

Official Journal

of the European Union

L 82



English edition

Legislation

Volume 57

20 March 2014

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) No 277/2014 of 19 March 2014 derogating from Council Regulation (EC) No 1967/2006 as regards the minimum distance from coast and the minimum sea depth for the ‘volantina’ trawlers fishing in the territorial waters of Slovenia** 1
- ★ **Commission Implementing Regulation (EU) No 278/2014 of 19 March 2014 amending Regulation (EU) No 185/2010 as regards clarification, harmonisation and simplification of the use of explosive trace detection ⁽¹⁾** 3
- Commission Implementing Regulation (EU) No 279/2014 of 19 March 2014 establishing the standard import values for determining the entry price of certain fruit and vegetables 6
- Commission Implementing Regulation (EU) No 280/2014 of 19 March 2014 on the issue of import licences for applications lodged during the first seven days of March 2014 under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat 8
- Commission Implementing Regulation (EU) No 281/2014 of 19 March 2014 on the issue of import licences for applications lodged during the first seven days of March 2014 under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat 10

Price: EUR 3

(Continued overleaf)

⁽¹⁾ Text with EEA relevance

EN

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

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

DIRECTIVES

- ★ **Commission Directive 2014/43/EU of 18 March 2014 amending Annexes I, II and III to Directive 2000/25/EC of the European Parliament and of the Council on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors ⁽¹⁾** 12
- ★ **Commission Directive 2014/44/EU of 18 March 2014 amending Annexes I, II and III to Directive 2003/37/EC of the European Parliament and of the Council on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units ⁽¹⁾** 20

DECISIONS

2014/149/EU:

- ★ **Council Implementing Decision of 18 March 2014 rejecting the proposal for an Implementing Regulation reimposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and produced by Brosmann Footwear (HK) Ltd, Seasonable Footwear (Zhongshan) Ltd, Lung Pao Footwear (Guangzhou) Ltd, Risen Footwear (HK) Co. Ltd and Zhejiang Aokang Shoes Co. Ltd** 27

2014/150/EU:

- ★ **Commission Implementing Decision of 18 March 2014 on the organisation of a temporary experiment providing for certain derogations for the marketing of populations of the plant species wheat, barley, oats and maize pursuant to Council Directive 66/402/EEC (*notified under document C(2014) 1681*) ⁽¹⁾** 29



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 277/2014

of 19 March 2014

derogating from Council Regulation (EC) No 1967/2006 as regards the minimum distance from coast and the minimum sea depth for the ‘volantina’ trawlers fishing in the territorial waters of Slovenia

THE EUROPEAN COMMISSION,

included on a list communicated to the Commission in line with the requirements of Article 13(9) of Regulation (EC) No 1967/2006.

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

Having regard to Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea ⁽¹⁾, and in particular Article 13(5) thereof,

Whereas:

(1) Article 13(1) of Regulation (EC) No 1967/2006 prohibits the use of towed gears within 3 nautical miles of the coast or within the 50 m isobath where that depth is reached at a shorter distance from the coast.

(2) At the request of a Member State, the Commission may allow a derogation from Article 13(1) of Regulation (EC) No 1967/2006, provided that a number of conditions set out in Article 13(5) and (9) are fulfilled.

(3) On 8 February 2013 the Commission received a request from Slovenia for a derogation from the first subparagraph of Article 13(1) of that Regulation, for the use of ‘volantina’ trawlers in the territorial waters of Slovenia, at less than 50 meters depth, in the area between 1,5 and 3 nautical miles from the coast.

(4) The request covers vessels with a track record in the fishery of more than five years and which operate under a management plan adopted by Slovenia on 13 February 2014 ⁽²⁾ in accordance with Article 19(2) of Regulation (EC) No 1967/2006. Those vessels are

(5) The management plan guarantees no future increase in the fishing effort, as fishing authorisations will be issued only to specified 12 vessels involving a total effort of 178 gross tonnes that are already authorised to fish by Slovenia.

(6) Slovenia provided up-to-date scientific and technical justifications for the derogation.

(7) The Scientific, Technical and Economic Committee for Fisheries (STECF) assessed the derogation requested by Slovenia and the related draft management plan at its plenary session held from 8 to 12 April 2013.

(8) The derogation requested by Slovenia complies with the conditions laid down in Article 13(5) and (9) of Regulation (EC) No 1967/2006.

(9) In particular, there are specific geographical constraints, as the territorial waters of Slovenia do not at any point reach a depth of 50 meters. Bottom trawlers, including the ‘volantina’ trawlers, therefore currently operate exclusively beyond 3 nautical miles, where fishing grounds are significantly limited by an area devoted to commercial shipping routes.

(10) The ‘volantina’ trawl fishery cannot be undertaken with other gears, has no significant impact on marine environment, including protected habitats, and does not interfere with gears other than trawls, seines or similar towed nets.

⁽¹⁾ OJ L 36, 8.2.2007, p. 6.

⁽²⁾ Decision No 34200-2/2014/4 of 13.2.2014.

- (11) The derogation requested by Slovenia affects a limited number of only 12 vessels. The registration numbers of these vessels are specified in the management plan.
- (12) The fishing activities concerned fulfil the requirements of Article 4, Article 8(1)(h) and Article 9(3) of Regulation (EC) No 1967/2006. The activity of 'volantina' trawlers is regulated in the Slovenian management plan to ensure that catches of species mentioned in Annex III to Regulation (EC) No 1967/2006 are minimal.
- (13) 'Volantina' trawlers do not target cephalopods.
- (14) The Slovenian management plan includes measures for the monitoring of fishing activities, as provided for in the third subparagraph of Article 13(9) of Regulation (EC) No 1967/2006 and in Article 14 and 15 of Council Regulation (EC) No 1224/2009 ⁽¹⁾.
- (15) The requested derogation should therefore be granted.
- (16) Slovenia should report to the Commission in due time and in accordance with the monitoring plan provided for in the Slovenian management plan.
- (17) A limitation in duration of the derogation should be established in order to allow prompt corrective management measures in case the report to the Commission shows a poor conservation status of the exploited stock while providing scope to improve the scientific basis for an improved management plan.
- (18) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Derogation

Article 13(1) of Regulation (EC) No 1967/2006 shall not apply in territorial waters of Slovenia, irrespective of the depth, between 1,5 and 3 nautical miles from the coast, to 'volantina' trawlers which are used by vessels:

- (a) bearing the registration number mentioned in the Slovenian management plan;
- (b) having a track record in the fishery of more than five years and not involving any future increase in the fishing effort deployed; and
- (c) holding a fishing authorization and operating under the management plan adopted by Slovenia in accordance with Article 19(2) of Regulation (EC) No 1967/2006.

Article 2

Monitoring plan and reporting

Slovenia shall communicate to the Commission, within three years following the entry into force of this Regulation a report drawn up in accordance with the monitoring plan established in the management plan referred to in Article 1(c).

Article 3

Entry into force and period of application

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

It shall apply until 23 March 2017.

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

Done at Brussels, 19 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ 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 (OJ L 343, 22.12.2009, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) No 278/2014**of 19 March 2014****amending Regulation (EU) No 185/2010 as regards clarification, harmonisation and simplification of the use of explosive trace detection****(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 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Experience with the implementation of Commission Regulation (EU) No 185/2010 of ⁽²⁾ has shown the need for revision of the implementing modalities of the common basic standards for the use of Explosive Trace Detection (ETD) techniques.
- (2) The specific aviation security measures for the use of ETD should be clarified, harmonised or simplified in order to improve legal clarity, standardize the common interpretation of the legislation and further ensure the best implementation of the common basic standards on aviation security.

(3) The amendments concern measures describing the permitted use of ETD in relation to the screening of passengers, persons other than passengers, cabin baggage, hold baggage, cargo, mail, in-flight supplies and airport supplies and technical requirements for ETD security equipment.

(4) Regulation (EU) No 185/2010 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Civil Aviation Security,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 185/2010 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, 19 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 97, 9.4.2008, p. 72.

⁽²⁾ Commission Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security (OJ L 55, 5.3.2010, p. 1).

ANNEX

1. Chapter 4 is amended as follows:

(a) Point 4.1.1.2 is replaced by the following:

‘4.1.1.2. Passengers shall be screened by at least one of the following methods:

- (a) hand search;
- (b) walk-through metal detection equipment (WTMD);
- (c) explosive detection dogs;
- (d) explosive trace detection (ETD) equipment;
- (e) security scanners which do not use ionising radiation;
- (f) ETD equipment combined with hand held metal detection (HHMD) equipment.

