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⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 130/2014

of 10 February 2014

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

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Selles-sur-Cher', registered under Commission Regulation (EC) No 1107/96 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment

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

- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 10 February 2014.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.⁽²⁾ OJ L 148, 21.6.1996, p. 1.⁽³⁾ OJ C 179, 25.6.2013, p. 33.

ANNEX

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

Class 1.3. Cheeses

FRANCE

Selles-sur-Cher (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 131/2014

of 11 February 2014

amending Implementing Regulation (EU) No 601/2013 concerning the authorisation of cobalt(II) acetate tetrahydrate, cobalt(II) carbonate, cobalt(II) carbonate hydroxide (2:3) monohydrate, cobalt(II) sulphate heptahydrate and coated granulated cobalt(II) carbonate hydroxide (2:3) monohydrate as feed additives

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

potential must be placed on the market in a pelleted form could be expanded to other non-powder forms without compromising the risk for the users.

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 601/2013⁽²⁾ authorised cobalt(II) acetate tetrahydrate, cobalt(II) carbonate, cobalt(II) carbonate hydroxide (2:3) monohydrate, cobalt(II) sulphate heptahydrate and coated granulated cobalt(II) carbonate hydroxide (2:3) monohydrate as feed additives belonging to the category 'nutritional additives' and to the functional group 'compounds of trace elements'.
- (2) In order to clarify the identification of the additive cobalt(II) carbonate, the chemical formula Cobalt hydroxide should be deleted from the active substances.
- (3) For better clarity and to avoid confusion with the identification numbers of selenium compounds authorised as feed additives, it is appropriate to technically modify the identification numbers for the cobalt compounds.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinions of 12 June 2012⁽³⁾,⁽⁴⁾ and 22 May 2012⁽⁵⁾ that specific measures for the protection of the users should be foreseen. The respective requirement that compounds with a high dusting

- (5) The applicant for coated granulated cobalt(II) carbonate hydroxide (2:3) monohydrate submitted data in order to substantiate that the substance coated is cobalt(II) carbonate and not cobalt(II) carbonate hydroxide (2:3) monohydrate. After verification in the application dossier which was the basis for the above mentioned opinion of the Authority⁽⁶⁾, it appears necessary to change the authorisation terms of this product accordingly.
- (6) As a result of the granting of new authorisations by Implementing Regulation (EU) No 601/2013, the provisions of Commission Regulation (EC) No 1334/2003⁽⁷⁾ concerning cobaltous acetate tetrahydrate, basic cobaltous carbonate monohydrate and cobaltous sulphate heptahydrate are obsolete and should be deleted.
- (7) As a consequence of these modifications, the transitional period provided for in Implementing Regulation (EU) No 601/2013 should be extended in order to allow interested parties to prepare themselves to meet the requirements resulting from the amendments. As regards feed intended for pet animals, the market consists in a huge number of different products with a specific labelling system. It is therefore appropriate to prolong such a transitional period in order to allow a smooth transition for the feed business operators concerned.
- (8) Implementing Regulation (EU) No 601/2013 should be amended accordingly.
- (9) In addition, a transitional period for operators who applied the provisions of Implementing Regulation (EU) No 601/2013 should be established.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Implementing Regulation (EU) No 601/2013 of 24 June 2013 concerning the authorisation of cobalt(II) acetate tetrahydrate, cobalt(II) carbonate, cobalt(II) carbonate hydroxide (2:3) monohydrate, cobalt(II) sulphate heptahydrate and coated granulated cobalt(II) carbonate hydroxide (2:3) monohydrate as feed additives (OJ L 172, 25.6.2013, p. 14).

⁽³⁾ EFSA Journal 2012; 10(7):2791.

⁽⁴⁾ EFSA Journal 2012; 10(7):2782.

⁽⁵⁾ EFSA Journal 2012; 10(6):2727.

⁽⁶⁾ EFSA Journal 2012; 10(7):2782.

⁽⁷⁾ Commission Regulation (EC) No 1334/2003 of 25 July 2003 amending the conditions for authorisation of a number of additives in feedingstuffs belonging to the group of trace elements (OJ L 187, 26.7.2003, p. 11).

HAS ADOPTED THIS REGULATION:

Article 1

**Amendment to Implementing Regulation (EU)
No 601/2013**

Implementing Regulation (EU) No 601/2013 shall be amended as follows:

1. The following Article 1a is added:

‘Article 1a

**Amendment to Commission Regulation (EC)
No 1334/2003 (*)**

In the Annex to Regulation (EC) No 1334/2003, the entries “cobaltous acetate tetrahydrate”, “basic cobaltous carbonate monohydrate” and “cobaltous sulphate heptahydrate”, related to the element E3 Cobalt-Co, are deleted.

(*) OJ L 187, 26.7.2003, p. 11.’

