691	122,61	222,191	1,4	/	/	/	311,067'	
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is replaced by the following

'PT	RED	N3NL	Redfish	NAFO 3LN	0	982,5	1 112,457	113,23	129,957	1,2	/	/	/	155,948'	
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COMMISSION IMPLEMENTING REGULATION (EU) No 73/2014**of 27 January 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to 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, 27 January 2014.

*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	50,7
	IL	41,8
	MA	53,0
	TN	77,8
	TR	94,8
	ZZ	63,6
0707 00 05	JO	275,4
	MA	158,2
	TR	151,4
	ZZ	195,0
0709 91 00	EG	91,5
	ZZ	91,5
0709 93 10	MA	71,5
	TR	103,6
	ZZ	87,6
0805 10 20	EG	51,8
	MA	57,9
	TN	56,6
	TR	71,0
	ZA	38,4
	ZZ	55,1
0805 20 10	CN	72,7
	IL	147,6
	MA	70,2
	ZZ	96,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	66,8
	EG	54,5
	IL	114,2
	JM	124,7
	KR	143,8
	TR	96,4
	ZZ	100,1
0805 50 10	EG	69,0
	TR	73,2
	ZZ	71,1
0808 10 80	CA	85,2
	CN	91,7
	MK	31,3
	US	158,0
	ZZ	91,6
0808 30 90	CN	64,4
	TR	136,7
	US	123,6
	ZZ	108,2

⁽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 24 January 2014
authorising methods for grading pig carcasses in Italy
(notified under document C(2014) 279)
(Only the Italian text is authentic)
(2014/38/EU)

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⁾, and in particular Article 43(m), in conjunction with Article 4 thereof,

Whereas:

- (1) Point 1 of Section B.IV of Annex V to Regulation (EC) No 1234/2007 provides that, for the classification of pig carcasses, the lean-meat content has to be assessed by means of grading methods authorised by the Commission, which methods may only be statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass. The authorisation of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment. That tolerance is defined in Article 23(3) of Commission Regulation (EC) No 1249/2008 ⁽²⁾.
- (2) By Commission Decision 2001/468/EC ⁽³⁾, the use of two methods for grading pig carcasses in Italy was authorised.
- (3) As the authorised grading methods needed technical adaptation Italy has requested the Commission to authorise the replacement of the formula used in the 'Fat-O-Meater' and 'Hennessy Grading Probe 7' methods, as well as to authorise the four new methods 'AutoFom III', 'Fat-O-Meat'er II', 'CSB-Image-Meater' and

'Manual method ZP' for grading pig carcasses on its territory. Italy has presented a detailed description of the dissection trial, indicating the principles on which the new formula are based, the result of its dissection trial and the equations used for assessing the percentage of lean meat in the protocol provided for in Article 23(4) of Regulation (EC) No 1249/2008.

- (4) Examination of that request has revealed that the conditions for authorising those new formulae are fulfilled. Those formulae should therefore be authorised in Italy.
- (5) Italy has requested the Commission to be authorised to provide for a presentation of pig carcasses different from the standard presentation laid down in the first paragraph of Section B.III of Annex V to Regulation (EC) No 1234/2007.
- (6) In accordance with the second paragraph of Section B.III of Annex V to Regulation (EC) No 1234/2007, Member States may be authorised to provide for a presentation of pig carcasses different from the standard presentation defined in the first paragraph of that point, where normal commercial practice in their territory differs from that standard presentation. In its request, Italy specified that in its territory it is commercial practice that carcasses can be presented without the diaphragm and flare fat having been removed before being weighed and graded. This presentation that differs from the standard presentation should therefore be authorised in Italy.
- (7) In order to establish quotations for pig carcasses on a comparable basis, this different presentation should be taken into account by adjusting the weight recorded in such cases in relation to the weight for standard presentation.
- (8) For reasons of clarity and legal certainty, a new decision should be adopted. Decision 2001/468/EC should therefore be repealed.

