

Official Journal

of the European Union

L 272



English edition

Legislation

Volume 57

13 September 2014

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) No 966/2014 of 12 September 2014 amending Annex to Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards specifications for calcium propionate ⁽¹⁾** 1
- ★ **Commission Implementing Regulation (EU) No 967/2014 of 12 September 2014 amending Regulation (EU) No 37/2010, as regards the substance 'lufenuron' ⁽¹⁾** 3
- ★ **Commission Implementing Regulation (EU) No 968/2014 of 12 September 2014 amending Implementing Regulation (EU) No 170/2013 laying down transitional measures in the sugar sector by reason of the accession of Croatia** 6
- ★ **Commission Regulation (EU) No 969/2014 of 12 September 2014 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Calcium ascorbate (E 302) and Sodium alginate (E 401) in certain unprocessed fruit and vegetables ⁽¹⁾** 8
- ★ **Commission Implementing Regulation (EU) No 970/2014 of 12 September 2014 amending Regulation (EU) No 677/2011 laying down detailed rules for the implementation of air traffic management (ATM) network functions ⁽¹⁾** 11
- Commission Implementing Regulation (EU) No 971/2014 of 12 September 2014 establishing the standard import values for determining the entry price of certain fruit and vegetables 15

⁽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.

RECOMMENDATIONS

2014/663/EU:

- ★ **Commission Recommendation of 11 September 2014 amending the Annex to Recommendation 2013/711/EU on the reduction of the presence of dioxins, furans and PCBs in feed and food⁽¹⁾** 17

⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 966/2014

of 12 September 2014

amending Annex to Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards specifications for calcium propionate

(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 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Article 14 thereof,Having regard to Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Commission Regulation (EU) No 231/2012 ⁽³⁾ lays down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008.
- (2) Those specifications may be updated in accordance with the common procedure referred to in Article 3(1) of Regulation (EC) No 1331/2008, either on the initiative of the Commission or following an application.
- (3) On 10 September 2013, an application was submitted for the amendment of specifications concerning the food additive calcium propionate (E 282). The application was made available to the Member States pursuant to Article 4 of Regulation (EC) No 1331/2008.
- (4) The current specifications for calcium propionate (E 282) set a maximum fluoride level of 10 mg/kg which creates difficulties for the supply of raw materials and the production of that additive. Calcium propionate (E 282) is obtained from calcium oxide (E 529) for which a maximum fluoride level of 50 mg/kg is set. In order to produce calcium propionate complying with the currently established maximum fluoride level, manufacturers need to use calcium oxide with maximum fluoride levels of 33 mg/kg, which is below the currently authorised maximum level. As a consequence, there is hardly any calcium oxide available on the European market for the production of calcium propionate. In order to have a sufficient supply of calcium oxide for the production of calcium propionate the maximum level of fluoride for calcium propionate should be increased from 10 to 20 mg/kg.
- (5) The new maximum level of 20 mg/kg remains far below the maximum levels of fluoride currently in place for other food additives. The additional exposure to fluoride based on the new maximum level should remain limited and should not lead to an increase in the overall intake. It is therefore appropriate to allow the amendment of the specifications concerning the food additive calcium propionate (E 282).

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.⁽²⁾ OJ L 354, 31.12.2008, p. 1.⁽³⁾ Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).

- (6) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives, except where the update in question is not liable to have an effect on human health. Since the update concerned is not liable to have an effect on human health, it is not necessary to seek the opinion of the European Food Safety Authority.
- (7) Regulation (EU) No 231/2012 should therefore be amended accordingly.
- (8) 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

The Annex to Regulation (EU) No 231/2012 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 to all Member States.