2. Article 2 is replaced by the following:

‘Article 2

Transitional measures

The substances specified in the Annex which were authorised by Directive 70/524/EEC and feed containing them, which

are produced and labelled before 4 September 2014 in accordance with the rules applicable before 15 July 2013 may continue to be placed on the market and used until the existing stocks are exhausted. As regards feed intended for pet animals, the time period for production and labelling referred to in the first sentence shall end on 4 March 2016.’

3. The Annex is replaced by the text set out in the Annex to this Regulation.

Article 2

Transitional measures

The substances specified in the Annex which were authorised by Implementing Regulation (EU) No 601/2013 and feed containing them, which are produced and labelled before 4 September 2014 in accordance with the rules applicable before 4 March 2014 may continue to be placed on the market and used until the existing stocks are exhausted. As regards feed intended for pet animals, the time period for production and labelling referred to in the first sentence shall end on 4 March 2016.

Article 3

Entry into force

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, 11 February 2014.

For the Commission

The President

José Manuel BARROSO

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Element (Co) in mg/kg of complete feed with a moisture content of 12 %			
Category of nutritional additives. Functional group: compounds of trace elements									
3b301	—	Cobalt(II) acetate tetrahydrate	<i>Additive composition</i> Cobalt(II) acetate tetrahydrate, as crystals/granules, with a minimum content of 23 % cobalt Particles < 50 µm: below 1 % <i>Characterisation of the active substance</i> Chemical formula: Co(CH₃COO)₂ × 4H₂O CAS number: 6147-53-1 <i>Analytical methods</i> ⁽¹⁾ For the identification of acetate in the additive: — European Pharmacopoeia monograph 01/2008:20301. For the crystallographic characterisation of additive: — X-Ray diffraction. For the determination of total cobalt in the additive, premixtures, compound feed and feed materials: — EN 15510 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) or	ruminants with a functional rumen, equidae, lagomorphs, rodents, herbivore reptiles and zoo mammals	—	—	1 (total)	1. The additive shall be incorporated into compound feed in the form of a premixture. 2. Protective measures shall be taken according to national regulations implementing EU legislation on health and safety at work including Council Directives 89/391/EEC ⁽²⁾, 89/656/EEC ⁽³⁾, 92/85/EEC ⁽⁴⁾ and 98/24/EC ⁽⁵⁾. Appropriate protective gloves, respiratory and eye protection according to Council Directive 89/686/EEC ⁽⁶⁾ shall be worn during handling. 3. Declarations to be made on the labelling of the additive and premixture: — Cobalt content — “It is recommended to limit the supplementation with Cobalt to 0,3 mg/kg in complete feed. In this context, the risk for Cobalt deficiency due to local conditions and the specific composition of the diet should be taken into account.” 4. Declarations to be made on the instructions of use of the compound feed: ‘Protective measures to avoid exposure with Cobalt by inhalation or by dermal route should be taken.’	15 July 2023

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Element (Co) in mg/kg of complete feed with a moisture content of 12 %			
			— CEN/TS 15621 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) after pressure digestion. For determination of particle size distribution: — ISO 13320:2009 — Particle size analysis — Laser diffraction methods.						
3b302	—	Cobalt(II) carbonate	<i>Additive composition</i> Cobalt(II) carbonate, as powder, with a minimum content of 46 % cobalt Cobalt carbonate: minimum 75 % Cobalt hydroxide: 3 % - 15 % Water: maximum 6 % Particles < 11 µm: below 90 % <i>Characterisation of the active substances</i> Chemical formula: CoCO₃ CAS number: 513-79-1 <i>Analytical methods ⁽¹⁾</i> For the identification of carbonate in the additive: — European Pharmacopoeia monograph 01/2008:20301. For the crystallographic characterisation of additive: — X-Ray diffraction.	ruminants with a functional rumen, equidae, lagomorphs, rodents, herbivore reptiles and zoo mammals	—	—	1 (total)	1. The additive shall be incorporated into compound feed in the form of a premixture. This compound feed shall be placed on the market in a non-powder form. 2. Appropriate measures shall be taken to avoid the cobalt emission in the air and prevent the exposure by inhalation or by dermal route. If such measures are technically not feasible or not sufficient, protective measures shall be taken according to national regulations implementing EU legislation on health and safety at work including Directives 89/391/EEC, 89/656/EEC, 92/85/EEC, 98/24/EC and 2004/37/EC of the European Parliament and of the Council ⁽⁷⁾. Appropriate protective gloves, respiratory and eye protection according to Directive 89/686/EEC shall be worn during handling. 3. Declarations to be made on the labelling of the additive and premixture: — Cobalt content	15 July 2023