Where the screener cannot determine whether or not the passenger is carrying prohibited articles, the passenger shall be denied access to security restricted areas or rescreened to the screener's satisfaction.’

(b) Point 4.1.1.9 is replaced by the following:

‘4.1.1.9 Explosive detection dogs and ETD equipment may only be used as a supplementary means of screening.’

(c) Point 4.1.2.3 is replaced by the following:

‘4.1.2.3 Cabin baggage shall be screened by at least one of the following methods:

- (a) a hand search;
- (b) x-ray equipment;
- (c) explosive detection systems (EDS) equipment;
- (d) explosive detection dogs in combination with point (a);
- (e) ETD equipment.

Where the screener cannot determine whether or not the cabin baggage contains any prohibited articles, it shall be rejected or rescreened to the screener's satisfaction.’

2. Chapter 6 is amended as follows:

(a) The following points 6.2.1.5 and 6.2.1.6 are added:

‘6.2.1.5 Cargo and mail shall be screened by at least one of the following methods in accordance with Attachment 6-J:

- (a) hand search;
- (b) x-ray equipment;
- (c) EDS equipment;
- (d) explosive detection dogs (EDD);
- (e) ETD equipment;
- (f) visual check;
- (g) metal detection equipment (MDE).

Where the screener cannot determine whether or not the cargo or mail contains any prohibited articles, it shall be rejected or rescreened to the screener's satisfaction.

6.2.1.6 The following means or method may be applied only where it is not possible to apply any of the other means or methods specified in point 6.2.1.5 owing to the nature of the consignment:

other appropriate security controls, if agreed by the appropriate authority and notified to the Commission.’

3. Chapter 8 is amended as follows:

(a) The following point 8.1.2.3 is added:

‘8.1.2.3 The following means or method of screening, either individually or in combination, shall be applied:

- (a) visual check;
- (b) hand search;
- (c) x-ray equipment;
- (d) EDS equipment;
- (e) ETD equipment in combination with point (a);
- (f) explosive detection dogs in combination with point (a).

Where the screener cannot determine whether or not the item contains any prohibited articles, it shall be rejected or rescreened to the screener's satisfaction.’

4. Chapter 9 is amended as follows:

(a) The following point 9.1.2.3 is added:

‘9.1.2.3 The following means or method of screening, either individually or in combination, shall be applied:

- (a) visual check;
- (b) hand search;
- (c) x-ray equipment;
- (d) EDS equipment;
- (e) ETD equipment in combination with point (a);
- (f) explosive detection dogs in combination with point (a).

Where the screener cannot determine whether or not the item contains any prohibited articles, it shall be rejected or rescreened to the screener's satisfaction.’

5. Chapter 12 is amended as follows:

(a) The following point 12.0.3 is added:

‘12.0.3 Equipment manufacturers shall provide a concept of operations and equipment shall be used in accordance with it.’

(b) Point 12.6 is replaced by the following:

‘12.6 EXPLOSIVE TRACE DETECTION (ETD) EQUIPMENT

12.6.1 ETD equipment shall be able to collect and analyse trace levels of particles or vapour from contaminated surfaces, or the contents of baggage or consignments, and indicate, by means of an alarm, the presence of explosives. For the purpose of screening, it shall meet the following requirements:

- (a) Consumables shall not be used beyond the recommendations of the manufacturer of the consumable or if the performance of the consumable appears to have deteriorated through use
- (b) ETD equipment shall only be used in an environment for which the equipment has been approved for use

There shall be standards for ETD set for particulate and vapour sampling. Detailed requirements on these standards are laid down in a separate classified Commission Decision.’

(c) The following points 12.6.2 and 12.6.3 are added:

‘12.6.2 The standard for ETD equipment that uses particulate sampling shall apply to ETD equipment deployed from 1 September 2014.

12.6.3 The appropriate authority may permit ETD equipment not certified to comply with attachment 12-L that was deployed before 1 July 2014 and uses particulate sampling to continue to be used until 1 July 2020 at the latest.’

COMMISSION IMPLEMENTING REGULATION (EU) No 279/2014**of 19 March 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, 19 March 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	145,0
	MA	63,9
	TN	88,1
	TR	102,6
	ZZ	99,9
0707 00 05	EG	182,1
	MA	182,1
	TR	142,5
	ZZ	168,9
0709 91 00	EG	45,1
	ZZ	45,1
0709 93 10	MA	41,9
	TR	89,7
	ZZ	65,8
0805 10 20	EG	47,9
	IL	68,0
	MA	60,9
	TN	55,0
	TR	56,9
	ZA	62,5
	ZZ	58,5
0805 50 10	TR	63,5
	ZZ	63,5
0808 10 80	AR	94,0
	CL	127,9
	CN	117,1
	MK	30,8
	US	182,3
	ZZ	110,4
0808 30 90	AR	99,0
	CL	107,5
	CN	74,5
	TR	158,2
	ZA	85,1
	ZZ	104,9

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) No 280/2014**of 19 March 2014****on the issue of import licences for applications lodged during the first seven days of March 2014
under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

Whereas:

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾ and in particular Article 188 thereof,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 533/2007 of 14 May 2007 opening and providing for the administration of tariff quotas in the poultrymeat sector ⁽³⁾, and in particular Article 5(6) thereof,

(1) Regulation (EC) No 533/2007 opened tariff quotas for imports of poultrymeat products.

(2) The applications for import licences lodged during the first seven days of March 2014 for the subperiod from 1 April to 30 June 2014 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged under Regulation (EC) No 533/2007 for the subperiod from 1 April to 30 June 2014 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 20 March 2014.

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

Done at Brussels, 19 March 2014.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 125, 15.5.2007, p. 9.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2014-30.6.2014 (%)
P1	09.4067	14,109564
P3	09.4069	0,27007

COMMISSION IMPLEMENTING REGULATION (EU) No 281/2014**of 19 March 2014****on the issue of import licences for applications lodged during the first seven days of March 2014
under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188 thereof,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 1385/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat ⁽³⁾, and in particular Article 5(6) thereof,

Whereas:

The applications for import licences lodged during the first seven days of March 2014 for the subperiod from 1 April to 30 June 2014 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have been lodged for the subperiod from 1 April to 30 June 2014 under Regulation (EC) No 1385/2007 shall be multiplied by the allocation coefficients set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 March 2014.

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

Done at Brussels, 19 March 2014.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 238, 1.9.2006, p. 13.

⁽³⁾ OJ L 309, 27.11.2007, p. 47.

ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.4.2014-30.6.2014 (%)
1	09.4410	0,239521
2	09.4411	0,245762
3	09.4412	0,257402
4	09.4420	0,249813
6	09.4422	0,250816

DIRECTIVES

COMMISSION DIRECTIVE 2014/43/EU

of 18 March 2014

amending Annexes I, II and III to Directive 2000/25/EC of the European Parliament and of the Council on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2000/25/EC of the European Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC ⁽¹⁾ and in particular Article 7 thereof,

Whereas:

- (1) Directive 2000/25/EC lays down the limit values for emissions of gaseous and particulate pollutants to be applied in successive stages, and the test procedure for internal combustion engines intended to power agricultural or forestry tractors by reference to the provisions of Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery ⁽²⁾.
- (2) Technical progress requires rapid adaptation of the technical requirements set out in the Annexes to Directive 97/68/EC and therefore that Directive has been amended several times. It is therefore necessary to align Directive 2000/25/EC with the provisions of Directive 97/68/EC as amended.
- (3) Annex XII to Directive 97/68/EC has been amended by Commission Directive 2012/46/EU ⁽³⁾ in order to introduce new alternative type-approvals according to technical progress at the UNECE level and so as to ensure international harmonisation with respect to alternative type-approval procedures. Those alternative type-approval provisions should therefore be introduced into

Directive 2000/25/EC. In addition, it is necessary to update the references to Regulations No 49 and No 96 of the United Nations Economic Commission for Europe (UNECE) to ensure that they correspond to the amendments to Directive 97/68/EC with respect to the recognition of alternative type-approvals for engines intended to power agricultural and forestry tractors.

- (4) Annexes I, II and III to Directive 2000/25/EC should therefore be amended accordingly.
- (5) The measures provided for in this Directive are in accordance with the opinion of the Committee established in Article 20 of Directive 2003/37/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I, II and III to Directive 2000/25/EC are amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by the 1 January 2015 at the latest. They shall communicate to the Commission the relevant text of those provisions forthwith.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

⁽¹⁾ OJ L 173, 12.7.2000, p. 1.