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ Commission Regulation (EC) No 1249/2008 of 10 December 2008 laying down detailed rules on the implementation of the Community scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof (OJ L 337, 16.12.2008, p. 3).

⁽³⁾ Commission Decision 2001/468/EC of 8 June 2001 authorising methods for grading pig carcasses in Italy (OJ L 163, 20.6.2001, p. 31).

- (9) Modifications of the apparatuses or grading methods should not be allowed, unless they are explicitly authorised by Commission Implementing Decision.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is authorised for grading pig carcasses pursuant to point 1 of Section B.IV of Annex V to Regulation (EC) No 1234/2007 in Italy:

- (a) the 'Fat-O-Meater I (FOM I)' apparatus and the assessment methods related thereto, details of which are given in Part I of the Annex;
- (b) the 'Hennessy Grading Probe 7 (HGP 7)' apparatus and the assessment methods related thereto, details of which are given in Part II of the Annex;
- (c) the 'Fat-O-Meater II (FOM II)' apparatus and the assessment methods related thereto, details of which are given in Part III of the Annex;
- (d) the 'AutoFom III' apparatus and the assessment methods related thereto, details of which are given in Part IV of the Annex;
- (e) the 'CSB-Image-Meater' apparatus and the assessment methods related thereto, details of which are given in Part V of the Annex;
- (f) the 'Manual method ZP' apparatus and the assessment methods related thereto, details of which are given in Part VI of the Annex.

Article 2

Notwithstanding the standard presentation laid down in the first paragraph of Section B.III of Annex V to Regulation (EC) No 1234/2007, pig carcasses in Italy may be presented without the diaphragm and flare fat having been removed before being weighed and graded. In the case of such presentation the recorded hot carcass weight shall be adjusted in accordance with the following formula:

$$Y = X - X \times a \%$$

where:

Y = carcass weight as defined by Regulation (EC) No 1249/2008

X = warm carcass weight with flare fat and diaphragm

a = sum of flare fat and diaphragm (%)

— for diaphragm, equivalent to 0,29 % (carcass weight from 110,1 to 180 kg) and to 0,26 % (carcass weight from 70 to 110 kg),

— for flare fat, equivalent to:

0,99 % (carcass weight from 70 to 80,0 kg),

1,29 % (carcass weight from 80,1 to 90,0 kg),

1,52 % (carcass weight from 90,1 to 100,0 kg),

2,05 % (carcass weight from 100,1 to 110 kg),

2,52 % (carcass weight from 110,1 to 130 kg),

2,62 % (carcass weight from 130,1 to 140 kg),

2,83 % (carcass weight from 140,1 to 150 kg),

2,96 % (carcass weight from 150,1 to 180 kg).

Article 3

Modifications of the authorised apparatus or grading methods shall not be allowed, unless those modifications are explicitly authorised by Commission Implementing Decision.

Article 4

Decision 2001/468/EC is repealed.

Article 5

This Decision shall apply from 1 January 2014.

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 24 January 2014.

For the Commission

Dacian CIOLOŞ

Member of the Commission

ANNEX

METHODS FOR GRADING PIG CARCASSES IN ITALY

PART I

Fat-O-Meater I (FOM I)

1. The rules provided for in this Part shall apply when the grading of pig carcasses is carried out by means of the apparatus termed 'Fat-O-Meater I' (FOM I).
2. The apparatus shall be equipped with a probe of 6 mm diameter containing a photodiode of the Siemens SFH 950 type and a photo detector (type SFH 960), having an operating distance of between 5 and 115 mm. The results of the measurements are converted into estimated lean meat content by means of a computer.
3. The lean meat content of the carcass shall be calculated according to one of the following two formulae:

- (a) carcasses weighing between 70 and 110 kg

$$\hat{y} = 69,4903 - 0,6596 x_1 + 0,0112 x_2$$

- (b) carcasses weighing between 110,1 and 180 kg

$$\hat{y} = 65,9993 - 0,4619 x_1 + 0,0048 x_2$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass at the level placed between the third and fourth last ribs

x_2 = the thickness of the *Longissimus dorsi* muscle, measured at the same time and in the same place as x_1 .