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Element (Co) in mg/kg of complete feed with a moisture content of 12 %			
			For the determination of total cobalt in the additive, premixtures, compound feed and feed materials: — EN 15510 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) or — CEN/TS 15621 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) after pressure digestion. For determination of particle size distribution: — ISO 13320:2009 — Particle size analysis — Laser diffraction methods.					— 'It is recommended to limit the supplementation with Cobalt to 0,3 mg/kg in complete feed. In this context, the risk for Cobalt deficiency due to local conditions and the specific composition of the diet should be taken into account.' 4. Declarations to be made on the instructions of use of the compound feed: 'Protective measures to avoid exposure with Cobalt by inhalation or by dermal route should be taken.'	
3b303	—	Cobalt(II) carbonate hydroxide (2:3) monohydrate	<i>Additive composition</i> Cobalt (II) carbonate hydroxide (2:3) monohydrate, as powder, with a minimum content of 50 % cobalt Particles < 50 µm: below 98 % <i>Characterisation of the active substance</i> Chemical formula: 2CoCO₃ × 3Co(OH)₂ × H₂O CAS number: 51839-24-8 <i>Analytical methods</i> ⁽¹⁾ For the identification of carbonate in the additive: — European Pharmacopoeia monograph 01/2008:20301.	ruminants with a functional rumen, equidae, lagomorphs, rodents, herbivore reptiles and zoo mammals	—	—	1 (total)	1. The additive shall be incorporated into compound feed in the form of a premixture. This compound feed shall be placed on the market in a non-powder form. 2. Appropriate measures shall be taken to avoid the cobalt emission in the air and prevent the exposure by inhalation or by dermal route. If such measures are technically not feasible or not sufficient, protective measures shall be taken according to national regulations implementing EU legislation on health and safety at work including Directives 89/391/EEC, 89/656/EEC, 92/85/EEC, 98/24/EC and 2004/37/EC. Appropriate protective gloves, respiratory and eye protection according to Directive 89/686/EEC shall be worn during handling. 3. Declarations to be made on the labelling of the additive and premixture: — Cobalt content	15 July 2023

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Element (Co) in mg/kg of complete feed with a moisture content of 12 %			
			For the crystallographic characterisation of additive: — X-Ray diffraction. For the determination of total cobalt in the additive, premixtures, compound feed and feed materials: — EN 15510 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) or — CEN/TS 15621 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) after pressure digestion. For determination of particle size distribution: — ISO 13320:2009 — Particle size analysis — Laser diffraction methods.					— ‘It is recommended to limit the supplementation with Cobalt to 0,3 mg/kg in complete feed. In this context, the risk for Cobalt deficiency due to local conditions and the specific composition of the diet should be taken into account.’ 4. Declarations to be made on the instructions of use of the compound feed: ‘Protective measures to avoid exposure with Cobalt by inhalation or by dermal route should be taken.’	
3b304	—	Coated granulated cobalt(II) carbonate	<i>Additive composition</i> Coated granulated preparation of cobalt(II) carbonate with a cobalt content of 1 % - 5 % Coating agents (2,3 % - 3,0 %) and dispersants (choice of poly-oxy-ethylene, sorbitan monolaurate, glycerol poly-ethyleneglycol ricinoleate, polyethyleneglycol 300, sorbitol, and maltodextrin) Particles < 50 µm: below 1 % <i>Characterisation of the active substance</i> Chemical formula: CoCO₃ CAS number: 513-79-1	ruminants with a functional rumen, equidae, lagomorphs, rodents, herbivore reptiles and zoo mammals	—	—	1 (total)	1. The additive shall be incorporated into feed in the form of a premixture. 2. Protective measures shall be taken according to national regulations implementing EU legislation on health and safety at work including Directives 89/391/EEC, 89/656/EEC, 92/85/EEC and 98/24/EC. Appropriate protective gloves, respiratory and eye protection according to Directive 89/686/EEC shall be worn during handling. 3. Declarations to be made on the labelling of the additive and premixture, if applicable: — Cobalt content	15 July 2023

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Element (Co) in mg/kg of complete feed with a moisture content of 12 %			
			<i>Analytical methods</i> ⁽¹⁾ For the identification of carbonate in the additive: — European Pharmacopoeia monograph 01/2008:20301. For the crystallographic characterisation of additive: — X-Ray diffraction. For the determination of total cobalt in the additive, premixtures, compound feed and feed materials: — EN 15510 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) or — CEN/TS 15621 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) after pressure digestion. For determination of particle size distribution: — ISO 13320:2009 — Particle size analysis — Laser diffraction methods.					— 'It is recommended to limit the supplementation with Cobalt to 0,3 mg/kg in complete feed. In this context, the risk for Cobalt deficiency due to local conditions and the specific composition of the diet should be taken into account.'	
3b305	—	Cobalt(II) sulphate heptahydrate	<i>Additive composition</i> Cobalt(II) sulphate heptahydrate, as powder, with a minimum content of 20 % cobalt Particles < 50 µm: below 95 % <i>Characterisation of the active substance</i> Chemical formula: CoSO₄ × 7H₂O CAS number: 10026-24-1	ruminants with a functional rumen, equidae, lagomorphs, rodents, herbivore reptiles and zoo mammals	—	—	1 (total)	1. The additive shall be incorporated into compound feed in the form of a premixture. This compound feed shall be placed on the market in a non-powder form. 2. Appropriate measures shall be taken to avoid the cobalt emission in the air and prevent the exposure by inhalation or by dermal route. If such measures are technically not feasible or not sufficient, protective measures shall be taken according to national regulations implementing EU legislation on health and safety at work including Directives	15 July 2023