⁽²⁾ OJ L 59, 27.2.1998, p. 1.

⁽³⁾ OJ L 353, 21.12.2012, p. 80.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 18 March 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

Annexes I, II and III to Directive 2000/25/EC are amended as follows:

(1) Annex I is amended as follows:

(a) Section 3 is replaced by the following:

‘3. SPECIFICATIONS AND TESTS

The provisions of Annex I, Sections 4, 8 and 9, Appendices 1 and 2, and Annexes III, IV and V to Directive 97/68/EC shall apply.’;

(b) Appendix 1 is amended as follows:

(i) Section 2.2 is replaced by the following:

- ‘2.2. Measures taken against air pollution
- 2.2.1. Device for recycling crankcase gases: yes/no ⁽¹⁾
- 2.2.2. Additional anti-pollution devices (if any, and if not covered by another heading)
- 2.2.2.1. Catalytic converter: yes/no ⁽¹⁾
- 2.2.2.1.1. Make(s):
- 2.2.2.1.2. Type(s):
- 2.2.2.1.3. Number of catalytic converters and elements
- 2.2.2.1.4. Dimensions- and volume of the catalytic converter(s):
- 2.2.2.1.5. Type of catalytic action:
- 2.2.2.1.6. Total charge of precious metals:
- 2.2.2.1.7. Relative concentration:
- 2.2.2.1.8. Substrate (structure and material):
- 2.2.2.1.9. Cell density:
- 2.2.2.1.10. Type of casing for the catalytic converter(s):
- 2.2.2.1.11. Location of the catalytic converter(s) (place(s) and maximum/minimum distance(s) from engine):
- 2.2.2.1.12. Normal operating range (K):
- 2.2.2.1.13. Consumable reagent (where appropriate):
- 2.2.2.1.13.1. Type and concentration of reagent needed for catalytic action:
- 2.2.2.1.13.2. Normal operational temperature range of reagent:
- 2.2.2.1.13.3. International standard (where appropriate):
- 2.2.2.1.14. NO_x sensor: yes/no ⁽¹⁾
- 2.2.2.2. Oxygen sensor: yes/no ⁽¹⁾
- 2.2.2.2.1. Make(s):
- 2.2.2.2.2. Type:
- 2.2.2.2.3. Location:
- 2.2.2.3. Air injection: yes/no ⁽¹⁾
- 2.2.2.3.1. Type (pulse air, air pump, etc.):
- 2.2.2.4. EGR: yes/no ⁽¹⁾
- 2.2.2.4.1. Characteristics (cooled/uncooled, high pressure/low pressure, etc.):

- 2.2.2.5. Particulate trap: yes/no ⁽¹⁾
- 2.2.2.5.1. Dimensions and capacity of the particulate trap:
- 2.2.2.5.2. Type and design of the particulate trap:
- 2.2.2.5.3. Location (place(s) and maximum/minimum distance(s) from engine):
- 2.2.2.5.4. Method or system of regeneration, description and/or drawing:
- 2.2.2.5.5. Normal operating temperature (K) and pressure (kPa) range:
- 2.2.2.6. Other systems: yes/no ⁽¹⁾
- 2.2.2.6.1. Description and operation:';

(ii) Section 2.4 is replaced by the following:

- 2.4. Valve timing
- 2.4.1. Maximum lift and angles of opening and closing in relation to dead centres or equivalent data:
- 2.4.2. Reference and/or setting ranges ⁽¹⁾
- 2.4.3. Variable valve timing system (if applicable and where intake and/or exhaust)
- 2.4.3.1. Type: continuous or on/off ⁽¹⁾
- 2.4.3.2. Cam phase shift angle:';

(iii) in Section 3.1.2, the table is replaced by the following:

	Parent engine (*)	Engines within family (**)			
Engine type					
No of cylinders					
Rated speed (min ⁻¹)					
Fuel delivery per stroke (mm ³) for diesel engines, fuel flow (g/h) for petrol engines, at rated net power					
Rated net power (kW)					
Maximum power speed (min ⁻¹)					
Maximum net power (kW)					
Maximum torque speed (min ⁻¹)					
Fuel delivery per stroke (mm ³) for diesel engines, fuel flow (g/h) for petrol engines, at maximum torque					
Maximum torque (Nm)					
Low idle speed (min ⁻¹)					
Cylinder displacement (in % of parent engine)	100				

(*) For full details see Section 2.

(**) For full details see Section 4.;

(iv) Section 4.2 is replaced by the following:

- 4.2. Measures taken against air pollution
- 4.2.1. Device for recycling crankcase gases: yes/no ⁽¹⁾

- 4.2.2. Additional anti-pollution devices (if any, and if not covered by another heading)
- 4.2.2.1. Catalytic converter: yes/no ⁽¹⁾
- 4.2.2.1.1. Make(s):
- 4.2.2.1.2. Type(s):
- 4.2.2.1.3. Number of catalytic converters and elements
- 4.2.2.1.4. Dimensions- and volume of the catalytic converter(s):
- 4.2.2.1.5. Type of catalytic action:
- 4.2.2.1.6. Total charge of precious metals:
- 4.2.2.1.7. Relative concentration:
- 4.2.2.1.8. Substrate (structure and material):
- 4.2.2.1.9. Cell density:
- 4.2.2.1.10. Type of casing for the catalytic converter(s):
- 4.2.2.1.11. Location of the catalytic converter(s) (place(s) and maximum/minimum distance(s) from engine):
- 4.2.2.1.12. Normal operating range (K):
- 4.2.2.1.13. Consumable reagent (where appropriate):
- 4.2.2.1.13.1. Type and concentration of reagent needed for catalytic action:
- 4.2.2.1.13.2. Normal operational temperature range of reagent:
- 4.2.2.1.13.3. International standard (where appropriate):
- 4.2.2.1.14. NO_x sensor: yes/no ⁽¹⁾
- 4.2.2.2. Oxygen sensor: yes/no ⁽¹⁾
- 4.2.2.2.1. Make(s):
- 4.2.2.2.2. Type:
- 4.2.2.2.3. Location:
- 4.2.2.3. Air injection: yes/no ⁽¹⁾
- 4.2.2.3.1. Type (pulse air, air pump, etc.):
- 4.2.2.4. EGR: yes/no ⁽¹⁾
- 4.2.2.4.1. Characteristics (cooled/uncooled, high pressure/low pressure, etc.):
- 4.2.2.5. Particulate trap: yes/no ⁽¹⁾
- 4.2.2.5.1. Dimensions and capacity of the particulate trap:
- 4.2.2.5.2. Type and design of the particulate trap:
- 4.2.2.5.3. Location (place(s) and maximum/minimum distance(s) from engine):
- 4.2.2.5.4. Method or system of regeneration, description and/or drawing:
- 4.2.2.5.5. Normal operating temperature (K) and pressure (kPa) range:
- 4.2.2.6. Other systems: yes/no ⁽¹⁾
- 4.2.2.6.1. Description and operation:;

(v) Section 4.4 is replaced by the following

- ‘4.4. Valve timing
- 4.4.1. Maximum lift and angles of opening and closing in relation to dead centres or equivalent data:

4.4.2. Reference and/or setting ranges ⁽¹⁾:

4.4.3. Variable valve timing system (if applicable and where intake and/or exhaust)

4.4.3.1. Type: continuous or on/off ⁽¹⁾

4.4.3.2. Cam phase shift angle:

⁽¹⁾ Delete where not applicable.;

(c) Appendix 2 is amended as follows:

(i) Section 2.4 is replaced by the following:

2.4. Emission results of the engine/parent engine ⁽¹⁾

2.4.1. Information concerning the conduct of the NRSC test

Deterioration Factor (DF): calculated/fixed ⁽¹⁾

Specify the DF values and the emission results in the following table:

NRSC test						
DF mult/add ⁽¹⁾	CO	HC	NO _x	HC+NO _x	PM	
Emissions	CO (g/kWh)	HC (g/kWh)	NO _x (g/kWh)	HC+NO _x (g/kWh)	PM (g/kWh)	CO ₂ (g/kWh)
Test result						
Final test result with DF						

Additional control area test points (if applicable)						
Emissions at test point	Engine speed	Load (%)	CO (g/kWh)	HC (g/kWh)	NO _x (g/kWh)	PM (g/kWh)
Test result 1						
Test result 2						
Test result 3						

2.4.1.2. Sampling system used for the NRSC test:

2.4.1.2.1. Gaseous emissions (*):

2.4.1.2.2. PM(*):

2.4.1.2.3. Method: single/multiple filter ⁽¹⁾

2.4.2. Information concerning the conduct of the NRTC test (if applicable):

2.4.2.1. Emission results of the engine/parent engine

Deterioration Factor (DF): calculated/fixed ⁽¹⁾

Specify the DF values and the emission results in the following table:

Regeneration related data may be reported for Stage IV engines.