Done at Brussels, 12 September 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

In the Annex to Regulation (EU) No 231/2012, in the entry for E 282 calcium propionate the specification for the purity of fluoride is replaced by the following:

Fluoride	Not more than 20 mg/kg
----------	------------------------

COMMISSION IMPLEMENTING REGULATION (EU) No 967/2014
of 12 September 2014
amending Regulation (EU) No 37/2010, as regards the substance 'lufenuron'
(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 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and the Council ⁽¹⁾, and in particular Article 14 in conjunction with Article 17 thereof,

Having regard to the opinion of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

- (1) The maximum residue limit (hereinafter 'MRL') for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry is to be established in accordance with Regulation (EC) No 470/2009.
- (2) Pharmacologically active substances and their classification regarding MRLs in foodstuffs of animal origin are set out in the Annex to Commission Regulation (EU) No 37/2010 ⁽²⁾.
- (3) An application for the establishment of maximum residue limits for lufenuron in salmonidae has been submitted to the European Medicines Agency.
- (4) The Committee for Medicinal Products for Veterinary Use recommended the establishment of a MRL for lufenuron for salmonidae, applicable to muscle and skin in natural proportions.
- (5) In accordance with Article 5 of Regulation (EC) No 470/2009 the European Medicines Agency is to consider using MRLs established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or MRLs established for a pharmacologically active substance in one or more species for other species.
- (6) The Committee for Medicinal Products for Veterinary Use recommended the extrapolation of the MRLs for lufenuron from salmonidae to other fin fish species.
- (7) Regulation (EU) No 37/2010 should therefore be amended to include the substance lufenuron for fin fish species.
- (8) It is appropriate to provide for a reasonable period of time for the stakeholders concerned to take measures that may be required to comply with the newly set MRL.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 37/2010 is amended as set out in the Annex to this Regulation.

Article 2

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

It shall apply from 12 November 2014.

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

Done at Brussels, 12 September 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Table 1 of the Annex to Regulation (EU) No 37/2010, an entry for the following substance is inserted in alphabetical order:

Pharmacologically active Substance	Marker residue	Animal Species	MRL	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
Lufenuron (RS-isomers)	Lufenuron (RS-isomers)	Fin fish	1 350 µg/kg	Muscle and skin in natural proportions	NO ENTRY	Antiparasitic agents/Agents (acting) against ectoparasites'

COMMISSION IMPLEMENTING REGULATION (EU) No 968/2014**of 12 September 2014****amending Implementing Regulation (EU) No 170/2013 laying down transitional measures in the sugar sector by reason of the accession of Croatia**

THE EUROPEAN COMMISSION,

Having regard to the Treaty of Accession of Croatia,

Having regard to the Act of Accession of Croatia ⁽¹⁾, and in particular Articles 41 and 16 thereof in conjunction with point 4 of Section 3(a) of Annex IV thereto,

Whereas:

- (1) Commission Implementing Regulation (EU) No 170/2013 ⁽²⁾ lays down transitional measures in the sugar sector by reason of the accession of Croatia to the Union. Section 2 of Chapter II of that Regulation deals with the determination and elimination of surplus quantities of sugar present in Croatia at the date of its accession. In particular it sets deadlines for the determination of the surplus sugar quantities, for their elimination and for the proofs of elimination to be provided by identified operators in Croatia. It also fixes reference periods to be used in the calculation of charges for Croatia if surplus sugar quantities are not eliminated.
- (2) Commission Implementing Regulation (EU) No 50/2014 ⁽³⁾ extended the deadlines set out in Implementing Regulation (EU) No 170/2013 as far as they concern the determination of surplus quantities of sugar due to the time required for thorough analysis of the information communicated by Croatia and discussion with that Member State and in order to ensure correct application of Chapter II, Section 2 of Implementing Regulation (EU) No 170/2013. In light of further information provided by Croatia it appears that the extension of the deadlines made by Implementing Regulation (EU) No 50/2014 is not sufficient and that, therefore, it is necessary to further extend those deadlines.
- (3) Implementing Regulation (EU) No 170/2013 should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 170/2013 is amended as follows:

- (1) in Article 7(1), '30 September 2014' is replaced by '31 December 2014';
- (2) in Article 9(1), '30 June 2015' is replaced by '30 September 2015';
- (3) Article 10 is amended as follows:
 - (a) '30 June 2015' is replaced by '30 September 2015';
 - (b) '29 February 2016' is replaced by '31 May 2016';
- (4) Article 11 is amended as follows:
 - (a) in paragraph 1, '30 September 2015' is replaced by '31 December 2015';
 - (b) in the fourth subparagraph of paragraph 2, '30 June 2015' is replaced by '30 September 2015';

⁽¹⁾ OJ L 112, 24.4.2012, p. 10.