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Element (Co) in mg/kg of complete feed with a moisture content of 12 %			
			<i>Analytical methods</i> ⁽¹⁾ For the identification of sulphate in the additive: — European Pharmacopoeia monograph 01/2008:20301. For the crystallographic characterisation of additive: — X-Ray diffraction. For the determination of total cobalt in the additive, premixtures, compound feed and feed materials: — EN 15510 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) or — CEN/TS 15621 — inductively coupled plasma optical (atomic) emission spectrometry (ICP-AES) after pressure digestion. For determination of particle size distribution: — ISO 13320:2009 — Particle size analysis — Laser diffraction methods.					89/391/EEC, 89/656/EEC, 92/85/EEC, 98/24/EC and 2004/37/EC. Appropriate protective gloves, respiratory and eye protection according to Directive 89/686/EEC shall be worn during handling. 3. Declarations to be made on the labelling of the additive and premixture: — Cobalt content — 'It is recommended to limit the supplementation with Cobalt to 0,3 mg/kg in complete feed. In this context, the risk for Cobalt deficiency due to local conditions and the specific composition of the diet should be taken into account.' 4. Declarations to be made on the instructions of use of the compound feed: 'Protective measures to avoid exposure with Cobalt by inhalation or by dermal route should be taken.'	

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

⁽²⁾ OJ L 183, 29.6.1989, p. 1.

⁽³⁾ OJ L 393, 30.12.1989, p. 18.

⁽⁴⁾ OJ L 348, 28.11.1992, p. 1.

⁽⁵⁾ OJ L 131, 5.5.1998, p. 11.

⁽⁶⁾ OJ L 399, 30.12.1989, p. 18.

⁽⁷⁾ OJ L 158, 30.4.2004, p. 50.'

COMMISSION IMPLEMENTING REGULATION (EU) No 132/2014**of 11 February 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, 11 February 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	IL	107,2
	MA	54,4
	TN	84,5
	TR	95,4
	ZZ	85,4
0707 00 05	MA	163,4
	TR	153,0
	ZZ	158,2
0709 91 00	EG	100,8
	ZZ	100,8
0709 93 10	MA	36,2
	TR	98,2
	ZZ	67,2
0805 10 20	EG	47,5
	IL	67,6
	MA	60,4
	TN	47,7
	TR	70,3
	ZZ	58,7
0805 20 10	IL	123,3
	MA	63,6
	ZZ	93,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	60,3
	IL	136,3
	JM	103,6
	KR	142,9
	MA	142,7
	PK	55,3
	TR	72,2
	ZZ	101,9
0805 50 10	AL	43,6
	TR	71,6
	ZZ	57,6
0808 10 80	CN	95,7
	MK	23,6
	US	163,9
	ZZ	94,4
0808 30 90	CL	239,4
	CN	71,6
	TR	131,9
	US	132,6
	ZA	106,2
	ZZ	136,3

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

DECISIONS

COUNCIL DECISION 2014/75/CFSP

of 10 February 2014

on the European Union Institute for Security Studies

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty on European Union, and in particular Article 28 and Article 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 20 July 2001, the Council adopted Joint Action 2001/554/CFSP⁽¹⁾.
- (2) The European Union Institute for Security Studies ('the Institute') should assist the European Union and its Member States in the implementation of the common foreign and security policy (CFSP), including the common security and defence policy (CSDP), as well as other external action of the Union, under the political supervision of the Council and the operational direction of the High Representative of the Union for Foreign Affairs and Security Policy (HR).
- (3) The Institute should have legal personality and work in complete intellectual independence, without prejudice to the responsibilities of the Council and of the HR.
- (4) On 20 September 2011, pursuant to Article 19 of Joint Action 2001/554/CFSP, the HR presented a report to the Council on the review of the functioning of the Institute. The Political and Security Committee (PSC) took note of that report and, on 1 February 2012, recommended that the Council amend Joint Action 2001/554/CFSP.
- (5) It is appropriate, for reasons of legal clarity, to consolidate previous amendments and the additional proposed changes into one single new decision, and to repeal Joint Action 2001/554/CFSP,

Article 1

Continuity and location

1. The European Union Institute for Security Studies established by Joint Action 2001/554/CFSP ('the Institute') shall hereby continue its activities in accordance with this Decision.
2. All existing rights and obligations and all rules adopted in the framework of Joint Action 2001/554/CFSP shall remain unaffected. In particular, all existing employment contracts shall remain valid and all rights arising therefrom shall continue to exist.
3. The Institute shall have its headquarters in Paris. In order to facilitate the organisation of activities in Brussels, the Institute shall have a liaison office in Brussels. The Institute's organisation shall be flexible, with a particular attention paid to quality and efficiency, including as regards staffing levels.