NRTC test						
DF mult/add ⁽¹⁾	CO	HC	NO _x	HC+NO _x	PM	
Emissions	CO (g/kWh)	HC (g/kWh)	NO _x (g/kWh)	HC+NO _x (g/kWh)	PM (g/kWh)	
Cold start						
Emissions	CO (g/kWh)	HC (g/kWh)	NO _x (g/kWh)	HC+NO _x (g/kWh)	PM (g/kWh)	CO ₂ (g/kWh)
Hot start w/o regeneration						
Hot start with regeneration						
kr,u (mult/add) ⁽¹⁾ kr,d (mult/add) ⁽¹⁾						
Weighted test result						
Final test result with DF						

Cycle work for hot start w/o regeneration kWh

2.4.2.2. Sampling system used for the NRTC test:

Gaseous emissions (*):

PM (*):

Method: single/multiple filter ⁽¹⁾

(*) Indicate the figure number of the system used as set out in Section 1 of Annex VI to Directive 97/68/EC.
⁽¹⁾ Delete where not applicable;

(2) in Annex II, Appendix 1 is amended as follows:

(a) Section 2.2 is replaced by the following:

- ‘2.2. Measures taken against air pollution
- 2.2.1. Device for recycling crankcase gases: yes/no ⁽¹⁾
- 2.2.2. Additional anti-pollution devices (if any, and if not covered by another heading)
- 2.2.2.1. Catalytic converter: yes/no ⁽¹⁾
- 2.2.2.1.1. Make(s):
- 2.2.2.1.2. Type(s):
- 2.2.2.1.3. Number of catalytic converters and elements
- 2.2.2.1.4. Dimensions- and volume of the catalytic converter(s):
- 2.2.2.1.5. Type of catalytic action:
- 2.2.2.1.6. Total charge of precious metals:
- 2.2.2.1.7. Relative concentration:
- 2.2.2.1.8. Substrate (structure and material):
- 2.2.2.1.9. Cell density:
- 2.2.2.1.10. Type of casing for the catalytic converter(s):
- 2.2.2.1.11. Location of the catalytic converter(s) (place(s) and maximum/minimum distance(s) from engine):
- 2.2.2.1.12. Normal operating range (K):
- 2.2.2.1.13. Consumable reagent (where appropriate):
- 2.2.2.1.13.1. Type and concentration of reagent needed for catalytic action:

- 2.2.2.1.13.2. Normal operational temperature range of reagent:
- 2.2.2.1.13.3. International standard (where appropriate):
- 2.2.2.1.14. NO_x sensor: yes/no ⁽¹⁾
- 2.2.2.2. Oxygen sensor: yes/no ⁽¹⁾
- 2.2.2.2.1. Make(s):
- 2.2.2.2.2. Type:
- 2.2.2.2.3. Location:
- 2.2.2.3. Air injection: yes/no ⁽¹⁾
- 2.2.2.3.1. Type (pulse air, air pump, etc.):
- 2.2.2.4. EGR: yes/no ⁽¹⁾
- 2.2.2.4.1. Characteristics (cooled/uncooled, high pressure/low pressure, etc.):
- 2.2.2.5. Particulate trap: yes/no ⁽¹⁾
- 2.2.2.5.1. Dimensions and capacity of the particulate trap:
- 2.2.2.5.2. Type and design of the particulate trap:
- 2.2.2.5.3. Location (place(s) and maximum/minimum distance(s) from engine):
- 2.2.2.5.4. Method or system of regeneration, description and/or drawing:
- 2.2.2.5.5. Normal operating temperature (K) and pressure (kPa) range:
- 2.2.2.6. Other systems: yes/no ⁽¹⁾
- 2.2.2.6.1. Description and operation:;
- (b) Section 2.4 is replaced by the following:
- ‘2.4. Valve timing
- 2.4.1. Maximum lift and angles of opening and closing in relation to dead centres or equivalent data:
- 2.4.2. Reference and/or setting ranges ⁽¹⁾:
- 2.4.3. Variable valve timing system (if applicable and where intake and/or exhaust)
- 2.4.3.1. Type: continuous or on/off ⁽¹⁾
- 2.4.3.2. Cam phase shift angle:

⁽¹⁾ Delete where not applicable.’;

- (3) Annex III is replaced by the following:

‘ANNEX III

RECOGNITION OF ALTERNATIVE TYPE-APPROVALS

The following type-approvals and, where applicable, the pertaining approval marks are recognised as being equivalent to an approval to this Directive:

1. For engines categories H, I, J and K (stage IIIA) as specified in Article 9(3a) and (3b) of Directive 97/68/EC, type-approvals in accordance with points 3.1, 3.2 and 3.3 of Annex XII to Directive 97/68/EC.
2. For engines categories L, M, N and P (stage IIIB) as specified in Article 9(3c) of Directive 97/68/EC, type-approvals in accordance with points 4.1, 4.2 and 4.3 of Annex XII to Directive 97/68/EC.
3. For engines categories Q and R (stage IV) as specified in Article 9(3d) of Directive 97/68/EC, type-approvals in accordance with, points 5.1 and 5.2 of Annex XII to Directive 97/68/EC.’.

COMMISSION DIRECTIVE 2014/44/EU**of 18 March 2014****amending Annexes I, II and III to Directive 2003/37/EC of the European Parliament and of the Council on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive 74/150/EEC ⁽¹⁾, and in particular point (a) of Article 19(1) thereof,

Whereas:

- (1) Directive 2003/37/EC sets up the type-approval system of agricultural and forestry tractors, bringing it in line with the rules on type-approval of motor vehicles.
- (2) Directive 2000/25/EC of the European Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC ⁽²⁾ is one of the separate directives in the framework of the type-approval system set up by Directive 2003/37/EC. Directive 2000/25/EC has been amended in order to include several modifications to Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery ⁽³⁾ concerning adaptation to technical progress, introduction of new emission stages, introduction of alternative type approval procedures and implementation of flexibility schemes.
- (3) In order to take account of those amendments to Directive 2000/25/EC, the corresponding administrative provisions of Directive 2003/37/EC should be updated.
- (4) Annexes I, II and III to Directive 2003/37/EC should therefore be amended accordingly.

- (5) The measures provided for in this Directive are in accordance with the opinion of the Committee established in Article 20(1) of Directive 2003/37/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I, II and III to Directive 2003/37/EC are amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 2015 at the latest. They shall communicate to the Commission the relevant text of those provisions forthwith.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 18 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 171, 9.7.2003, p. 1.

⁽²⁾ OJ L 173, 12.7.2000, p. 1.

⁽³⁾ OJ L 59, 27.2.1998, p. 1.