⁽²⁾ Commission Implementing Regulation (EU) No 170/2013 of 25 February 2013 laying down transitional measures in the sugar sector by reason of the accession of Croatia (OJ L 55, 27.2.2013, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) No 50/2014 of 20 January 2014 amending Implementing Regulation (EU) No 170/2013 laying down transitional measures in the sugar sector by reason of the accession of Croatia (OJ L 16, 21.1.2014, p. 11).

(5) Article 12 is amended as follows:

- (a) in paragraph 1, '31 October 2015' is replaced by '31 January 2016';
- (b) paragraph 2 is amended as follows:
 - (i) in the first subparagraph, '30 June 2015' is replaced by '30 September 2015';
 - (ii) in the second subparagraph, '29 February 2016' is replaced by '31 May 2016';
 - (iii) in the third subparagraph, '31 December 2015' is replaced by '31 March 2016'.

Article 2

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

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

Done at Brussels, 12 September 2014.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 969/2014**of 12 September 2014****amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Calcium ascorbate (E 302) and Sodium alginate (E 401) in certain unprocessed fruit and vegetables****(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 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) The Union list of food additives may be updated in accordance with the common procedure referred to in Article 3(1) of Regulation (EC) No 1331/2008 of the European Parliament and of the Council ⁽²⁾ either on the initiative of the Commission or following an application.
- (3) An application for authorisation of the use of Calcium ascorbate (E 302) and Sodium alginate (E 401) as glazing agents in certain prepacked refrigerated unprocessed fruit and vegetables ready for consumption was submitted on 12 November 2012 and was made available to the Member States pursuant to Article 4 of Regulation (EC) No 1331/2008.
- (4) There is an increasing demand for fresh-cut fruit and vegetables, mainly because of their convenience as ready-to-eat products as well as for the health benefits associated with their consumption.
- (5) Prepacked refrigerated unprocessed fruit and vegetables ready for consumption are fresh fruit and vegetables which are washed before being peeled and/or cut and/or stalk removed, packed and kept cold by refrigeration. Some fruit and vegetables' constituents are susceptible to degradation when exposed to oxygen or light, to which the interior of the fruit and vegetables is exposed by peeling and/or cutting and/or having their stalk removed. Wounding of fruit and vegetables' tissues induces a number of physiological disorders such as oxidation, browning, etc. that decreases the nutritional quality of those foods and needs to be minimised.
- (6) There is a technological need for the use of Calcium ascorbate (E 302) and Sodium alginate (E 401) in certain prepacked refrigerated unprocessed fruit and vegetables ready for consumption. Those additives are used in combination to form an edible gel which is then applied to the surface of the fruit and vegetables providing a protective thin-coating, acting as a physical barrier to oxygen and moisture, reducing exudation and surface drying of those fruit and vegetables. As a result, physiological degradation reactions are reduced thus helping preserving the nutritional quality of the fruit and vegetables. Therefore, the gel allows a better and longer preservation of those fruit and vegetables.
- (7) The use of Calcium ascorbate (E 302) and Sodium alginate (E 401) as glazing agents would help enhancing the keeping quality of the prepacked, refrigerated unprocessed fruit and vegetables ready for consumption during their shelf-life and thus facilitating the availability and increasing the access to market of ready-to-eat fresh-cut fruit and vegetables.
- (8) Calcium ascorbate (E 302) and Sodium alginate (E 401) belong to the group of additives for which no acceptable daily intake has been specified ⁽³⁾. This implies that they do not represent a hazard to health at the levels necessary to achieve the desired technological effect.

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings (OJ L 354, 31.12.2008, p. 1).

⁽³⁾ Report from the Commission on Dietary Food Additive Intake in the European Union, COM(2001) 542 final.