PART II

Hennessy Grading Probe (HGP 7)

1. The rules provided for in this Part shall apply when the grading of pig carcasses is carried out by means of the apparatus called 'Hennessy Grading Probe 7' (HGP 7).
2. The apparatus shall be equipped with a probe of 5,95 mm diameter (and have abutting 6,3 mm of blade on either side of the probe at its head) containing a photodiode (Siemens LED of the type LYU 260-EO and photodetector of the type 58 MR) and having an operating distance of between 0 and 120 mm. The results of the measurements shall be transformed in terms of estimated lean meat content by means of the HGP 7 itself as well as a computer linked to it.
3. The lean meat content of the carcass shall be calculated according to one of the following two formulae:

- (a) carcasses weighing between 70 and 110 kg

$$\hat{y} = 69,8930 - 0,7338 x_1 + 0,0279 x_2$$

- (b) carcasses weighing between 110,1 and 180 kg

$$\hat{y} = 66,5261 - 0,4514 x_1 + 0,0140 x_2$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass at the level placed between the third and fourth last ribs,

x_2 = the thickness of the *Longissimus dorsi* muscle, measured at the same time and in the same place as x_1 .

PART III

Fat-O-Meat'er II (FOM II)

1. The rules provided for in this Part shall apply when the grading of pig carcasses is carried out by means of the apparatus called 'Fat-O-Meat'er II' (FOM II).
2. The apparatus is a new version of the Fat-O-Meat'er measurement system. The FOM II consists of an optical probe with a knife, a depth measurement device having an operating distance of between 0 and 125 millimetres and a data acquisition and analysis board – Carometec Touch Panel i15 computer (Ingress Protection IP69K). The results of the measurements are converted into estimated lean meat content by the FOM II apparatus itself.
3. The lean meat content of the carcass shall be calculated according to one of the following two formulae:

- (a) carcasses weighing between 70 and 110 kg

$$\hat{y} = 70,2193 - 0,7140 x_1 + 0,0174 x_2$$

- (b) carcasses weighing between 110,1 and 180 kg

$$\hat{y} = 64,2444 - 0,4565 x_1 + 0,0234 x_2$$

where:

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass at the level placed between the third and fourth last ribs,

x_2 = the thickness of the *Longissimus dorsi* muscle, measured at the same time and in the same place as x_1 .

PART IV

AutoFom III

1. The rules provided for in this Part shall apply when the grading of pig carcasses is carried out by means of the apparatus known as 'AutoFom III'.
2. The apparatus shall be equipped with sixteen 2 MHz ultrasonic transducers (Carometec A/S), with an operating distance between transducers of 25 mm. The ultrasonic data shall comprise measurements of back fat thickness, muscle thickness and related parameters. The results of the measurements are converted into estimates of the percentage of lean meat by using a computer.
3. The lean meat content of the carcass shall be calculated according to one of the following two formulae:

- (a) carcasses weighing between 70 and 110 kg

$$Y = 72,9994 - 0,4653 x_1 + 0,2494 x_2 - 0,5291 x_3 - 0,3981 x_4 + 0,0326 x_5 + 0,1028 x_6$$

where:

Y = the estimated percentage of lean meat in the carcass,

x_1 = (R2P1) average skin thickness in mm

x_2 = (R2P4) the P2 fat measure at the selected position in mm where P2 is the minimum fat depth 7 cm from the midline 2/3 rib without skin

x_3 = (R2P11) minpair filter result. Vector of cross section at minimum fat thickness position of the loin.