ANNEX

Annexes I, II and III to Directive 2003/37/EC are amended as follows:

(1) In Annex I, Model A is amended as follows:

(a) Section 3.2.2 is replaced by the following:

- '3.2.2. Measures taken against air pollution
- 3.2.2.1. Device for recycling crankcase gases: yes/no ⁽¹⁾
- 3.2.2.2. Additional anti-pollution devices (if any, and if not covered by another heading)
 - 3.2.2.2.1. Catalytic converter: yes/no ⁽¹⁾
 - 3.2.2.2.1.1. Make(s):
 - 3.2.2.2.1.2. Type(s):
 - 3.2.2.2.1.3. Number of catalytic converters and elements
 - 3.2.2.2.1.4. Dimensions- and volume of the catalytic converter(s):
 - 3.2.2.2.1.5. Type of catalytic action:
 - 3.2.2.2.1.6. Total charge of precious metals:
 - 3.2.2.2.1.7. Relative concentration:
 - 3.2.2.2.1.8. Substrate (structure and material):
 - 3.2.2.2.1.9. Cell density:
 - 3.2.2.2.1.10. Type of casing for the catalytic converter(s):
 - 3.2.2.2.1.11. Location of the catalytic converter(s) (place(s) and maximum/minimum distance(s) from engine):
 - 3.2.2.2.1.12. Normal operating range (K):
 - 3.2.2.2.1.13. Consumable reagent (where appropriate):
 - 3.2.2.2.1.13.1. Type and concentration of reagent needed for catalytic action:
 - 3.2.2.2.1.13.2. Normal operational temperature range of reagent:
 - 3.2.2.2.1.13.3. International standard (where appropriate):
 - 3.2.2.2.1.14. NO_x sensor: yes/no ⁽¹⁾
 - 3.2.2.2.2. Oxygen sensor: yes/no ⁽¹⁾
 - 3.2.2.2.2.1. Make(s):
 - 3.2.2.2.2.2. Type:
 - 3.2.2.2.2.3. Location:
 - 3.2.2.2.3. Air injection: yes/no ⁽¹⁾
 - 3.2.2.2.3.1. Type (pulse air, air pump, etc.):
 - 3.2.2.2.4. EGR: yes/no ⁽¹⁾
 - 3.2.2.2.4.1. Characteristics (cooled/uncooled, high pressure/low pressure, etc.):
 - 3.2.2.2.5. Particulate trap: yes/no ⁽¹⁾

- 3.2.2.2.5.1. Dimensions and capacity of the particulate trap:
- 3.2.2.2.5.2. Type and design of the particulate trap:
- 3.2.2.2.5.3. Location (place(s) and maximum/minimum distance(s) from engine):
- 3.2.2.2.5.4. Method or system of regeneration, description and/or drawing:
- 3.2.2.2.5.5. Normal operating temperature (K) and pressure (kPa) range:
- 3.2.2.2.6. Other systems: yes/no ⁽¹⁾
- 3.2.2.2.6.1. Description and operation:';

(b) Section 3.2.4 is replaced by the following

- '3.2.4. Valve timing
- 3.2.4.1. Maximum lift and angles of opening and closing in relation to dead centres or equivalent data:
- 3.2.4.2. Reference and/or setting ranges ⁽¹⁾
- 3.2.4.3. Variable valve timing system (if applicable and where intake and/or exhaust)
- 3.2.4.3.1. Type: continuous or on/off ⁽¹⁾
- 3.2.4.3.2. Cam phase shift angle:'

(c) In Section 3.3.1.2 the table is replaced by the following:

	Parent engine (*)	Engines within family (**)			
Engine type					
No of cylinders					
Rated speed (min ⁻¹)					
Fuel delivery per stroke (mm ³) for diesel engines, fuel flow (g/h) for petrol engines, at rated net power					
Rated net power (kW)					
Maximum power speed (min ⁻¹)					
Maximum net power (kW)					
Maximum torque speed (min ⁻¹)					
Fuel delivery per stroke (mm ³) for diesel engines, fuel flow (g/h) for petrol engines, at maximum torque					
Maximum torque (Nm)					
Low idle speed (min ⁻¹)					
Cylinder displacement (in % of parent engine)	100				

(*) For full details see Section 3.2.

(**) For full details see Section 3.4.'

(d) Section 3.4.2 is replaced by the following:

- ‘3.4.2. Measures taken against air pollution
- 3.4.2.1. Device for recycling crankcase gases: yes/no ⁽¹⁾
- 3.4.2.2. Additional anti-pollution devices (if any, and if not covered by another heading)
- 3.4.2.2.1. Catalytic converter: yes/no ⁽¹⁾
- 3.4.2.2.1.1. Make(s):
- 3.4.2.2.1.2. Type(s):
- 3.4.2.2.1.3. Number of catalytic converters and elements
- 3.4.2.2.1.4. Dimensions- and volume of the catalytic converter(s):
- 3.4.2.2.1.5. Type of catalytic action:
- 3.4.2.2.1.6. Total charge of precious metals:
- 3.4.2.2.1.7. Relative concentration:
- 3.4.2.2.1.8. Substrate (structure and material):
- 3.4.2.2.1.9. Cell density:
- 3.4.2.2.1.10. Type of casing for the catalytic converter(s):
- 3.4.2.2.1.11. Location of the catalytic converter(s) (place(s) and maximum/minimum distance(s) from engine):
- 3.4.2.2.1.12. Normal operating range (K):
- 3.4.2.2.1.13. Consumable reagent (where appropriate):
- 3.4.2.2.1.13.1. Type and concentration of reagent needed for catalytic action:
- 3.4.2.2.1.13.2. Normal operational temperature range of reagent:
- 3.4.2.2.1.13.3. International standard (where appropriate):
- 3.4.2.2.1.14. NO_x sensor: yes/no ⁽¹⁾
- 3.4.2.2.2. Oxygen sensor: yes/no ⁽¹⁾
- 3.4.2.2.2.1. Make(s):
- 3.4.2.2.2.2. Type:
- 3.4.2.2.2.3. Location:
- 3.4.2.2.3. Air injection: yes/no ⁽¹⁾
- 3.4.2.2.3.1. Type (pulse air, air pump, etc.):
- 3.4.2.2.4. EGR: yes/no ⁽¹⁾
- 3.4.2.2.4.1. Characteristics (cooled/uncooled, high pressure/low pressure, etc.):
- 3.4.2.2.5. Particulate trap: yes/no ⁽¹⁾
- 3.4.2.2.5.1. Dimensions and capacity of the particulate trap:
- 3.4.2.2.5.2. Type and design of the particulate trap:

3.4.2.2.5.3. Location (place(s) and maximum/minimum distance(s) from engine):

3.4.2.2.5.4. Method or system of regeneration, description and/or drawing:

3.4.2.2.5.5. Normal operating temperature (K) and pressure (kPa) range:

3.4.2.2.6. Other systems: yes/no ⁽¹⁾

3.4.2.2.6.1. Description and operation:';

(e) Section 3.4.5 is replaced by the following:

'3.4.5. Valve timing

3.4.5.1. Maximum lift and angles of opening and closing in relation to dead centres or equivalent data:

3.4.5.2. Reference and/or setting ranges ⁽¹⁾

3.4.5.3. Variable valve timing system (if applicable and where intake and/or exhaust)

3.4.5.3.1. Type: continuous or on/off ⁽¹⁾

3.4.5.3.2. Cam phase shift angle'

(f) The following Section 3.5 is inserted:

'3.5 Engine power

3.5.1 Maximum net engine power: kW, at min⁻¹ (in accordance with Directive 97/68/EC of the European Parliament and of the Council (*))

3.5.2 Rated net engine power: kW, at min⁻¹ (in accordance with Directive 97/68/EC)

3.5.3 Optional: Power at the power take-off (PTO), if any, at the rated speed(s) (in accordance with OECD Code 2 or ISO 789-1:1990)

Standard PTO speed (min ⁻¹)	Corresponding engine speed (min ⁻¹)	Power (kW)
1-540		
2-1 000		
3-540 ECO		
4-1 000 ECO		

(*) OJ L 59, 27.2.1998, p. 1.'.

(2) In Annex II, Chapter C, Part II, Section 2 is replaced by the following:

'2. Results of the exhaust emission tests

Number of base Directive and most recent amendment applicable for EC type-approval. For a Directive with two or more application phases, indicate which phase:

.....

Variant/version:

a. NRSC/ESC/WHSC ⁽¹⁾ final test results inclusive of DF (g/kWh)

	Variant/version	Variant/version	Variant/version
CO	 g/kWh	 g/kWh	 g/kWh
HC	 g/kWh	 g/kWh	 g/kWh
NO _x	 g/kWh	 g/kWh	 g/kWh
HC+NO _x	 g/kWh	 g/kWh	 g/kWh
PM	 g/kWh	 g/kWh	 g/kWh
CO ₂	 g/kWh	 g/kWh	 g/kWh

b. NRTC/ETC/WHTC ⁽¹⁾ final test results inclusive of DF (g/kWh) (*)

	Variant/version	Variant/version	Variant/version
CO	 g/kWh	 g/kWh	 g/kWh
HC	 g/kWh	 g/kWh	 g/kWh
NO _x	 g/kWh	 g/kWh	 g/kWh
NMHC	 g/kWh	 g/kWh	 g/kWh
CH ₄	 g/kWh	 g/kWh	 g/kWh
PM	 g/kWh	 g/kWh	 g/kWh
NRTC hot cycle CO ₂	 g/kWh	 g/kWh	 g/kWh
NRTC hot cycle work	 kWh	 kWh	 kWh

⁽¹⁾ Delete where not applicable.