Article 2

Mission and tasks

1. The Institute shall, in close cooperation with Member States, contribute to the development of EU strategic thinking in the field of the Union's common foreign and security policy (CFSP) and common security and defence policy (CSDP), including conflict prevention and peace-building, as well as in the field of other external action of the Union, with a view to strengthening the EU's analysis, foresight and networking capacity in external action.
2. The Institute's activities shall focus on the conduct of policy-oriented analysis, information, dissemination and debate, on the organisation of networking events and workshops, and on the collection of relevant documentation for Union and Member States' officials and experts.
3. The Institute shall also promote contacts with academia, think tanks and relevant civil society actors across the European continent, the Atlantic and the wider international community, acting as an interface between the Union institutions and the world of external experts, including security actors.

⁽¹⁾ Council Joint Action 2001/554/CFSP of 20 July 2001 on the establishment of a European Union Institute for Security Studies (OJ L 200, 25.7.2001, p. 1).

*Article 3***Political supervision and operational direction**

1. The Political and Security Committee (PSC) shall, under the responsibility of the Council, exercise political supervision over the activities of the Institute. The High Representative of the Union for Foreign Affairs and Security Policy (HR), in accordance with the HR's responsibilities for the CFSP and, in particular, for the CSDP, shall give operational direction to the Institute.

2. This political supervision and operational direction shall be carried out without impinging on the intellectual independence and operational autonomy enjoyed by the Institute in performing its mission and tasks.

*Article 4***Legal personality**

The Institute shall have the legal personality necessary to perform its functions and attain its objectives. It may, in particular, enter into contracts, acquire or dispose of movable and immovable property and be a party to legal proceedings. The Institute shall be non-profit-making. Member States shall take steps to accord the Institute the legal capacity accorded to legal persons under their national laws, as necessary.

*Article 5***Board**

1. The Institute shall have a Board that approves its annual and long-term work programme and the appropriate budget. The Board shall be a forum for discussing issues related to the Institute's mission, tasks, functioning and staff.

2. The Board shall be chaired by the HR or by the HR's representative. The European External Action Service (EEAS) shall carry out the functions of secretariat of the Board.

3. The Board shall be composed of one representative designated by each Member State. Each member of the Board may be represented or accompanied by an alternate. The Commission, which participates in the work of the Board, shall also designate a representative.

4. The Director of the Institute, or the Director's representative, shall, as a rule, attend Board meetings. The Director-General of the Military Staff and the Chairman of the Military Committee, or their representatives, may also attend Board meetings.

5. Decisions of the Board shall be taken on a vote by the representatives of the Member States by qualified majority, the votes being weighted in accordance with Articles 16(4) and 16(5) of the Treaty on European Union (TEU), without prejudice to Articles 11(2) and 11(3) of this Decision. The Board shall adopt its rules of procedure.

6. The Board may decide to create ad-hoc working groups or standing committees, dealing with specific subjects or issues within its overall responsibility and acting under its supervision. The decision to create such a working group or committee shall set out its mandate, composition and duration.

7. The Board shall be convened by the Chair at least twice a year. It shall also be convened at the request of at least one third of its members.

*Article 6***Director**

1. The Board shall appoint the Director of the Institute from among nationals of the Member States, on the basis of a recommendation from the HR. The Director shall be appointed for a period of three years, which period may be extended by one two-year term.

2. Candidates for the position of Director should be persons with recognised long-standing expertise and experience in foreign relations, security policy and diplomacy, and related research. Member States shall submit candidatures to the HR, who shall inform the Board thereof. The pre-selection process shall be organised under the responsibility of the HR. The pre-selection panel shall be composed of three representatives of the EEAS and of three representatives of the Member States from among the Trio Presidency, and shall be chaired by the HR or the HR's representative. On the basis of the pre-selection results, the HR shall provide to the Board a recommendation with a shortlist of at least three candidates, drawn-up in the order of the pre-selection panel's preference.

3. The Director shall be the legal representative of the Institute.

4. The Director shall be responsible for recruiting all other staff of the Institute. Members of the Board shall be informed in advance of the appointment of analysts.

5. After approval by the Board and taking into account the financial implications following the adoption of the annual budget of the Institute, the Director may appoint a Deputy Director. The Deputy Director shall be appointed for a maximum period of three years, which period may be extended by one two-year term.

6. The Director shall ensure the execution of the Institute's mission and tasks as set out in Article 2. The Director shall uphold a high degree of expertise and professionalism of the Institute, as well as ensure efficiency and effectiveness in carrying out the Institute's activities.