x_4 = (R2P16) coarse assessment of size of fat layer depth

x_5 = (R3P1) the meat measure at the selected P2 point in mm

x_6 = (R3P5) the max meat measure

(b) carcasses weighing between 110,1 and 180 kg

$$Y = 79,0934 - 0,2959 x_1 + 0,0929 x_2 - 0,2336 x_3 + 0,0212 x_4$$

where:

Y = the estimated percentage of lean meat in the carcase

x_1 = (R2P6) weighted average of the two minimum fat measures in mm

x_2 = (R2P11) minpair filter result. Vector of cross section at minimum fat thickness position of the loin

x_3 = (R2P14) The initial assessment of carcase size minus P2 skin, where P2 is the minimum fat depth 7 cm from the midline 2/3 rib

x_4 = (R3P5) maximum muscle depth

PART V

CSB Image Meater

1. The rules provided for in this Part shall apply when the grading of pig carcasses is carried out by means of the apparatus known as 'CSB Image-Meater'.
2. The CSB Image-Meater consists in particular of a video camera, a PC equipped with an image-analysis card, a screen, a printer, a command mechanism, a rate mechanism and interfaces. The 3 Image-Meater variables are all measured at the split line in the ham area (around *M. gluteus medius*):

The results of the measurements shall be converted into estimates of the percentage of lean meat by using a computer.

3. The lean meat content of the carcase shall be calculated according to one of the following two formulae:

(a) carcasses weighing between 70 and 110 kg

$$Y = 67,4309 + 0,1182 x_1 - 0,0450 x_2 - 0,5762 x_3 - 0,1861 x_4$$

where:

Y = the estimated percentage of lean meat in the carcase,

x_1 = (MF) mean lean mass, measured in correspondence of the muscle *gluteus medius* (mm)

x_2 = (ML) length of the muscle *gluteus medius*

x_3 = (MS) medium fat mass, measured in correspondence of the muscle *gluteus medius* (mm)

x_4 = (WbS) medium fat mass, measured in correspondence of the second vertebra, detected starting from the front (cranial) end of the muscle *gluteus medius* (Vb)

(b) carcasses weighing between 110,1 and 180 kg

$$Y = 56,2091 + 0,1303 x_1 - 0,0227 x_2 - 0,3506 x_3 - 0,1643 x_4$$

where:

Y = the estimated percentage of lean meat in the carcase,

x_1 = (MF) mean meat measure — over the length of muscle *gluteus medius* (mm)

x_2 = (ML) length of the muscle *gluteus medius*

x_3 = (MS) mean fat measure above (dorsal of) muscle *gluteus medius* (mm)

x_4 = S (mm) depth of the fat layer, measured at the thinnest point over the muscle *gluteus medius*

PART VI

Manual method (ZP)

1. The rules provided for in this Part shall apply when the grading of pig carcasses is carried out by use of the 'manual method (ZP)' measuring by ruler
2. This method may be implemented using a ruler, with the grading determined on the basis of the prediction equation. It is based on the manual measurement on the midline of the split carcass of the thickness of the fat and of the thickness of the muscle.
3. The lean meat content of the carcass shall be calculated according to one of the following two formulae:

- (a) carcasses weighing between 70 and 110 kg

$$Y = 58,4789 - 0,5697 x_1 + 0,1230 x_2$$

- (b) carcasses weighing between 110,1 and 180 kg

$$Y = 57,7975 - 0,5126 x_1 + 0,0834 x_2$$

where:

Y = the estimated percentage of lean meat in the carcass,

x_1 = the minimal fat depth in millimetres (including rind) over the muscle *gluteus medius*

x_2 = the minimal muscle depth in millimetres between the anterior extremity of the muscle *gluteus medius* and the dorsal part of the medullary canal

COMMISSION DECISION
of 27 January 2014
confirming the participation of Greece in enhanced cooperation in the area of the law applicable to
divorce and legal separation
(2014/39/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 328(1) and 331(1) thereof,