(*) Where applicable.

(3) Part I, A, of Annex III is amended as follows:

(a) Section 3.6 is replaced by the following:

‘3.6. Maximum net engine power: kW, at min⁻¹ (in accordance with Directive 97/68/EC) ⁽¹⁾

3.6.1. Rated net engine power: kW, at min⁻¹ (in accordance with Directive 97/68/EC)

3.6.2. Optional: Power at the power take-off (PTO), if any, at the rated speed(s) (in accordance with OECD Code 2 or ISO 789-1:1990)

⁽¹⁾ State the test method used;’

(b) Sections 15.1 and 15.2 are replaced by the following:

‘15.1. NRSC/ESC/WHSC ⁽¹⁾ final test results inclusive of DF:

CO: (g/kWh) HC: (g/kWh) NO_x: (g/kWh)

HC+NO_x: (g/kWh) Particulates: (g/kWh) CO₂: (g/kWh)

15.2 NRTC/ETC/WHTC ⁽¹⁾ final test results inclusive of DF (g/kWh) (*)

CO: (g/kWh) HC: (g/kWh) NO_x: (g/kWh)

HC+NO_x: (g/kWh) Particulates: (g/kWh) hot cycle CO₂: (g/kWh) Cycle
work for hot start w/o regeneration (kWh)

⁽¹⁾ Delete where not applicable.

^(*) Where applicable.’

DECISIONS

COUNCIL IMPLEMENTING DECISION

of 18 March 2014

rejecting the proposal for an Implementing Regulation reimposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and produced by Brosmann Footwear (HK) Ltd, Seasonable Footwear (Zhongshan) Ltd, Lung Pao Footwear (Guangzhou) Ltd, Risen Footwear (HK) Co. Ltd and Zhejiang Aokang Shoes Co. Ltd

(2014/149/EU)

THE COUNCIL OF THE EUROPEAN UNION,

an expiry review, the measures were extended by Council Implementing Regulation (EU) No 1294/2009 ⁽³⁾. The measures expired on 31 March 2011.

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Article 9 thereof,

Having regard to the proposal submitted by the European Commission, after consulting the Advisory Committee,

Whereas:

- (1) On 5 October 2006 the Council adopted Regulation (EC) No 1472/2006 ⁽²⁾ ('the contested Regulation'), which imposed a definitive anti-dumping duty and collected definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and Vietnam. Following

- (2) Certain exporting producers brought actions before the General Court for annulment of the contested Regulation. The General Court dismissed these actions ⁽⁴⁾. However, on appeal, the Court of Justice ('the Court'), in its judgments of 2 February 2012 in Case C-249/10 P, *Brosmann et al. v Council*, and of 15 November 2012 in Case C-247/10 P, *Zhejiang Aokang Shoes v Council* (the 'judgments'), set aside the judgments of the General Court and annulled Regulation (EC) No 1472/2006 in so far as it related to the appellants. In particular, the Court found that the Commission ought to have examined the claims submitted by the appellants for the purpose of claiming Market Economy Treatment ('MET') in accordance with Article 2(7)(b) and (c) of Regulation (EC) No 1225/2009 and that it could not be ruled out that such examination would have led to a lower anti-dumping duty for the appellants.

- (3) By means of a notice published in the *Official Journal of the European Union* ⁽⁵⁾, the Commission informed the exporting producers concerned by the judgments that it had decided to resume the procedure for replacing the annulled parts of the contested Regulation and to examine whether market economy conditions prevailed for these producers during the relevant period.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 275, 6.10.2006, p. 1. On 23 March 2006, the Commission had already adopted Regulation (EC) No 553/2006 imposing a provisional anti-dumping duty on imports of certain footwear with uppers of leather originating in the People's Republic of China and Vietnam (OJ L 98, 6.4.2006, p. 3). Subsequently to the adoption of the contested Regulation, the measures were extended to imports consigned from the Macao Special Administrative Region by Council Regulation (EC) No 388/2008 of 29 April 2008 extending the definitive anti-dumping measures imposed by Regulation (EC) No 1472/2006 on imports of certain footwear with uppers of leather originating in the People's Republic of China to imports of the same product consigned from the Macao SAR, whether declared as originating in the Macao SAR or not (OJ L 117, 1.5.2008, p. 1).

⁽³⁾ Council Implementing Regulation (EU) No 1294/2009 of 22 December 2009 imposing a definitive anti-dumping duty on imports of certain footwear with uppers of leather originating in Vietnam and originating in the People's Republic of China, as extended to imports of certain footwear with uppers of leather consigned from the Macao SAR, whether declared as originating in the Macao SAR or not, following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 384/96 (OJ L 352, 30.12.2009, p. 1).

⁽⁴⁾ Judgments of 4.3.2012 in Case T-401/06, *Brosmann Footwear (HK) and others v Council* ([2010] ECR II-671) and in Joined Cases T-407/06 and T-408/06, *Zhejiang Aokang Shoes and Wenzhou Taima Shoes v Council* ([2010] ECR II-747).

⁽⁵⁾ OJ C 295, 11.10.2013, p. 6.

- (4) On 19 February 2014, the Commission adopted the proposal for a Council Implementing Regulation reimposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and produced by Brosmann Footwear (HK) Ltd, Seasonable Footwear (Zhongshan) Ltd, Lung Pao Footwear (Guangzhou) Ltd, Risen Footwear (HK) Co. Ltd and Zhejiang Aokang Shoes Co. Ltd ('the proposal'). The proposal states that the examination of the MET claims showed that market economy conditions did not prevail during the relevant period for the exporting producers concerned by the judgments, that MET must therefore be denied from these exporting producers and that the anti-dumping duty originally imposed by the contested Regulation should consequently be reinstated. To this effect, the proposal would reinstate a definitive anti-dumping duty for the exporting producers concerned by the judgments for the period of application of the contested Regulation.
- (5) Article 1(4) of the proposal reads as follows: 'The provisions in force concerning customs duties shall apply, with the exception of Article 221 of the Council Regulation (EEC) No 2913/1992 of 12 October 1992 establishing the Community Customs Code⁽¹⁾. Communication to the debtor of the amount of duty may take place more than three years after the customs debt was incurred, but no later than two years after the entry into force of this Regulation.'

Article 221(3) of Regulation (EEC) No 2913/1992 ('Customs Code') time-bars the communication of the reimposed anti-dumping duty to the debtor for any imports which took place over three years ago, provided that the period was not suspended pending an appeal under Article 243 of the Customs Code. Article 1(4) of the contested Regulation provided that, unless otherwise specified, the provisions in force concerning customs duties applied, and it did not contain any derogation from Article 221(3) of the Customs Code. To the extent that the original communication of the debt to the debtor was withdrawn following the judgments, the operators could legitimately expect that, once the three-year period prescribed by Article 221(3) of the Customs Code had expired, any reimposition of the debt was time-barred and, consequently, the debt was 'extinguished'⁽²⁾. Once the debt was extinguished pursuant to Article 221(3), its retroactive reimposition would therefore infringe the legitimate expectations of the operators concerned.

In conclusion, the assessment of the Council is that a retroactive application of the derogation from Article 221(3) of the Customs Code is not possible in this case, as it would infringe the legitimate expectations of the operators concerned.

- (6) Without the retroactive derogation from Article 221(3), the reimposition of duties would have a very limited financial effect in practice, since the original measures expired on 31 March 2011.
- (7) Furthermore, the complainants did not provide elements demonstrating that the adoption of the proposed measure would have an impact on them.
- (8) The Court has annulled the contested Regulation in its entirety, in so far as it relates to the appellants. As a consequence, the effect of the judgments with respect to the measure annulled is not dependent on an additional act to be adopted by the Institutions. The Council therefore concludes that Article 266 of the Treaty on the Functioning of the European Union does not oblige the Institutions to reimpose the duties in the present case,

HAS ADOPTED THIS DECISION:

Article 1

The proposal for a Council Implementing Regulation reimposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and produced by Brosmann Footwear (HK) Ltd, Seasonable Footwear (Zhongshan) Ltd, Lung Pao Footwear (Guangzhou) Ltd, Risen Footwear (HK) Co. Ltd and Zhejiang Aokang Shoes Co. Ltd is rejected and the proceedings with regard to these producers are terminated.

Article 2

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

Done at Brussels, 18 March 2014.