The Director shall also be responsible for:

- (a) drafting the Institute's annual work programme, as well as the annual report on the Institute's activities;
- (b) preparing the work of the Board;
- (c) the day-to-day administration of the Institute;
- (d) all personnel matters;
- (e) preparing the statement of income and expenditure and implementing the Institute's budget;
- (f) informing the PSC of the annual work programme;
- (g) ensuring contacts and close collaboration with Union, national and international institutions in related fields.

The Director, after consulting the Board, should also explore options for additional contributions to the Institute's budget.

7. Within the agreed work programme and budget of the Institute, the Director shall be empowered to enter into contracts, to recruit staff approved in the budget and to incur any expenditure necessary for the operation of the Institute.

8. The Director shall prepare an annual report on the Institute's activities by 31 March of the following year. The annual report shall be forwarded to the Board and, through the HR, to the Council, which shall forward the report to the European Parliament, to the Commission and to the Member States.

9. The Director shall be accountable to the Board.

Article 7

Staff

1. The staff of the Institute, consisting of analysts and administrative staff, shall have the status of contract staff members and shall be recruited from among nationals of the Member States.

The Institute's analysts shall be recruited on the basis of intellectual merit, experience and expertise relevant to the Institute's mission and tasks as set out in Article 2, and through fair and transparent competition procedures.

The Institute's staff rules shall be adopted by the Council acting on a recommendation from the Director.

2. Researchers and trainees may be recruited on an ad hoc and short-term basis.

With the agreement of the Director and after having informed the Board, researchers may be seconded to the Institute for a fixed period, either to posts within the Institute's organisational structure or for specific tasks and projects relevant to the Institute's mission and tasks as set out in Article 2.

Staff members may be seconded to a post outside the Institute, for a fixed period in the interests of the service, in accordance with the Institute's staff rules.

The provisions relating to secondments shall be adopted by the Board on a proposal from the Director.

Article 8

Independence and autonomy

The Director and the analysts shall enjoy intellectual independence and operational autonomy in carrying out the Institute's activities.

Article 9

Work programme

1. By 31 October of each year, the Director shall establish a draft annual work programme for the following year, accompanied by indicative long-term perspectives for the following years, and shall submit it to the Board for approval.

2. By 30 November of each year, the Board shall approve the annual work programme.

Article 10

Budget

1. All items of income and expenditure of the Institute shall be included in estimates to be drawn up for each financial year, which shall correspond to the calendar year, and shall be shown in the budget of the Institute, which shall include a list of the staff.

2. The income and expenditure shown in the budget of the Institute shall be in balance.

3. The income of the Institute shall consist of contributions from the Member States according to the gross national income (GNI) scale. Upon a proposal by the Director and after approval by the Board, additional contributions for specific projects relevant to the Institute's mission and tasks as set out in Article 2 may be accepted from other sources, in particular from the Member States or from Union institutions.

Article 11

Budgetary procedure

1. By 31 October of each year, the Director shall submit to the Board a draft annual budget for the Institute covering administrative expenditure, operational expenditure and expected income, including additional contributions for specific projects referred to in Article 10(3).

2. By 30 November of each year, the Board shall approve the annual budget of the Institute by unanimity of the representatives of the Member States.

3. In the case of unavoidable, exceptional or unforeseen circumstances, the Director may propose a draft amending budget to the Board. The Board, with due regard to any urgency, shall approve the amending budget by unanimity of the representatives of the Member States.

4. By 31 March of each year, the Director shall submit to the Council and to the Board the detailed accounts of all revenue and expenditure from the previous financial year, including a report on the Institute's activities.

5. The Board shall give discharge to the Director in respect of the implementation of the budget of the Institute.

Article 12

Financial rules

The Board, with the assent of the Council, shall draw up, on a proposal from the Director, detailed financial rules specifying, in particular, the procedure to be followed for establishing, implementing and controlling the budget of the Institute.

Article 13

Privileges and immunities

1. The privileges and immunities of the Director and the Institute's staff are provided for in the Decision of the Representatives of the Governments of the Member States, meeting within the Council, of 15 October 2001 on the privileges and immunities granted to the European Union Institute for Security Studies and the European Union Satellite Centre, and to their bodies and staff members. Pending the entry into force of that Decision, the host State may grant to the Director and the Institute's staff the privileges and immunities provided therein.

2. The privileges and immunities of the Institute are provided for in Protocol (No 7) on the privileges and immunities of the European Union, annexed to the TEU and to the Treaty on the Functioning of the European Union (TFEU).

Article 14

Legal liability

1. The contractual liability of the Institute shall be governed by the law applicable to the contract concerned.

2. The Court of Justice of the European Union shall have jurisdiction pursuant to any arbitration clause contained in a contract concluded by the Institute.

3. The personal liability of staff towards the Institute shall be governed by the relevant provisions applying to the staff of the Institute.

Article 15

Access to documents

Upon a proposal by the Director, the Board shall adopt rules on public access to the Institute's documents, taking into account the principles and limits laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council⁽¹⁾.

Article 16

Protection of EU classified information

The Institute shall apply Council Decision 2013/488/EU⁽²⁾.

⁽¹⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

⁽²⁾ Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

*Article 17***Cooperation with Member States and Union institutions, bodies and agencies**

For the purpose of fulfilling its mission and tasks set out in Article 2, the Institute shall closely cooperate with Member States and the EEAS. The Institute shall also, as necessary, establish working relationships with Union institutions, as well as with relevant Union bodies and agencies, including the European Security and Defence College (ESDC), with a view to exchanging expertise and advice in areas of mutual interest. The Institute may also undertake joint projects with Union institutions, bodies and agencies.

*Article 18***Data Protection**

Upon a proposal by the Director, the Board shall adopt implementing rules concerning Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽¹⁾.

*Article 19***Reporting**

By 31 July 2016 at the latest, the HR shall present a report to the Council on the implementation of this Decision accompanied, if necessary, by appropriate recommendations.

*Article 20***Repeal**

Joint Action 2001/554/CFSP is hereby repealed.

*Article 21***Entry into force**

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 10 February 2014.

For the Council
The President
C. ASHTON

⁽¹⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

COUNCIL DECISION
of 11 February 2014
appointing the members of the panel provided for in Article 255 of the Treaty on the Functioning
of the European Union
(2014/76/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the second paragraph of Article 255 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a(1) thereof,

Having regard to the initiative by the President of the Court of Justice on 25 November 2013,

Whereas:

- (1) Pursuant to the first paragraph of Article 255 of the Treaty on the Functioning of the European Union, a panel is to be set up in order to give an opinion on candidates' suitability to perform the duties of Judge and Advocate-General of the Court of Justice and the General Court before the Governments of the Member States make the appointments (hereafter referred to as the 'panel').
- (2) The panel is to comprise seven persons chosen from among former members of the Court of Justice and the General Court, members of national supreme courts and lawyers of recognised competence, one of whom is to be proposed by the European Parliament.
- (3) Account should be taken of a balanced membership of the panel, both in geographical terms and in terms of representation of the legal systems of the Member States.
- (4) The members of the panel and its President should therefore be appointed,

HAS ADOPTED THIS DECISION:

Article 1

For a period of four years from 1 March 2014, the following shall be appointed members of the panel provided for in Article 255 of the Treaty on the Functioning of the European Union:

Mr Jean-Marc SAUVÉ, President

Mr Luigi BERLINGUER

Ms Pauliine KOSKELO

Lord MANCE

Mr Péter PACZOLAY

Mr Christiaan TIMMERMANS

Mr Andreas VOSSKUHL

Article 2

This Decision shall enter into force on 1 March 2014.

Done at Brussels, 11 February 2014.

For the Council
The President
E. VENIZELOS

COUNCIL IMPLEMENTING DECISION

of 11 February 2014

implementing Regulation (EU) No 1024/2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions

(2014/77/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 291(2) thereof,

Having regard to Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions ⁽¹⁾, and in particular Article 26(3) thereof,

Whereas:

- (1) On 15 October 2013, the Council adopted Regulation (EU) No 1024/2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions.
- (2) The planning and execution of the tasks conferred on the ECB should be fully undertaken by an internal body composed of its Chair and Vice-Chair and four representatives of the ECB and one representative of the national competent authority in each participating Member State ('Supervisory Board').
- (3) The Supervisory Board should be an essential body in the exercise of supervisory tasks by the ECB, tasks which until now have always been in the hands of national competent authorities. For this reason, on 16 December 2013 the Council adopted an implementing decision to appoint the Chair of the Supervisory Board ⁽²⁾. On the same grounds, the Council should be given the power to

adopt an implementing decision to appoint the Vice-Chair of the Supervisory Board.

- (4) In accordance with Article 26(3) of the above-mentioned Regulation, and after hearing the Supervisory Board, the ECB submitted a proposal for the appointment of the Vice-Chair of the Supervisory Board to the European Parliament for approval on 22 January 2014. The European Parliament approved this proposal on 5 February 2014.
- (5) Subsequently, on 5 February 2014, the ECB submitted to the Council a proposal for the appointment of the Vice-Chair of the Supervisory Board.

HAS ADOPTED THIS DECISION:

Article 1

Ms Sabine LAUTENSCHLÄGER is appointed as Vice-Chair of the Supervisory Board of the European Central Bank.

Article 2

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

Done at Brussels, 11 February 2014.

For the Council
The President
E. VENIZELOS

⁽¹⁾ OJ L 287, 29.10.2013, p. 63.

⁽²⁾ Council Implementing Decision 2013/797/EU of 16 December 2013 implementing Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (OJ L 352, 24.12.2013, p. 50).