Having regard to Council Decision 2010/405/EU of 12 July 2010 authorising enhanced cooperation in the area of the law applicable to divorce and legal separation ⁽¹⁾,

Having regard to Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation ⁽²⁾,

Having regard to the notification by Greece of its intention to participate in enhanced cooperation in the area of the law applicable to divorce and legal separation,

Whereas:

- (1) On 12 July 2010, the Council decided to authorise enhanced cooperation between Belgium, Bulgaria, Germany, Spain, France, Italy, Latvia, Luxembourg, Hungary, Malta, Austria, Portugal, Romania and Slovenia in the area of the law applicable to divorce and legal separation.
- (2) On 20 December 2010, the Council adopted Regulation (EU) No 1259/2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation.
- (3) On 21 November 2012 the Commission adopted Decision 2012/714/EU confirming the participation of Lithuania in enhanced cooperation in the area of the law applicable to divorce and legal separation ⁽³⁾.
- (4) Greece notified its intention to participate in enhanced cooperation in the area of the law applicable to divorce and legal separation by letter dated 14 October 2013, which the Commission registered as received on 15 October 2013.
- (5) The Commission notes that neither Decision 2010/405/EU nor Regulation (EU) No 1259/2010 prescribe any particular conditions of participation in enhanced cooperation in the area of the law applicable to divorce and legal separation and that Greece's participation should strengthen the benefits of this enhanced cooperation.

(6) The participation of Greece in enhanced cooperation in the area of the law applicable to divorce and legal separation should thus be confirmed.

(7) The Commission should adopt transitional measures for Greece necessary for the application of Regulation (EU) No 1259/2010.

(8) Regulation (EU) No 1259/2010 should enter into force in Greece on the day following that of the publication of this Decision in the *Official Journal of the European Union*,

HAS ADOPTED THIS DECISION:

Article 1

Participation of Greece in enhanced cooperation

1. The participation of Greece in enhanced cooperation in the area of the law applicable to divorce and legal separation authorised by Decision 2010/405/EU is confirmed.

2. Regulation (EU) No 1259/2010 shall apply to Greece in accordance with this Decision.

Article 2

Information to be provided by Greece

By 29 October 2014 Greece shall communicate to the Commission its national provisions, if any, concerning:

(a) the formal requirements applicable to agreements on the choice of applicable law pursuant to Article 7(2) to (4) of Regulation (EU) No 1259/2010; and

(b) the possibility of designating the applicable law in accordance with Article 5(3) of Regulation (EU) No 1259/2010.

Article 3

Transitional provisions for Greece

1. Regulation (EU) No 1259/2010 shall apply to Greece only as regards legal proceedings instituted and to agreements of the kind referred to in Article 5 of Regulation (EU) No 1259/2010 concluded as from 29 July 2015.

⁽¹⁾ OJ L 189, 22.7.2010, p. 12.

⁽²⁾ OJ L 343, 29.12.2010, p. 10.

⁽³⁾ OJ L 323, 22.11.2012, p. 18.

However, effect shall also be given for Greece to an agreement on the choice of the applicable law concluded before 29 July 2015, provided that it complies with Articles 6 and 7 of Regulation (EU) No 1259/2010.

2. Regulation (EU) No 1259/2010 shall apply to Greece without prejudice to agreements on the choice of applicable law concluded in accordance with the law of a participating Member State whose court is seized before 29 July 2015.

Article 4

Entry into force and date of application of Regulation (EU) No 1259/2010 in Greece

Regulation (EU) No 1259/2010 shall enter into force in Greece on the day following that of the publication of this Decision in the *Official Journal of the European Union*.

Regulation (EU) No 1259/2010 shall apply to Greece from 29 July 2015.

Article 5

Entry into force

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, 27 January 2014.

For the Commission

The President

José Manuel BARROSO

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