For the Council
The President
E. VENIZELOS

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ Cf. judgment of the Court of Justice of 23.2.2006 in Case C-201/04, *Molenbergnatie* ([2006] ECR I-2049), paragraph 41; judgment of 28.1.2010 in Case C-264/08, *Direct Parcel Distribution Belgium* ([2010] ECR I-731), paragraph 43.

COMMISSION IMPLEMENTING DECISION

of 18 March 2014

on the organisation of a temporary experiment providing for certain derogations for the marketing of populations of the plant species wheat, barley, oats and maize pursuant to Council Directive 66/402/EEC

*(notified under document C(2014) 1681)***(Text with EEA relevance)**

(2014/150/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽¹⁾, and in particular Article 13a thereof,

Whereas:

(1) Directive 66/402/EEC sets out specific requirements for the production and marketing of cereal seed. Those provisions prevent the marketing of seed not belonging to a variety.

(2) However, new research in the Union on plant reproductive material that does not fulfil the variety definition as regards uniformity, shows that there could be benefits of using this diverse material, in particular with regards to organic production or in low input agriculture for example to reduce the spread of diseases.

(3) To allow seed from those populations to be marketed, it would be necessary to amend points E, F and G of Article 2(1) of Directive 66/402/EEC by adding the possibility to market seed which does not fulfil the requirements concerning varietal aspects. In order to decide about such amendment to Directive 66/402/EEC, it is necessary to gather information on the marketing of seed from populations. In particular, it needs to be verified whether the identification of populations of particular species can be ensured, with guarantees similar to those resulting from the requirements concerning varietal aspects, on the basis of information on their breeding and production methods. Moreover, it should be assessed under this experiment whether the identity of the seed marketed as belonging to those

populations and the information to the user can be ensured, with guarantees similar to those resulting from Article 3(1) and Article 10, based on traceability requirements and identification of the places of production.

(4) Given the characteristics of populations, the certification of seed from populations might imply a disproportionate burden for authorities and for operators. It is therefore appropriate to gather information on the possibility to provide for a system of controls of the production and marketing of seed of populations not requiring certification.

(5) In view of their significance for the market sector of cereals and available research results, the species subject to this experiment should be wheat, barley, oats and maize.

(6) In order to clarify the nature of populations in comparison to varieties, it is necessary to lay down a requirement on the number of varieties used in the crossings to breed a population.

(7) The responsible official bodies should monitor this experiment through official controls on the production and marketing of seed from populations and their quantities, the persons maintaining those populations and the performance of those populations in specific areas.

(8) Conditions should be established for the submission of applications and authorisation of a population pursuant to this Decision, submission of a reference sample, denomination of the population, and registration of persons producing and marketing those populations. It is important that those conditions are assessed to ensure identity and traceability during the production and marketing of such population, effective controls by the responsible official bodies and avoidance of the creation of a market parallel to the one established pursuant to Directive 66/402/EEC.

⁽¹⁾ OJ L125, 11.7.1966, p. 2309/66.

- (9) Furthermore, it is appropriate to provide for specific requirements for the production and marketing in order to ensure that the seeds from populations fulfil the same requirements in all participating Member States. These requirements should be based on the conditions set out in this Decision. In order to ensure the health and quality of the seed those requirements should be similar to those set out for certified seed in Directive 66/402/EEC as to ensure the comparable level of quality.
- (10) Given the experimental nature of the measure provided for by this Decision, a maximum quantity for the marketing of populations should be fixed, taking into account the need to test different types of populations using existing facilities. That quantity should be such as to allow for reliable and representative results of the experiment. However it should not exceed a certain limit, in order to prevent the development of a market of seeds parallel to the one established pursuant to Directive 66/402/EEC.
- (11) In order to ensure transparency and informed choices for the users of those populations, and to prevent fraudulent practices, special labelling conditions should be adopted for the marketing of seed from those populations during that experiment. Due to the special nature of the populations, those conditions should derogate from the provisions of Annex V to Directive 66/402/EEC. It should be tested whether sufficient and appropriate information to the user of the material may be ensured by the requirements that the denomination of populations clearly indicates that they are populations and that the label indicates the region of production.
- (12) In order to determine the economic, agronomic and environmental value of the improved alternatives to the above provisions of Directive 66/402/EEC, it is important to ensure a comprehensive assessment of several elements and results of that experiment. To that purpose Member States should record the appropriate information, namely the species and denominations used for populations under the experiment, type of populations, modalities and costs of authorisation of populations, results of testing, performance results, sizes of involved operators, type of users and their experience.
- (13) To allow Member States to verify that the maximum quantity of seed from populations is not exceeded, operators intending to produce such populations should communicate to the Member States concerned the quantities they intend to produce.
- (14) In order to allow operators to produce and market a sufficient quantity of seed, and to permit the competent authorities to inspect that material and

collect sufficient and comparable information to be used for the preparation of the report, the experiment should take place over a period of at least three marketing seasons.

- (15) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

1. A temporary experiment is organised at Union level for the purpose of assessing whether the production, with a view to marketing, and marketing, under certain conditions, of seed from populations, as referred to in Article 2 and belonging to the species *Avena* spp., *Hordeum* spp., *Triticum* spp. and, *Zea mays* L., may constitute an improved alternative to the exclusion of the marketing of seed not complying with the requirements of Article 2(1)(E), (F) and (G) of Directive 66/402/EEC concerning varietal aspects of seeds of certain species, and to the requirements of Article 3(1) concerning the placing on the market with official certification as 'certified seed', 'certified seed, first generation' or 'certified seed, second generation'.

2. The following elements shall be assessed:

- (a) whether the identification of populations of those species can take place on the basis of information on their breeding and production methods, the varieties used in the crossing, and the main characteristics of those populations; and
- (b) whether the identity of seeds from those populations marketed can be based on traceability requirements and identification of the region of production.

Article 2

Scope

This Decision shall cover plant groupings which fulfil all of the following requirements:

- (a) they result from a given combination of genotypes;

(b) they are considered as units with regard to their suitability for being reproduced unchanged once established in a given region of production with specific agro- climatic conditions;

(c) they are generated by one of the following techniques:

- (i) crossing five or more varieties in all combinations followed by bulking of the progeny and exposing the stock to natural selection in successive generations;
- (ii) growing together at least five varieties of a predominantly cross-fertilising species, bulking the progeny, repeatedly re-sowing and exposing the stock to natural selection until plants of the original varieties are no longer present;
- (iii) inter-crossing varieties using crossing protocols different from those in (i) or (ii) to produce a similarly diverse population that does not contain varieties.

Hereinafter such plant groupings are referred to as 'populations'.

Article 3

Participation of Member States

1. Any Member State may participate in the experiment. The latest date at which they may start participating is January 2017.

2. Member States which decide to participate in the experiment (hereinafter: 'participating Member States') shall inform the Commission and the other Member States concerning their participation, indicating the species and regions covered by their participation, and measures applied under this Decision.

3. Participating Member States may terminate their participation at any time by informing the Commission accordingly.

Article 4

Release from obligations

Participating Member States are released from the obligations provided for in Article 2(1)(E), (F) and (G), in Article 3(1) and in

Article 10 of Directive 66/402/EEC, with regard to the production, with a view to marketing, and marketing of populations.

Article 5

Identification of populations

A population shall be identifiable on the basis of the following elements:

- (a) the varieties used in the crossing for the creation of the population;
- (b) the breeding schemes as defined by the respective protocols;
- (c) the region of production;
- (d) the degree of heterogeneity, in particular in self-pollinating species; and
- (e) its characteristics, as referred to in Article 7(2)(f).

Article 6

Conditions for production and marketing seed of the populations

For the purposes of this experiment, Member States shall ensure that the seed of the population may be produced, with a view to marketing, and marketed if the following conditions are satisfied:

- (a) the seed belongs to an authorised population;
- (b) the seed complies with Article 9;
- (c) the denomination of the population complies with Article 8;
- (d) the population is bred and the seed is produced by persons registered pursuant to Article 10.

Article 7

Authorisation of populations

1. Member States shall authorise populations in accordance with paragraphs 2, 3 and 4.

2. An application for authorisation shall be submitted to the seed certification authority. That application shall include the following elements:

- (a) name and address of the applicant;
- (b) species and denomination of the population;
- (c) a description of the type of technique used to generate the population, with reference, as applicable, to Article 2(c)(i), (ii) or (iii);
- (d) objectives of the breeding programme;
- (e) breeding and production method: breeding scheme as defined by the respective protocols, varieties used to breed and produce the population, and own production control programme used by the operator concerned;
- (f) a description of its characteristics:
 - (i) documentation of its characteristics which the applicant considers as important as regards yield, quality, performance, usability for low input systems, disease resistance, yield stability, taste or colour;
 - (ii) experimental trial results concerning the characteristics referred to in point (i);
- (g) region of production;
- (h) a declaration of the applicant concerning the trueness of the elements referred to in Article 5(1);
- (i) a representative sample of the population;
- (j) name and address of the person responsible for the breeding, production and maintenance.