COMMISSION DECISION

of 10 February 2014

on a measure taken by Denmark according to Article 11 of Directive 2006/42/EC of the European Parliament and of the Council prohibiting a type of multi-purpose earthmoving machinery

*(notified under document C(2014) 633)***(Text with EEA relevance)**

(2014/78/EU)

THE EUROPEAN COMMISSION,

functions during activities such as forestry, farming, landscaping, ground care, property maintenance, material handling, digging and construction.

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

Having regard to Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC ⁽¹⁾, and in particular Article 11 thereof,

Whereas:

(1) In accordance with the procedure set out in Article 11(2) of Directive 2006/42/EC, the Danish authorities notified to the Commission and to the other Member States a measure relating to machinery of the *Avant 600* series manufactured by Avant Tecno Oy, Ylötie 1, FIN-33470 Ylöjärvi, Finland. The machinery bore the CE marking and was accompanied by an EC Declaration of conformity according to Directive 2006/42/EC on machinery, Directive 2004/108/EC of the European Parliament and of the Council ⁽²⁾ on electromagnetic compatibility and Directive 2000/14/EC of the European Parliament and of the Council ⁽³⁾ on noise emission in the environment by equipment for use outdoors.

(2) Machinery of the *Avant 600* series is multi-purpose earthmoving machinery that can be fitted with a wide range of attachments in order to carry out many different

(3) The Danish measure was motivated by the non-conformity of the machinery with the essential health and safety requirement set out in Section 3.4.4 of Annex I to Directive 2006/42/EC, which requires that where, in the case of self-propelled machinery with a ride-on operator, there is a risk due to falling objects or material, the machinery must be designed and constructed in such a way as to take account of this risk and fitted, if its size allows, with an appropriate protective structure.

(4) The Danish authorities indicated that, while several of the intended functions of the machinery exposed the ride-on operator to risks due to falling objects or material, the machinery had been placed on the market without a falling object protective structure (FOPS). The Danish authorities asked the manufacturer to take corrective measures. Since this request was not met, the Danish authorities prohibited the placing on the market of machinery of the *Avant 600* series without a FOPS and ordered the manufacturer to take corrective action with respect to machines already placed on the market.

(5) The Commission wrote to the manufacturer inviting him to communicate his observations on the measure taken by Denmark. In his reply, the manufacturer indicated the *Avant 600* series was equipped with a cab tested by the Notified Body MTT-Vakola No 0504. The cab was always fitted with a roll-over protective structure (ROPS) and could be fitted with a FOPS as an option. When the machinery was sold for use in agriculture, property maintenance, landscaping or for use in stables, for example, where there was no risk of falling objects, no FOPS was fitted. On the other hand, when the machinery was sold for applications where there was a risk of falling objects, such as for example, use in mines, it was always fitted with a FOPS. The manufacturer also stated that he had decided to clarify the instruction manual and sales literature in order to specify in which situations a cab fitted with a FOPS must be used.

⁽¹⁾ OJ L 157, 9.6.2006, p. 24.

⁽²⁾ Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC (OJ L 390, 31.12.2004, p. 24).

⁽³⁾ Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors (OJ L 162, 3.7.2000, p. 1).

- (6) Section 1.1.2(a) of Annex I to Directive 2006/42/EC requires machinery to be designed and constructed so that it is fitted for its function and can be operated, adjusted and maintained without putting persons at risk when these operations are carried out under the conditions foreseen but also taking into account any reasonable foreseeable misuse thereof. The aim of measures taken must be to eliminate any risk throughout the foreseeable lifetime of the machinery including the phases of transport, assembly, dismantling, disabling and scrapping. The measures must be taken according to the principles of safety integration set out in Section 1.1.2(b) of Annex I which give priority to integrated protective measures over information for users.
- (7) In the case of multi-purpose earthmoving machinery such as the *Avant 600* series, even if a particular machine is initially supplied for functions or for use in environments not involving a risk due to falling objects or material, it is possible to be used during its foreseeable lifetime for other intended functions or in environments that expose operators to that risk. Consequently, the risk due to falling objects or material must be taken into account in the design and construction of the machine.
- (8) Examination of the evidence provided by the Danish authorities and of the observations communicated by the manufacturer confirms that machinery of the *Avant 600* series without a FOPS does not comply with the essential health and safety requirement set out in Section 3.4.4 of Annex I to Directive 2006/42/EC and

that this non-conformity gives rise to a serious risk of injury to ride-on operators due to falling objects or material,

HAS ADOPTED THIS DECISION:

Article 1

The measure taken by the Danish authorities prohibiting the placing on the market of machinery of the *Avant 600* series not fitted with a falling object protective structure (FOPS) and requiring the manufacturer to take corrective action with respect to machines already placed on the market is justified.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 February 2014.

For the Commission

Antonio TAJANI

Vice-President

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