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Price: EUR 3

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 151/2014

of 18 February 2014

approving the active substance S-abscisic acid, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Articles 13(2) and 78(2) thereof,

Whereas:

- (1) In accordance with Article 80(1)(a) of Regulation (EC) No 1107/2009, Council Directive 91/414/EEC ⁽²⁾ is to apply, with respect to the procedure and the conditions for approval, to active substances for which a decision has been adopted in accordance with Article 6(3) of that Directive before 14 June 2011. For S-abscisic acid the conditions of Article 80(1)(a) of Regulation (EC) No 1107/2009 are fulfilled by Commission Implementing Decision 2011/253/EU ⁽³⁾.
- (2) In accordance with Article 6(2) of Directive 91/414/EEC the Netherlands received on 9 December 2010 an application from Sumitomo Chemical Agro Europe SAS for the inclusion of the active substance S-abscisic acid in Annex I to Directive 91/414/EEC. Implementing Decision

2011/253/EU confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements of Annexes II and III to Directive 91/414/EEC.

- (3) For that active substance, the effects on human and animal health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicant. The designated rapporteur Member State submitted a draft assessment report on 21 May 2012.
- (4) The draft assessment report was reviewed by the Member States and the European Food Safety Authority (hereinafter 'the Authority'). The Authority presented to the Commission its conclusion ⁽⁴⁾ on the pesticide risk assessment of the active substance S-abscisic acid on 23 July 2013. The draft assessment report and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 13 December 2013 in the format of the Commission review report for S-abscisic acid.
- (5) It has appeared from the various examinations made that plant protection products containing S-abscisic acid may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve S-abscisic acid.
- (6) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions and restrictions.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽³⁾ Commission Implementing Decision 2011/253/EU of 26 April 2011 recognising in principle the completeness of the dossier submitted for detailed examination in view of the possible inclusion of metobromuron, S-Abscisic acid, *Bacillus amyloliquefaciens* subsp. *plantarum* D747, *Bacillus pumilus* QST 2808 and *Streptomyces lydicus* WYEC 108 in Annex I to Council Directive 91/414/EEC (OJ L 106, 27.4.2011, p. 13).

⁽⁴⁾ EFSA Journal 2013; 11(8):3341. Available online: www.efsa.europa.eu

- (7) A reasonable period should be allowed to elapse before approval in order to permit Member States and the interested parties to prepare themselves to meet the new requirements resulting from the approval.
- (8) Without prejudice to the obligations provided for in Regulation (EC) No 1107/2009 as a consequence of approval, taking into account the specific situation created by the transition from Directive 91/414/EEC to Regulation (EC) No 1107/2009, the following should, however, apply. Member States should be allowed a period of six months after approval to review authorisations of plant protection products containing S-abciscic acid. Member States should, as appropriate, vary, replace or withdraw authorisations. By way of derogation from that deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier, as set out in Directive 91/414/EEC, of each plant protection product for each intended use in accordance with the uniform principles.
- (9) The experience gained from inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 ⁽¹⁾ has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the Directives which have been adopted until now amending Annex I to that Directive or the Regulations approving active substances.
- (10) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽²⁾ should be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Approval of active substance

The active substance S-abciscic acid, as specified in Annex I, is approved subject to the conditions laid down in that Annex.

Article 2

Re-evaluation of plant protection products

1. Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing S-abciscic acid as an active substance by 31 December 2014.

By that date they shall in particular verify that the conditions in Annex I to this Regulation are met, with the exception of those identified in the column on specific provisions of that Annex, and that the holder of the authorisation has, or has access to, a dossier satisfying the requirements of Annex II to Directive 91/414/EEC in accordance with the conditions of Article 13(1) to (4) of that Directive and Article 62 of Regulation (EC) No 1107/2009.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing S-abciscic acid as either the only active substance or as one of several active substances, all of which were listed in the Annex to Implementing Regulation (EU) No 540/2011 by 30 June 2014 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, on the basis of a dossier satisfying the requirements of Annex III to Directive 91/414/EEC and taking into account the column on specific provisions of Annex I to this Regulation. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 29(1) of Regulation (EC) No 1107/2009.

Following that determination Member States shall:

- (a) in the case of a product containing S-abciscic acid as the only active substance, where necessary, amend or withdraw the authorisation by 31 December 2015 at the latest; or
- (b) in the case of a product containing S-abciscic acid as one of several active substances, where necessary, amend or withdraw the authorisation by 31 December 2015 or by the date fixed for such an amendment or withdrawal in the respective act or acts which added the relevant substance or substances to Annex I to Directive 91/414/EEC or approved that substance or those substances, whichever is the latest.

⁽¹⁾ Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market (OJ L 366, 15.12.1992, p. 10).

⁽²⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

*Article 3***Amendments to Implementing Regulation (EU) No 540/2011**

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

*Article 4***Entry into force and date of application**

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

It shall apply from 1 July 2014.

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

Done at Brussels, 18 February 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
S-abscisic acid CAS No 21293-29-8 CIPAC No Not allocated	(2Z,4E)-5-[(1S)-1-hydroxy-2,6,6-trimethyl-4-oxocyclohex-2-en-1-yl]-3-methylpenta-2,4-dienoic acid or (7E,9Z)-(6S)-6-hydroxy-3-oxo-11-apo-ε-caroten-11-oic acid	960 g/kg	1 July 2014	30 June 2024	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on S-abscisic acid, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 13 December 2013, shall be taken into account. In this overall assessment Member States shall pay particular attention to the protection of aquatic organisms. Conditions of use shall include risk mitigation measures, where appropriate.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

ANNEX II

In Part B of the Annex to Implementing Regulation (EU) No 540/2011, the following entry is added:

Number	Common Name, Identification Numbers	IUPAC Name	Purity (*)	Date of approval	Expiration of approval	Specific provisions
'65	S-abscisic acid CAS No 21293-29-8 CIPAC No Not allocated	(2Z,4E)-5-[(1S)-1-hydroxy-2,6,6-trimethyl-4-oxocyclohex-2-en-1-yl]-3-methylpenta-2,4-dienoic acid or (7E,9Z)-(6S)-6-hydroxy-3-oxo-11-apo-ε-caroten-11-oic acid	960 g/kg	1 July 2014	30 June 2024	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on S-abscisic acid, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 13 December 2013, shall be taken into account. In this overall assessment Member States shall pay particular attention to the protection of aquatic organisms. Conditions of use shall include risk mitigation measures, where appropriate.'

(*) Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) No 152/2014**of 18 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, 18 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	MA	57,2
	TN	83,4
	TR	105,8
	ZZ	82,1
0707 00 05	EG	174,9
	JO	206,0
	MA	168,6
	TR	129,5
	ZZ	169,8
0709 91 00	EG	107,0
	ZZ	107,0
0709 93 10	MA	35,7
	TR	106,4
	ZZ	71,1
0805 10 20	EG	44,2
	IL	64,0
	MA	48,9
	TN	51,2
	TR	74,9
	ZA	122,0
	ZZ	67,5
0805 20 10	IL	122,5
	MA	100,3
	ZZ	111,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	EG	66,2
	IL	129,5
	JM	112,4
	KR	142,4
	MA	124,0
	TR	77,2
	US	134,0
	ZZ	112,2
0805 50 10	AL	39,1
	MA	71,7
	TR	66,5
	ZZ	59,1
0808 10 80	CN	129,2
	MK	30,3
	US	146,6
	ZZ	102,0
0808 30 90	AR	166,7
	CL	176,1
	CN	68,5
	TR	156,2
	US	125,8
	ZA	113,0
	ZZ	134,4

⁽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

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 20 November 2013

on the mobilisation of the Flexibility Instrument

(2014/94/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

HAVE ADOPTED THIS DECISION:

Article 1

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾, and in particular point 27 thereof,

For the general budget of the European Union for the financial year 2013, the Flexibility Instrument shall be used to provide the sum of EUR 134 049 037 in commitment appropriations in heading 1b.

That amount shall be used to complement the financing of the European Social Fund under heading 1b.

Article 2

Having regard to the proposal from the European Commission,

This decision shall be published in the *Official Journal of the European Union*.

Whereas, after having examined all possibilities for re-allocating appropriations under heading 1b, it appears necessary to mobilise the Flexibility Instrument to complement the financing in the general budget of the European Union for the financial year 2013, beyond the ceiling of heading 1b, of EUR 134 049 037 towards the financing of the European Social Fund to increase the allocations to France, Italy and Spain for the year 2013 by a total amount of EUR 150 000 000,

Done at Strasbourg, 20 November 2013.

For the European Parliament

The President

M. SCHULZ

For the Council

The President

V. LEŠKEVIČIUS

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 20 November 2013****on the mobilisation of the EU Solidarity Fund**

(2014/95/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾, and in particular point 26 thereof,

Having regard to Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund ⁽²⁾,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Union has created a European Union Solidarity Fund (the 'Fund') to show solidarity with the population of regions struck by disasters.
- (2) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the Fund within the annual ceiling of EUR 1 billion.
- (3) Regulation (EC) No 2012/2002 contains the provisions whereby the Fund may be mobilised.
- (4) Romania has submitted an application to mobilise the Fund, concerning drought and forest fires.

- (5) Germany, Austria and the Czech Republic have submitted applications to mobilise the Fund, concerning a flooding disaster.

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2013, the European Union Solidarity Fund shall be mobilised to provide the sum of EUR 400 519 089 in commitment and payment appropriations.

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Done at Strasbourg, 20 November 2013.

For the European Parliament
The President
M. SCHULZ

For the Council
The President
V. LEŠKEVIČIUS

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

⁽²⁾ OJ L 311, 14.11.2002, p. 3.

COUNCIL DECISION
of 18 February 2014
extending the validity of Decision 2012/96/EU
(2014/96/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 thereof,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾ (the 'ACP-EU Partnership Agreement'), as last revised in Ouagadougou, Burkina Faso on 22 June 2010 ⁽²⁾, and in particular Article 96 thereof,

Having regard to the Internal Agreement between the representatives of the Governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement ⁽³⁾, and in particular Article 3 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) By Council Decision 2002/148/EC ⁽⁴⁾, consultations with the Republic of Zimbabwe under Article 96(2)(c) of the ACP-EU Partnership Agreement were concluded and appropriate measures were taken. Those appropriate measures have since been amended and their period of application is reviewed periodically.

(2) In order to demonstrate the Union's continued commitment to the political process as part of the Global Political Agreement, the Council decided on 7 August 2012, by Decision 2012/470/EU ⁽⁵⁾ to extend

the validity of Decision 2012/96/EU ⁽⁶⁾ and to suspend application of the appropriate measures limiting cooperation with Zimbabwe under Article 96 of the ACP-EU Partnership Agreement for a period of 12 months. On 9 August 2013, by Decision 2013/428/EU ⁽⁷⁾, the Council decided, to further extend the validity of Decision 2012/96/EU until 20 February 2014, while maintaining the suspension of the appropriate measures.

(3) In line with the Council's agreement to continue incentivising full implementation of key provisions of the 2013 Zimbabwe constitution and the remaining recommendations for electoral reform made by international and domestic observers following the July 2013 elections, the validity of Decision 2012/96/EU should be further extended, while maintaining the suspension of the appropriate measures.

(4) The Union can review this decision at any time,

HAS ADOPTED THIS DECISION:

Article 1

The validity of Decision 2012/96/EU and of the appropriate measures provided for therein are hereby extended. Decision 2012/96/EU shall expire on 1 November 2014.

The application of the appropriate measures under Decision 2012/96/EU remains suspended. They shall be kept under constant review and shall be applied again if the situation in Zimbabwe seriously deteriorates.

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ L 287, 4.11.2010, p. 3.

⁽³⁾ OJ L 317, 15.12.2000, p. 376.

⁽⁴⁾ Council Decision 2002/148/EC of 18 February 2002 concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement (OJ L 50, 21.2.2002, p. 64).

⁽⁵⁾ Council Decision of 7 August 2012 extending the validity of Decision 2012/96/EU and suspending the application of the appropriate measures set out in Decision 2002/148/EC (OJ L 213, 10.8.2012, p. 13).

⁽⁶⁾ Council Decision 2012/96/EU of 17 February 2012 adapting and extending the period of application of the appropriate measures first established by Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement (OJ L 47, 18.2.2012, p. 47).

⁽⁷⁾ Council Decision 2013/428/EU of 9 August 2013 extending the validity of Decision 2012/96/EU (OJ L 217, 13.8.2013, p. 36).

Article 2

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

Done at Brussels, 18 February 2014.

For the Council
The President
G. STOURNARAS

CORRIGENDA

Corrigendum to Council Decision 2014/15/EU of 18 November 2013 on the signing and conclusion of the Agreement between the European Union and Georgia establishing a framework for the participation of Georgia in European Union crisis management operations

(Official Journal of the European Union L 14 of 18 January 2014)

On the cover, in the table of contents:

for: '2014/15/EU

Council Decision of 18 November 2013 on the signing and conclusion of the Agreement between the European Union and Georgia establishing a framework for the participation of Georgia in European Union crisis management operations',

read: 'Council Decision 2014/15/CFSP of 18 November 2013 on the signing and conclusion of the Agreement between the European Union and Georgia establishing a framework for the participation of Georgia in European Union crisis management operations';

on page 1, in the title:

for:

'COUNCIL DECISION

of 18 November 2013

on the signing and conclusion of the Agreement between the European Union and Georgia establishing a framework for the participation of Georgia in European Union crisis management operations

(2014/15/EU)',

read:

'COUNCIL DECISION 2014/15/CFSP

of 18 November 2013

on the signing and conclusion of the Agreement between the European Union and Georgia establishing a framework for the participation of Georgia in European Union crisis management operations'.

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