- (9) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex II to Regulation (EC) No 1333/2008, except where the update in question is not liable to have an effect on human health. Since the authorisation of use of Calcium ascorbate (E 302) and Sodium alginate (E 401) as glazing agents in prepacked refrigerated unprocessed fruit and vegetables ready for consumption constitutes an update of the aforementioned list which is not liable to have an effect on human health, it is not necessary to seek the opinion of the European Food Safety Authority.
- (10) According to Annex II to Regulation (EC) No 1333/2008, the use of Calcium ascorbate (E 302) is already authorised for 'only prepacked refrigerated unprocessed fruit and vegetables ready for consumption and prepacked unprocessed and peeled potatoes' under the food category 04.1.2 'Peeled, cut and shredded fruit and vegetables'.
- (11) Therefore, it is appropriate to authorise the use of Sodium alginate (E 401) as glazing agent in the food category 04.1.2 'Peeled, cut and shredded fruit and vegetables' in Annex II to Regulation (EC) No 1333/2008, at the maximum level of 2 400 mg/kg, and only in combination with Calcium ascorbate (E 302) at the maximum level of 800 mg/kg in order to form an edible gel.
- (12) Following the above, Annex II to Regulation (EC) No 1333/2008 should be amended accordingly.
- (13) 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

Annex II to Regulation (EC) No 1333/2008 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, 12 September 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Part E of Annex II to Regulation (EC) No 1333/2008 the following entry is inserted in the food category 04.1.2 'Peeled, cut and shredded fruit and vegetables' after the entry for food additive E 333:

	E 401	Sodium alginate	2 400	(82)	only prepacked refrigerated unprocessed fruit and vegetables ready for consumption, to be sold to the final consumer
	(82): May only be used in combination with E 302 as glazing agents and with a maximum level of 800 mg/kg of E 302 in the final food.'				

COMMISSION IMPLEMENTING REGULATION (EU) No 970/2014**of 12 September 2014****amending Regulation (EU) No 677/2011 laying down detailed rules for the implementation of air traffic management (ATM) network functions****(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 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) ⁽¹⁾, and in particular Article 11 thereof,

Having regard to Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation) ⁽²⁾, and in particular Article 6 thereof,

Whereas:

- (1) Regulation (EC) No 551/2004 provides that the network functions shall aim at enhancing the overall performance of the ATM network and at supporting initiatives at national and functional airspace block level.
- (2) Pursuant to Commission Regulation (EU) No 677/2011 ⁽³⁾, the Commission was to review the effectiveness of the execution of the network functions by 31 December 2013, taking appropriate account of the reference periods of the performance scheme. A first review has highlighted the need for improvement of the related regulatory framework in some areas, in particular the tasks, governance and budget of the Network Manager and the relations with third countries.
- (3) The tasks given to the Network Manager require a multiannual work programme and related budget, working arrangements between the Network Manager and the Deployment Manager, and ad hoc activities to identify safety risks at network level. Appropriate arrangements should therefore be made in this connection.
- (4) Strategic objectives of the Network Strategy Plan should be duly taken into account in the business plans from the operational stakeholders. The procedure for adopting this plan should also be clarified.
- (5) The Network Management Board should be advised on operational matters by the operational stakeholders' executive managers.
- (6) The Network Management Board should definitively establish the multiannual work programme of the Network Manager and the Network Performance Plan, on the basis of the drafts prepared by the Network Manager. The Network Performance Plan is subsequently to be submitted to the Commission, in accordance with Commission Implementing Regulation (EU) No 390/2013 ⁽⁴⁾. The Network Management Board should also give its opinion on additional functions that might be entrusted to the Network Manager and on cooperative arrangements with third countries.
- (7) In order to be able to mitigate the impact of a network crisis, the European Aviation Crisis Coordination Cell (EACCC) should liaise with a network of State focal points and perform crisis exercises to anticipate a real time network crisis.
- (8) The budget of the Network Manager should be such that it allows the Network Manager to meet the targets identified in the performance scheme and to implement its work programme. The budget should be separately identifiable from the rest of the budget of the body appointed to act as the Network Manager where that body carries out any other activity.

⁽¹⁾ OJ L 96, 31.3.2004, p. 1.

⁽²⁾ OJ L 96, 31.3.2004, p. 20.

⁽³⁾ Commission Regulation (EU) No 677/2011 of 7 July 2011 laying down detailed rules for the implementation of air traffic management (ATM) network functions and amending Regulation (EU) No 691/2010 (OJ L 185, 15.7.2011, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions (OJ L 128, 9.5.2013, p. 1).

- (9) Regulation (EU) No 677/2011 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Single Sky Committee established by Article 5 of Regulation (EC) No 549/2004,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 677/2011 is amended as follows:

(1) In Article 4, paragraph 1 is amended as follows:

(a) point (i) is replaced by the following:

‘(i) support the different operational stakeholders in the execution of the obligations that are placed on them, in the deployment of air traffic management and/or air navigation services (ATM/ANS) systems and procedures in accordance with the ATM master plan, in particular the common projects specified in Article 15a(3) of Regulation (EC) No 550/2004 of the European Parliament and the Council (*);

(*) Regulation (EC) No 550/2004 of the European Parliament and the Council of 10 March 2004 on the provision of air navigation services in the single European sky (OJ L 96, 31.3.2004, p. 10).’

(b) the following points (l) to (q) are added:

‘(l) develop and maintain a work programme and associated budget providing a multiannual dimension;

(m) contribute to SESAR deployment in accordance with Commission Implementing Regulation (EU) No 409/2013 (*), in particular Article 9(7)(a) thereof;

(n) execute the work programme and annual budget;

(o) draw up a Network Performance Plan in accordance with Article 6 of Implementing Regulation (EU) No 390/2013;

(p) identify operational safety hazards at network level and assess the associated network safety risk;

(q) provide the Commission with an alerting or alarming system, based on the analysis of flight plans, in order to monitor compliance with operating bans imposed on air carriers under Regulation (EC) No 2111/2005 of the European Parliament and of the Council (**) and/or with other safety and security measures.

(*) Commission Implementing Regulation (EU) No 409/2013 of 3 May 2013 on the definition of common projects, the establishment of governance and the identification of incentives supporting the implementation of the European Air Traffic Management Master Plan (OJ L 123, 4.5.2013, p. 1).

(**) Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (OJ L 344, 27.12.2005, p. 15).’

(2) Article 5 is amended as follows:

(a) Paragraph 2 is replaced by the following:

‘2. The Network Strategy Plan shall be based on the indicative template set out in Annex IV. It shall be adopted by the Commission in accordance with Article 5(3) of Regulation (EC) No 549/2004, after the endorsement of the draft Network Strategy Plan by the Network Management Board.’

(b) The following paragraph 5 is added:

‘5. Operational stakeholders shall take due account of the Network Strategy Plan.’

(3) In paragraph 1 of Article 14 the following sentence is added:

‘A working party composed of the operational stakeholders’ directors of operations and/or representatives of the corresponding associations shall be established to provide operational advice to the Network Management Board.’

(4) Article 16 is amended as follows:

(a) Paragraph 1 is amended as follows:

(i) point (a) is replaced by the following:

‘(a) endorsing the draft Network Strategy Plan;’

(ii) In paragraph 1, the following points are added:

‘(o) approving the work programme referred to in point (l) of Article 4(1) and monitoring its implementation;

(p) approving the Network Performance Plan referred to in point (o) of Article 4(1);

(q) giving an opinion on possible additional functions that might be attributed to the Network Manager in application of Articles 6(3) or 6(4)(c) of Regulation (EC) No 551/2004;

(r) approving the cooperative arrangements referred to in Article 22.’

(b) Paragraph 8 is replaced by the following:

‘8. The decisions referred to in paragraph 1, points (a) to (d), points (g), (i), (l), (m), and (o) to (r) shall be adopted by the Network Management Board by simple majority of its members.’

(5) In Article 18, paragraph 2 is replaced by the following:

‘2. Permanent members of the EACCC shall consist of one representative of the Member State holding the Presidency of the Council, the Commission, the Agency, Eurocontrol, the Network Manager, the military, the air navigation services providers, the airports and the airspace users.’

(6) In Article 19, paragraph 2 is amended as follows:

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

‘(b) supporting the activation and coordination of contingency plans at Member State level in particular through a network of State focal points;’

(b) The following point is added:

‘(f) organising, facilitating and/or performing an agreed programme of crisis exercises involving Member States and operational stakeholders to anticipate real time network crisis.’

(7) Article 22 is replaced by the following:

‘Article 22

Relations with third countries

1. Third countries together with their operational stakeholders may participate in the work of the Network Manager.

2. The Network Manager may, where it has a direct impact on the performance of the network, enter into cooperative arrangements with air navigation service providers established in third countries other than those defined in Article 2(21) within the ICAO EUR and AFI regions.

3. In order to better perform the ATFM function referred to in Article 3(5), the Network Manager may, where it has a direct impact on the performance of the network, also enter into cooperative arrangements with air navigation service providers operating in regions other than the ICAO EUR and AFI regions in so far that cooperation activities are directly related to improving the performance of the network.’

(8) Article 23 is replaced by the following:

‘Article 23

Financing and budget of the Network Manager

1. Member States shall take the necessary measures for the funding of the network functions entrusted to the Network Manager based on air navigation charges. The Network Manager shall establish its costs in a clear and transparent manner.

2. The budget of the Network Manager shall in particular:
 - (a) be adequate for it to be able to meet the performance targets for the Network Manager in accordance with Article 6 of Implementing Regulation (EU) No 390/2013;
 - (b) be adequate for it to be able to implement the work programme of the Network Manager as referred to in Article 4(1)(l) of this Regulation;
 - (c) be set in separate accounts where the body appointed to act as the Network Manager performs activities other than those referred to in Article 4.
3. If its budget for the ongoing year is not endorsed, the Network Manager shall apply appropriate measures to ensure contingency mechanisms for business continuity of network functions.'

Article 2

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

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

Done at Brussels, 12 September 2014.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 971/2014**of 12 September 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 multilateral 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, 12 September 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	MK	62,5
	TR	65,0
	ZZ	63,8
0707 00 05	TR	123,9
	ZZ	123,9
0709 93 10	TR	131,2
	ZZ	131,2
0805 50 10	AR	173,7
	CL	171,3
	UY	144,8
	ZA	169,4
	ZZ	164,8
0806 10 10	BR	167,3
	EG	159,7
	MA	157,9
	MK	16,0
	TR	125,7
	ZZ	125,3
0808 10 80	BA	50,7
	BR	64,6
	CL	81,4
	NZ	111,4
	ZA	98,3
	ZZ	81,3
0808 30 90	CN	102,4
	TR	132,8
	XS	50,3
	ZA	120,5
	ZZ	101,5
0809 30	TR	128,3
	ZZ	128,3
0809 40 05	MK	39,2
	ZZ	39,2

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

RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 11 September 2014

amending the Annex to Recommendation 2013/711/EU on the reduction of the presence of dioxins, furans and PCBs in feed and food

(Text with EEA relevance)

(2014/663/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Action levels for dioxins and dioxin-like PCBs have been set by Commission Recommendation 2013/711/EU ⁽¹⁾ in order to stimulate a pro-active approach to reduce the presence of dioxins and dioxin-like PCBs in food.
- (2) It is appropriate to align the action level for dioxin-like PCBs in clays as food supplement to the action level applicable to the same clays intended for animal feed as established by Directive 2002/32/EC of the European Parliament and of the Council ⁽²⁾ and to align the action level for dioxins and dioxin-like PCBs in cereals intended for human consumption to the action levels applicable to cereals intended for animal feed.
- (3) Oilseeds have been found contaminated with dioxins and dioxin-like PCBs and while an action level was established for oilseeds intended for animal feed, no such level was established for oilseeds intended for human consumption. Therefore, it is appropriate to set action levels for dioxins and dioxin-like PCBs in oilseeds intended for human consumption.
- (4) For dried fruits and vegetables (including dried herbs) it is appropriate to apply specific concentration factors for the drying as provided for in Article 2 of Commission Regulation (EC) No 1881/2006 ⁽³⁾.
- (5) Recommendation 2013/711/EU should therefore be amended accordingly,

HAS ADOPTED THIS RECOMMENDATION:

The Annex to Recommendation 2013/711/EU is replaced by the Annex to this Recommendation

Done at Brussels, 11 September 2014.

For the Commission

Tonio BORG

Member of the Commission

⁽¹⁾ Commission Recommendation 2013/711/EU of 3 December 2013 on the reduction of the presence of dioxins, furans and PCBs in feed and food (OJ L 323, 4.12.2013, p. 37).

⁽²⁾ Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed (OJ L 140, 30.5.2002, p. 10).

⁽³⁾ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

ANNEX

‘ANNEX

For the purposes of this Annex the following definitions apply:

- (a) “Dioxins + furans (WHO-TEQ)” means the sum of polychlorinated dibenzo-para-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs), expressed as World Health Organisation (WHO) toxic equivalent using the WHO-toxic equivalency factors (WHO-TEFs);
- (b) “Dioxin-like PCBs (WHO-TEQ)” means the sum of polychlorinated biphenyls (PCBs), expressed as WHO toxic equivalent using the WHO-TEFs;
- (c) “WHO-TEFs” means the World Health Organisation toxic equivalence factors for human risk assessment based on the conclusions of the World Health Organization (WHO) — International Programme on Chemical Safety (IPCS) expert meeting which was held in Geneva in June 2005 (Martin van den Berg et al., The 2005 World Health Organization Re-evaluation of Human and Mammalian Toxic Equivalency Factors for Dioxins and Dioxin-like Compounds. Toxicological Sciences 93(2), 223–241 (2006)).

FOOD	ACTION LEVEL FOR DIOXINS + FURANS (WHO-TEQ) ⁽¹⁾	ACTION LEVEL FOR DIOXIN-LIKE PCBs (WHO-TEQ) ⁽¹⁾
Meat and meat products (excluding edible offal) ⁽²⁾ of the following animals		
— bovine animals and sheep	1,75 pg/g fat ⁽³⁾	1,75 pg/g fat ⁽³⁾
— poultry	1,25 pg/g fat ⁽³⁾	0,75 pg/g fat ⁽³⁾
— pigs	0,75 pg/g fat ⁽³⁾	0,50 pg/g fat ⁽³⁾
Mixed fats	1,00 pg/g fat ⁽³⁾	0,75 pg/g fat ⁽³⁾
Muscle meat of farmed fish and farmed fishery products	1,50 pg/g wet weight	2,50 pg/g wet weight
Raw milk ⁽²⁾ and dairy products ⁽²⁾ , including butter fat	1,75 pg/g fat ⁽³⁾	2,00 pg/g fat ⁽³⁾
Hen eggs and egg products ⁽²⁾	1,75 pg/g fat ⁽³⁾	1,75 pg/g fat ⁽³⁾
Clays as food supplement	0,50 pg/g wet weight	0,50 pg/g wet weight
Cereals and oilseeds	0,50 pg/g wet weight	0,35 pg/g wet weight
Fruits and vegetables (including fresh herbs) ⁽⁴⁾	0,30 pg/g wet weight	0,10 pg/g wet weight

⁽¹⁾ Upperbound concentrations: Upperbound concentrations are calculated assuming that all the values of the different congeners less than the limit of quantification are equal to the limit of quantification.

⁽²⁾ Foodstuffs listed in this category as defined in Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55).

⁽³⁾ The action levels are not applicable for food products containing < 2 % fat.

⁽⁴⁾ For dried fruits and dried vegetables (including dried herbs), Article 2 of Regulation (EC) No 1881/2006 is applicable. For dried herbs, a concentration factor as the consequence of drying of 7 has to be taken into account.’