3. The seed certification authority shall check the following elements:

- (a) compliance of the application with paragraph 2; and
- (b) compliance of the population with the identification requirements of Article 5.

Compliance with the identification requirements of Article 5 shall be concluded on the basis of submitted documentation and inspections in the premises where the population is produced.

4. The authorisation of a population, and the elements set out in paragraph 2, shall be notified to the other Member States and the Commission.

Article 8

Denomination of populations

1. Populations shall have a denomination. The rules on the denomination of varieties, as laid down in Article 9(6) of Council Directive 2002/53/EC⁽¹⁾, shall apply accordingly for the denomination of populations.

2. The word 'population' shall be added at the end of each denomination.

Article 9

Requirements concerning the crop, the seed and the weights of lots and samples

1. Points 1 and 6 of Annex I to Directive 66/402/EEC shall apply.

2. During the production and marketing of seed belonging to populations, the seed shall comply with points 2 and 3 of Annex II to Directive 66/402/EEC concerning the second generation of certified seed in the case of populations of *Avena nuda* L., *Avena sativa* L., *Avena strigosa* Schreb., *Hordeum vulgare* L., *Triticum aestivum* L., *Triticum durum* L. and *Triticum spelta* L. and certified seed in case of populations of *Zea mays* L..

3. During the production and marketing of seed belonging to populations, the weights of lots and samples shall comply with Annex III to Directive 66/402/EEC, and, in the case of *Zea mays* L., with the provisions of that Annex concerning certified seed of that species.

Article 10

Registration of breeders, producers and persons responsible for the maintenance of populations

1. Each Member State shall register the persons who breed populations or produce or maintain seed of populations in its territory in a register, if they comply with the requirements of paragraph 2.

⁽¹⁾ Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species (OJ L 193, 20.7.2002, p. 1).

2. Breeders, producers and persons responsible for the maintenance of populations shall submit an application to the seed certification authority for inclusion in the register. That application shall include the following elements:

- (a) their name, address and contact details;
- (b) denomination of the population concerned.

3. The register shall contain the following elements:

- (a) name, address and contact details as set out in point (a) of paragraph 2;
- (b) denomination of the population referred to in paragraph 2(b) to be produced or maintained.

Article 11

Labelling

Packages or containers of seeds shall bear a label which is affixed by the producer. That label shall include the information set out in Annex I.

Article 12

Quantitative restrictions

1. The quantities of seed marketed of the authorised population of each species, for each participating Member State per year, shall not exceed 0,1 % of seed of the same species produced in that year in the participating Member State.

2. Each producer shall declare to the seed certification authority the quantity of each population it intends to produce for each year.

3. A participating Member State may prohibit the marketing of seed of a population if it considers that, in view of the purpose of the experiment, it is not appropriate that additional quantities of seed of the population concerned are placed on the market. It shall immediately inform the producer or producers concerned.

Article 13

Traceability

1. Any person marketing seeds of populations shall ensure traceability of those seeds.

2. A person marketing seeds of populations shall keep information allowing it to identify the persons which have supplied them with, and to whom they have supplied, seeds of a population.

3. The information shall be made available on request to the seed certification authority.

Article 14

Official controls

The seed certification authorities of the participating Member States shall officially control the production and marketing of seeds of populations. Official controls shall include at least:

- (a) field inspection, sampling and checks of populations, as laid down in point (1) of Annex II;
- (b) supervision of organisation of comparative field trials for this purpose, as laid down in point (2) of Annex II;
- (c) quantities produced and quantities marketed;
- (d) compliance of the producer and any person marketing seed pursuant to this Decision.

The control referred to in point (d) shall take place at least once per year. It shall include inspections of the premises of the persons concerned and the fields used for the production of the populations.

Article 15

Maintenance of populations

1. The person responsible for the maintenance of the population shall maintain the population for the duration of this experiment.

That maintenance shall be in accordance with accepted practices for the species concerned.

2. The person responsible for the maintenance of the population shall keep records concerning the maintenance of the populations and make those records available for inspection by the responsible official body at any time.

3. The responsible official body shall carry out controls on the manner in which the populations are maintained and may, to this purpose, take samples of the seed of the populations concerned.

Article 16

Notification obligations of producers

Producers shall notify annually the seed certification authorities of the information set out in points (a), (b), (c), (f), (g), (h) and (i) of Annex III.

Article 17

Recording of information

Participating Member States shall record the information, as indicated in Annex III, concerning the production and marketing of populations. On request, they shall assist each other in recording that information.

Article 18

Reporting obligations

1. Participating Member States shall, for each year, present to the Commission and the other Member States, by 31 March of the following year, an annual report, including the following elements:

- (a) information on types and number of populations authorised per species, produced and marketed under the experiment; and
- (b) the quantities produced and marketed per population and species, and, where applicable, the Member State for which the seed was intended.

The participating Member States may decide to include in the report any other relevant information.

2. The participating Member States shall present to the Commission and the other Member States, by 31 March 2018, a report setting out the information referred to in Annex III. That report shall include an assessment of the conditions of the experiment and of the interest of extending its duration, if appropriate, by reference to each species. That report may include other information they consider relevant in view of the purpose of the experiment.

3. A Member State ending its participation before 31 December 2017 shall submit its report by 31 March of the year following the end of its participation.

Article 19

Time period

The experiment shall start on 1 March 2014 and end on 31 December 2018.

Article 20

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 18 March 2014.

For the Commission

Tonio BORG

Member of the Commission

ANNEX I

INFORMATION TO BE SET OUT ON THE LABEL PROVIDED FOR IN ARTICLE 11

The label of the packages or containers containing the seeds shall include the following:

- (1) the words 'Temporary experiment under EU rules and standards';
 - (2) seed certification authority and the Member State, or their initials;
 - (3) the name and address of the producer responsible for affixing the label, or its registration code;
 - (4) region of production;
 - (5) the reference number of the lot;
 - (6) month and year of sealing expressed thus: 'sealed ...' (month and year) or month and year of the last official sampling for the purposes of control expressed thus: 'sampled ...' (month and year);
 - (7) species, indicated at least under its botanical name, which may be given in abridged form and without the authors names, in roman characters;
 - (8) denomination of the population;
 - (9) Member State of production, if different to point 2;
 - (10) declared net or gross weight, or declared number of seeds;
 - (11) where weight is indicated and granulated pesticides, pelleting substances, or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of pure seeds and the total weight;
 - (12) where at least germination has been retested, declaration of the germination level on the label. Such information may be given on a sticker attached to the label.
-

*ANNEX II***SAMPLING AND CHECKS REFERRED TO IN ARTICLE 14**

The following sampling and examination shall be carried out:

- (1) Production fields shall be inspected and seed samples shall be taken, at random every year, of at least of 5 % of all the lots of seeds of populations and production fields under the experiment by official seed samplers.

Each production field shall be officially checked during the temporary experiment at least twice.

These samples shall be used for controlling compliance with Article 5, as regards the identity, and with Article 9, as regards the quality of the seed.

- (2) Comparative field trials shall be carried out on each of the authorised populations marketed under the experiment.

The field trials shall be carried out by competent authorities, research institutions or by breeders or producers. In case of breeders and producers, the Member States shall supervise the trials.

*ANNEX III***INFORMATION TO BE RECORDED AS REFERRED TO IN ARTICLE 17**

The following information shall be recorded:

- (a) name of the species and denomination used for each authorised population under the experiment;
 - (b) type of populations as referred to in Article 2(c);
 - (c) the quantities produced and marketed per population and species and the Member State for which the seed was intended;
 - (d) modalities of authorisation of populations by the Member States and related costs for the applicant;
 - (e) description and results of the tests carried out in accordance with Annex II point (1);
 - (f) comparative field trial results as referred to in Annex II point (2);
 - (g) size of the participating breeders and producers: micro-enterprise, small enterprise, medium enterprise or large enterprise;
 - (h) valuation of the populations by users as regards characteristics pursuant to Article 7(2)(f).
-

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

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



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN