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EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1034/2014
of 25 September 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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, 25 September 2014.

For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A new motor vehicle of the pick-up type, with a compression-ignition internal combustion piston engine of a cylinder capacity of 2 179 cm³, a five-speed manual gearbox and one reverse gear. Its total gross weight is approximately 2 950 kg and its total load capacity is approximately 1 000 kg. The length of its wheelbase is 3 150 mm. The motor vehicle consists of two separate areas: — a four-door cabin, all doors are equipped with windows, and five seats, including the driver's seat, in two rows (two front seats and three back seats). The cabin has a standard interior with manually operated air conditioning, standard seats with adjustable three-point seat belts, adjustable front seat headrests, an adjustable steering column and lighting for the passenger space. It is equipped with a radio broadcast receiver, — an open load space with a length of 1 429 mm, equipped with a set of anchors to attach a load.	8703 32 19	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8703, 8703 32 and 8703 32 19. Classification under heading 8704 as a vehicle for the transport of goods is excluded, given its intended use, which is inherent to the entirety of its objective characteristics and general appearance, as a vehicle principally designed for the transport of persons. The absence of luxury interior features does not preclude classification as a vehicle for transport of persons. The vehicle has two rows of seats and the maximum inner length of the area for transport of goods is less than 50 % of the length of the wheelbase (see also the Explanatory Notes to the Combined Nomenclature to heading 8703). The vehicle is therefore to be classified under CN code 8703 32 19 as a new motor vehicle principally designed for the transport of persons.

COMMISSION IMPLEMENTING REGULATION (EU) No 1035/2014
of 25 September 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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

Done at Brussels, 25 September 2014.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
1. A turbine wheel of a nickel-based alloy comprising radially arranged blades and a central hub to be placed on the shaft of an exhaust-gas turbocharger. The wheel is the component of a turbine which transforms the energy of the incoming motor exhaust-gas into a rotational movement for driving the compressor wheel of the turbocharger. (*) See image 1	8411 99 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(b) to Section XVI and by the wording of CN codes 8411 and 8411 99 00. Classification under heading 8414 as parts of compressors is excluded as the turbine wheel is a part suitable for use solely or principally with an exhaust-gas turbine of heading 8411 (see also the Harmonized System Explanatory Notes (HSEN) to heading 8414, exclusion (a), and the Explanatory Notes to the Combined Nomenclature (CNEN) to subheading 8414 90 00). The turbine wheel is therefore to be classified under CN code 8411 99 00 as parts of gas turbines.
2. A turbine housing of base metal consisting of a cavity for the turbine wheel, an opening for the inlet exhaust-gas pipe and an opening for the outlet exhaust-gas pipe. The housing is the component of a turbine which contains the turbine wheel enabling it to transform the incoming motor exhaust-gas energy into a rotational movement for driving the compressor wheel of the turbocharger. (*) See image 2	8411 99 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(b) to Section XVI and by the wording of CN codes 8411 and 8411 99 00. Classification under heading 8414 as parts of compressors is excluded as the turbine housing is a part suitable for use solely or principally with an exhaust-gas turbine of heading 8411 (see also the HSEN to heading 8414, exclusion (a), and the CNEN to subheading 8414 90 00). The turbine housing is therefore to be classified under CN code 8411 99 00 as parts of gas turbines.

(*) The images are purely for information.

Image 1



Image 2



COMMISSION IMPLEMENTING REGULATION (EU) No 1036/2014
of 25 September 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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, 25 September 2014.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
A printed circuit assembly presented for incorporation into a reception apparatus for television incorporating a LCD screen and a video reproducing apparatus. The assembly comprises the following interfaces for connecting with external apparatus: — VGA input, — HDMI inputs (HDCP supported), — RGB video inputs (SCART connectors), — video component input, — CVBS video input and output, — audio input and output, — loudspeaker output, — USB socket. The assembly also comprises several internal interfaces, for example, a low-voltage differential signalling (LVDS) interface for connecting with a LCD screen and an interface to the internal power supply. The assembly does not incorporate a so-called 'tuner' comprising radio frequency circuits (RF block), intermediate frequency circuits (IF block) and demodulation circuits (DEM block), for the reception of digital television signals. The LCD screen is not included upon presentation. The assembly performs several functions, for example, analogue-digital conversion, video decoding (for example, MPEG4), scaling, audio decoding, audio amplification, HDMI receiver and LVDS output transmitter for an LCD screen. In addition to standard video or television signals, the scaler is also able to process several incoming resolutions of the automatic-data processing (ADP) machine type (up to 1 920 × 1 080 pixels) into the native resolution of a LCD screen. The assembly is able to reproduce images and sound from an USB memory.	8529 90 65	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(b) to Section XVI and by the wording of CN codes 8529, 8529 90 and 8529 90 65. The assembly does not only have electronic components performing a video reproducing function, but it also contains components performing additional functions, such as the LVDS output transmitter for a LCD screen and the scaler which is, due to its ability to process several automatic data-processing type resolutions, specifically designed for reception apparatus for television incorporating a LCD screen. As the assembly contains more components (functionalities) than covered by heading 8521, classification under that heading as video reproducing apparatus is excluded. As the LCD screen is missing, classification under subheading 8528 72 40 as a reception apparatus for television with a screen is excluded. The assembly is therefore to be classified under CN code 8529 90 65 as electronic assemblies for apparatus of heading 8528.

COMMISSION IMPLEMENTING REGULATION (EU) No 1037/2014
of 25 September 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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Done at Brussels, 25 September 2014.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
1. A semiconductor component (so-called 'LED module') comprising a LED chip connected in parallel with a Zener protection diode, presented in a plastic housing with a domed transparent plastic cover, with dimensions of approximately 7 × 7 × 5 mm, without connecting pads. The physical construction of the component is indivisible in the sense that, although some of the elements could theoretically be removed and replaced, this would be a long and delicate task which would be uneconomic under normal manufacturing conditions. The LED module is designed to be assembled onto printed circuit boards by using, for example, surface-mount device (SMD) soldering techniques. It is presented for use in illumination applications such as mobile phone flash, automotive lighting, projectors, traffic signals, and household appliances. (*) See image 1.	8541 40 10	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 8 to Chapter 85 and by the wording of CN codes 8541, 8541 40 and 8541 40 10. As the LED chip and the protection diode are combined to all intents and purposes indivisibly and the protection diode is only used for protecting the LED chip against overvoltage, the module's characteristics and properties as a light-emitting diode of heading 8541 are therefore not fundamentally altered. Consequently, by application of note 8 to Chapter 85, last paragraph, classification of the component under heading 9405 is excluded. The component is therefore to be classified under CN code 8541 40 10 as light-emitting diodes.
2. A semiconductor component comprising a LED module mounted by soldering on a metal-core printed circuit board, with a height of approximately 7 mm and a diameter of approximately 21 mm. The LED module comprises a LED chip connected in parallel with a Zener protection diode, presented in a plastic housing with a domed transparent plastic cover. The metal-core printed circuit board is specifically designed as a heat sink; it contains soldering pads for connecting the power supply and is shaped for final application in lighting fitting articles. It is presented for use in illumination applications such as mobile phone flash, automotive lighting, projectors, traffic signals, and household appliances. (*) See image 2.	8541 40 10	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 8 to Chapter 85 and by the wording of CN codes 8541, 8541 40 and 8541 40 10. Although the component comprises a LED module and a printed circuit board which can be disassembled, the function of the component remains the same as that of the LED module alone. The sole function of the metal-core printed circuit board is dissipating heat (heat sink) as the printed circuit does not provide any interconnections with other components but only allows a better thermal transfer from the LED module to the surrounding media. The component is thus to be classified as a LED module alone. As the LED chip and the protection diode are combined to all intents and purposes indivisibly and the protection diode is only used for protecting the LED chip against overvoltage, the module's characteristics and properties as a light-emitting diode of heading 8541 are therefore not fundamentally altered. Consequently, by application of note 8 to Chapter 85, last paragraph, classification of the component under heading 9405 is excluded. The component is therefore to be classified under CN code 8541 40 10 as light-emitting diodes.

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
3. A semiconductor component (so-called 'LED package') comprising four LED chips, each one connected in parallel with a Zener protection diode, presented in a plastic housing with a transparent glass window on top and eight contact pads on the back, with dimensions of approximately 6 × 5 × 1 mm. The physical construction of the component is indivisible in the sense that, although some of the elements could theoretically be removed and replaced, this would be a long and delicate task which would be uneconomic under normal manufacturing conditions. The LED chips are not interconnected. The interconnections between the LED chips and the Zener diodes are made by wire bonding. The LED package is designed to be assembled onto printed circuit boards by using, for example, SMD soldering techniques. It is presented for use in illumination applications such as stage and entertainment lighting, mood lighting and architectural lighting indoor and outdoor. (*) See image 3.	8541 40 10	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 8 to Chapter 85 and by the wording of CN codes 8541, 8541 40 and 8541 40 10. As the LED chips and the protection diodes are combined to all intents and purposes indivisibly, and the protection diodes are only used for protecting the LED chips against overvoltage, independently of the number of LED chips, the component's characteristics and properties as a light-emitting diode of heading 8541 is therefore not fundamentally altered. Consequently, by application of note 8 to Chapter 85, last paragraph, classification of the component under heading 9405 is excluded. The component is therefore to be classified under CN code 8541 40 10 as light-emitting diodes.
4. A semiconductor component (so-called 'LED array') comprising 156 LED chips presented in a circular plastic housing with a transparent plastic cover and two electrical contact pads on top and a metallic heat sink on the back, with a height of approximately 2 mm and a diameter of approximately 49 mm. The physical construction of the component is indivisible in the sense that, although some of the elements could theoretically be removed and replaced, this would be a long and delicate task which would be uneconomic under normal manufacturing conditions. The LED chips are interconnected in a series-parallel array with the interconnections made by wire bonding. The LED array is designed to be assembled by screwing it to the final product. It is presented for use in general illumination applications such as retail and hospitality lighting, commercial and office lighting, residential and consumer lighting, industrial lighting, street and exterior area lighting and retrofit lamps. (*) See image 4.	8541 40 10	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 8 to Chapter 85 and by the wording of CN codes 8541, 8541 40 and 8541 40 10. As the component is only composed of LED chips which are combined to all intents and purposes indivisibly, independently of the number of LED chips, the component still falls within heading 8541. Consequently, by application of note 8 to Chapter 85, last paragraph, classification of the component under heading 9405 is excluded. The component is therefore to be classified under CN code 8541 40 10 as light-emitting diodes.

(*) The images are purely for information.

Image 1*Image 2**Image 3**Image 4*

COMMISSION IMPLEMENTING REGULATION (EU) No 1038/2014
of 25 September 2014
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN codes indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN codes indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

Article 3

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, 25 September 2014.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
1. A plastic tube with a length of 142 cm with a plastic balloon at one end (so-called 'balloon catheter'). The proximal segment of the catheter has a diameter of 0,63 mm and is made of hypotube material and coated with polytetrafluorethylene (PTFE). The distal segment of the catheter has a diameter in a range from 0,79 to 1,02 mm and is made of polyether bloc amide (PEBA) material and coated with hydrophilic material. The balloon has a length of 6 to 27 mm and a diameter of 2 to 5 mm. The tube has a Luer connection, an atraumatic (flexible) tip and 2 golden marker bands. The Luer connection makes it possible to connect the tube to an inflating device which is used to inflate the balloon. The atraumatic tip is used to move the catheter via a vein up through the body into the coronary artery. When the catheter is on the right place in the coronary artery, the balloon is inflated so that the fatty deposits (atherosclerotic plaque) are pressed against the wall of the vein. By compressing the plaque, the inside diameter of the vein increases. The marker bands make it possible to locate the exact position of the atraumatic tip in the body. The balloon catheter is removed from the body and discarded after treatment. The article is presented in packaging and is sterilised. (*) See image 1	9018 39 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 9018 and 9018 39 00. Due to its objective characteristics, namely the combination of the balloon, the atraumatic tip, the golden marker bands and the Luer connection, the tube can, upon presentation, be identified as an instrument or appliance of Chapter 90, used in medical sciences. Classification under heading 9021 is excluded as the tube is not implanted in the body to compensate for a defect or disability but it is removed after treatment. The product is therefore to be classified under CN code 9018 39 00 as catheters (see also the Harmonized System Explanatory Notes (HSEN) to heading 9018, Group (I)).

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
2. A plastic curved tube (so-called 'guide catheter') with an inner diameter ranging from 1,47 mm to 2,29 mm and a length of 100 cm with a radiopaque marker and an atraumatic (flexible) tip. The article comprises a double interlock knit flat section of stainless steel, encapsulated in plastic material (PEBA, polyphthalamide (PPA), Nylon) and it has a lubricant coating applied to the silicon inner surface of the guide catheter. The guide catheter enables access to the coronary artery through a vein. Other appliances can be directed by this guide catheter to the artery. The radiopaque marker makes it possible to locate the exact position of the atraumatic tip in the body. The guide catheter is removed from the body and discarded after treatment. The article is presented in packaging and is sterilised. (*) See image 2	9018 39 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 9018 and 9018 39 00. Due to its objective characteristics, namely the combination of the curve, the radiopaque marker, the atraumatic tip and the lubricant coating, the tube can, upon presentation, be identified as an instrument or appliance of Chapter 90, used in medical sciences. Classification under heading 9021 is excluded as the tube is not implanted in the body to compensate for a defect or disability but it is removed after treatment. The product is therefore to be classified under CN code 9018 39 00 as catheters (see also the HSEN to heading 9018, Group (I)).
3. A flexible metal wire (so-called 'guide wire') with a diameter of 0,35 mm, a length ranging from 180-300 cm, two radiopaque markers and a rounded tip. The wire is made of a metal alloy for biomedical use, with a proximal coating of PTFE and a distal coating of silicone or hydrophilic material. The radiopaque markers make it possible to locate the exact position of the wire in the body. The wire is used for guiding and positioning devices for interventions in the coronary artery. The guide wire is removed from the body and discarded after treatment. The article is presented in packaging and is sterilised. (*) See image 3	9018 39 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 9018 and 9018 39 00. Due to its objective characteristics, namely the combination of the design and the radiopaque markers, the wire can, upon presentation, be identified as an instrument or appliance of Chapter 90, used in medical sciences. Classification under heading 9021 is excluded as the wire is not implanted in the body to compensate for a defect or disability but it is removed after treatment. The product is therefore to be classified under CN code 9018 39 00 as wire guides (see also the HSEN to heading 9018 Group (I)).

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
4. A hand-operated inflation device made of high-strength polycarbonate, equipped with a manometer and a volume scale. It has a high pressure hose connection (Luer-type) and can inflate, with precise pressure adjustments, up to 20 atmospheres (atm). The device is to be used in a medical environment for the inflation and deflation of balloon catheters. The manometer is used for monitoring the pressure inside the balloon catheter when inflating or deflating and during surgery. The volume scale indicates the amount of liquid (maximum 20 ml) that is, by means of pressure, inserted into the catheter and also the amount of liquid that flows back freely as the balloon deflates. The Luer connection makes it possible to connect the inflation device to the balloon catheter. The device is for single patient use only and is discarded after treatment. The article is presented in packaging and is sterilised. (*) See image 4	9018 90 84	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9018, 9018 90 and 9018 90 84. As a small amount of liquid is inserted into the catheter by means of pressure, but then flows back freely, the device does not raise or otherwise continuously displace volumes of liquids (see the HSEN to heading 8413, first paragraph). Consequently, classification under heading 8413 as pumps for liquids is excluded. Due to its objective characteristics, namely the combination of the design, the precise pressure adjustments, the small amount of liquid used and the Luer-type connection, the article can, upon presentation, be identified as an instrument or appliance of Chapter 90, used in medical sciences (see also the HSEN to heading 9018, fifth paragraph). Classification under heading 9021 is excluded as the article is not worn, carried or implanted in the body to compensate for a defect or disability. The product is therefore to be classified under CN code 9018 90 84 as other instruments and appliances used in medical, surgical, dental or veterinary sciences.

(*) The images are purely for information.

Image 1

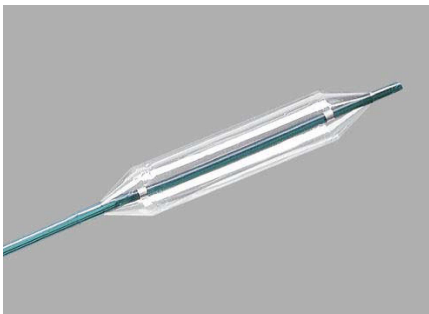
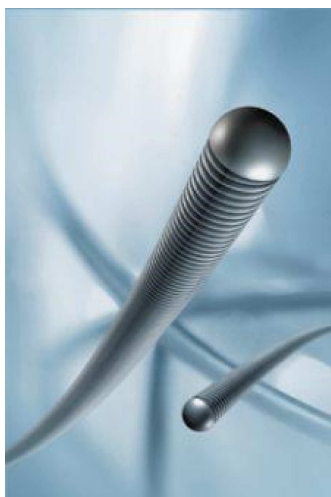


Image 2



Image 3*Image 4*

COMMISSION IMPLEMENTING REGULATION (EU) No 1039/2014
of 30 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 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⁾,

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, 30 September 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 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	168,9
	MK	65,0
	TR	76,0
	XS	74,9
	ZZ	96,2
0707 00 05	MK	29,8
	TR	100,9
	ZZ	65,4
0709 93 10	TR	110,4
	ZZ	110,4
0805 50 10	AR	132,3
	CL	136,0
	IL	107,6
	TR	108,6
	UY	128,2
	ZA	152,7
	ZZ	127,6
0806 10 10	BR	167,5
	MK	103,8
	TR	121,9
	ZZ	131,1
0808 10 80	BA	41,5
	BR	56,4
	CL	114,7
	NZ	120,5
	US	135,4
	ZA	106,8
	ZZ	95,9
0808 30 90	CN	104,2
	TR	117,2
	ZZ	110,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL IMPLEMENTING DECISION

of 25 September 2014

on subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypyrovalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures

(2014/688/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances ⁽¹⁾, and in particular Article 8(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Risk assessment reports on the new psychoactive substances 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypyrovalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) were drawn up in compliance with Decision 2005/387/JHA by a special session of the extended Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), and were subsequently submitted to the Commission and to the Council on 23 April 2014.
- (2) 25I-NBOMe, AH-7921, MDPV and methoxetamine had not been under assessment at the United Nations' level by the time the risk assessment was requested at Union level, but they were evaluated in June 2014 by the Expert Committee on Drug Dependence of the World Health Organization.
- (3) 25I-NBOMe, AH-7921, MDPV and methoxetamine have no established or acknowledged medical use (human or veterinary). Apart from their use in analytical reference materials, and in scientific research investigating their chemistry, pharmacology and toxicology as a result of their emergence on the drug market — and, in the case of 25I-NBOMe, also in the field of neurochemistry — there is no indication that they are being used for other purposes.
- (4) 25I-NBOMe is a potent synthetic derivative of 2,5-dimethoxy-4-iodophenethylamine (2C-I), a classical serotonergic hallucinogen, which was subject to risk assessment and to control measures and criminal sanctions at Union level from 2003 by Council Decision 2003/847/JHA ⁽²⁾.
- (5) The specific physical effects of 25I-NBOMe are difficult to determine because there are no published studies assessing its acute and chronic toxicity, its psychological and behavioural effects, and dependence potential, and because of the limited information and data available. Clinical observations of individuals who have used this substance suggest that it has hallucinogenic effects and has the potential for inducing severe agitation, confusion, intense auditory and visual hallucinations, aggression, violent accidents and self-induced trauma.

⁽¹⁾ OJ L 127, 20.5.2005, p. 32.

⁽²⁾ Council Decision 2003/847/JHA of 27 November 2003 concerning control measures and criminal sanctions in respect of the new synthetic drugs 2C-I, 2C-T-2, 2C-T-7 and TMA-2 (OJ L 321, 6.12.2003, p. 64).

- (6) There have been four deaths associated with 25I-NBOMe registered in three Member States. Severe toxicity associated with its use has been reported in four Member States, which notified 32 non-fatal intoxications. If this new psychoactive substance were to become more widely available and used, the implications for individual and public health could be significant. There is no information available on the social risks associated with 25I-NBOMe.
- (7) 22 Member States and Norway have reported to the EMCDDA and European Police Office (Europol) that they detected 25I-NBOMe. No prevalence data is available on the use of 25I-NBOMe, but the limited information that exists suggests that it may be consumed in a wide range of settings, such as at home, in bars, nightclubs and at music festivals.
- (8) 25I-NBOMe is openly marketed and sold on the internet as a 'research chemical' and information from seizures, collected samples, user websites and internet retailers suggests that it is being sold as a drug in its own right and also marketed as a 'legal' replacement for LSD. EMCDDA identified more than 15 internet retailers selling this substance, who may be based within the Union and China.
- (9) The risk assessment report reveals that there is limited scientific evidence available on 25I-NBOMe and points out that further research would be needed to determine the health and social risks that it poses. However, the available evidence and information provides sufficient ground for subjecting 25I-NBOMe to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it and of the lack of medical value or use of the substance, 25I-NBOMe should be subjected to control measures across the Union.
- (10) Since six Member States control 25I-NBOMe under national legislation complying with the obligations of the 1971 United Nations Convention on Psychotropic Substances, and seven Member States use other legislative measures to control it, subjecting this substance to control measures across the Union would help avoid the emergence of obstacles to cross-border law enforcement and judicial cooperation, and would help protect against the risks that its availability and use can pose.
- (11) AH-7921 is a structurally atypical synthetic opioid analgesic commonly known by internet suppliers, user websites and media as 'doxylam'. It can be easily confused with 'doxylamine', an antihistaminic medicine with sedative-hypnotic properties, which could lead to unintentional overdoses.
- (12) The specific physical effects of AH-7921 are difficult to determine because there are no published studies assessing its acute and chronic toxicity, its psychological, behavioural effects, and dependence potential, as well as the limited information and data available. Based on user reports, the effects of AH-7921 appear to resemble those of classical opioids with the feeling of mild euphoria, itchiness and relaxation; nausea appears to be a typical adverse effect. In addition to self-experimentation with AH-7921, as well as 'recreational use', some of the users report self-medicating with this new drug to relieve pain, others to alleviate withdrawal symptoms due to cessation of the use of other opioids. This may indicate a potential of AH-7921 to spread among the injecting opioid population.
- (13) There is no prevalence data on the use of AH-7921, but the information available suggests that it is not widely used, and that when it is used, that use is in the home environment.
- (14) 15 fatalities were recorded in three Member States between December 2012 and September 2013 where AH-7921, alone or in combination with other substances, was detected in post-mortem samples. While it is not possible to determine with certainty the role of AH-7921 in all of those fatalities, in some cases it has been specifically noted in the cause of death. One Member State reported six non-fatal intoxications associated with AH-7921. If this new psychoactive substance were to become more widely available and used, the implications for individual and public health could be significant. There is no information available on the social risks associated with AH-7921.
- (15) The risk assessment report reveals that there is limited scientific evidence available on AH-7921 and points out that further research would be needed to determine the health and social risks that it poses. However, the available evidence and information provides sufficient ground for subjecting AH-7921 to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it, and of the lack of medical value or use of the substance, AH-7921 should be subjected to control measures across the Union.

- (16) Since one Member State controls AH-7921 under national legislation complying with the obligations of the 1971 United Nations Convention on Psychotropic Substances and five Member States use other legislative measures to control it, subjecting this substance to control measures across the Union would help avoid the emergence of obstacles in cross-border law enforcement and judicial cooperation, and would help protect against the risks that its availability and use can pose.
- (17) MDPV is a ring-substituted synthetic derivative of cathinone chemically related to pyrovalerone, which are both subject to control under the 1971 United Nations Convention on Psychotropic Substances.
- (18) Information on the chronic and acute toxicity associated with MDPV, as well as on psychological and behavioural effects, and on dependence potential, is not collected uniformly across the Union. Information from published studies, confirmed by clinical cases, suggests that the psychopharmacological profile observed for MDPV is similar to that for cocaine and methamphetamine, albeit more potent and longer lasting. Furthermore, MDPV was found to be 10 times more potent in its ability to induce locomotor activation, tachycardia and hypertension.
- (19) Users' websites indicate that its acute toxicity can provoke adverse effects on humans, similar to those associated with other stimulants. These include paranoid psychosis, tachycardia, hypertension, diaphoresis, breathing problems, severe agitation, auditory and visual hallucinations, profound anxiety, hyperthermia, violent outbursts and multiple organ dysfunctions.
- (20) 108 fatalities were registered in eight Member States and Norway between September 2009 and August 2013, where MDPV has been detected in post-mortem biological samples or implicated in the cause of death. A total of 525 non-fatal intoxications associated with MDPV have been reported by eight Member States. If this new psychoactive substance were to become more widely available and used, the implications for individual and public health could be significant.
- (21) The detection of MDPV has also been reported in biological samples related to fatal and non-fatal road traffic accidents, or driving under the influence of drugs, in four Member States since 2009.
- (22) MDPV has been present in the Union drug market since November 2008 and 27 Member States, Norway and Turkey reported multi-kilogram seizures of the substance. MDPV is being sold as a substance in its own right, but it has also been detected in combination with other substances. It is widely available from internet suppliers and retailers, 'head shops' and street-level dealers. There are some indications that suggest a degree of organisation in the tableting and distribution of this substance in the Union.
- (23) The risk assessment report reveals that further research would be needed to determine the health and social risks posed by MDPV. However, the available evidence and information provides sufficient ground for subjecting MDPV to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it, and of the lack of medical value or use of the substance, MDPV should be subjected to control measures across the Union.
- (24) Since 21 Member States control MDPV under national legislation complying with the obligations of the 1971 United Nations Convention on Psychotropic Substances and four Member States use other legislative measures to control it, subjecting this substance to control measures across the Union would help avoid the emergence of obstacles in cross-border law enforcement and judicial cooperation, and would protect against the risks that its availability and use can pose.
- (25) Methoxetamine is an arylcyclohexylamine substance which is chemically similar to ketamine and the internationally controlled substance phencyclidine (PCP). Like ketamine and PCP, it has dissociative properties.
- (26) There are no studies assessing the chronic and acute toxicity associated with methoxetamine, as well as its psychological and behavioural effects, and dependence potential. Self-reported experiences from user websites suggest adverse effects similar to ketamine intoxication. These include nausea and severe vomiting, difficulty in breathing, seizures, disorientation, anxiety, catatonia, aggression, hallucination, paranoia and psychosis. In addition, acute methoxetamine intoxications may include stimulant effects (agitation, tachycardia and hypertension) and cerebral features, which are not expectable with acute ketamine intoxication.

- (27) Twenty deaths associated with methoxetamine were reported by six Member States that detected the substance in post-mortem samples. Used alone or in combination with other substances, methoxetamine was detected in 20 non-fatal intoxications reported by five Member States. If this new psychoactive substance were to become more widely available and used, the implications for individual and public health could be significant.
- (28) 23 Member States, Turkey and Norway have reported that they detected methoxetamine, since November 2010. Information suggests that it is sold and used as a substance in its own right, but it is also sold as a 'legal' replacement for ketamine by internet retailers, 'head shops' and street-level drug dealers.
- (29) Multi-kilogram quantities in powder form were seized within the Union, but there is no information on the possible involvement of organised crime. The manufacture of methoxetamine does not require sophisticated equipment.
- (30) Prevalence data are limited to non-representative studies in two Member States. Those studies suggest that the prevalence of the use of methoxetamine is lower than that of ketamine. The available information suggests that it may be consumed in a wide range of settings, including at home, in bars, nightclubs and at music festivals.
- (31) The risk assessment report reveals that further research would be needed to determine the health and social risks posed by methoxetamine. However, the available evidence and information provides sufficient grounds for subjecting methoxetamine to control measures across the Union. As a result of the health risks that it poses, as documented by its detection in several reported fatalities, of the fact that users may unknowingly consume it, and of the lack of medical value or use, methoxetamine should be subjected to control measures across the Union.
- (32) Since nine Member States control methoxetamine under national legislation complying with the obligations of the 1971 United Nations Convention on Psychotropic Substances and nine Member States use other legislative measures to control it, subjecting this substance to control measures across the Union would help avoid the emergence of obstacles in cross-border law enforcement and judicial cooperation, and would protect against the risks that its availability and use can pose.
- (33) Decision 2005/387/JHA reserves to the Council implementing powers with a view to giving a quick and expertise-based response at the Union level to the emergence of new psychoactive substances detected and reported by the Member States, by submitting those substances to control measures across the Union. As the conditions and procedure for triggering the exercise of such implementing powers have been met, an implementing decision should be adopted in order to put 25I-NBOMe, AH-7921, MDPV and methoxetamine under control across the Union,

HAS ADOPTED THIS DECISION:

Article 1

The following new psychoactive substances shall be subjected to control measures across the Union:

- (a) 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl) phenethylamine(25I-NBOMe);
- (b) 3,4-dichloro-N-[[1-dimethylamino] cyclohexyl]methyl] benzamide (AH-7921);
- (c) 3,4-methylenedioxypyrovalerone (MDPV);
- (d) 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine).

Article 2

By 2 October 2015, Member States shall subject in accordance with their national legislation, the new psychoactive substances referred to in Article 1 to control measures and criminal penalties, as provided for under their legislation complying with their obligations under the 1971 United Nations Convention on Psychotropic Substances.

Article 3

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

Done at Brussels, 25 September 2014.

For the Council
The President
F. GUIDI

COMMISSION IMPLEMENTING DECISION**of 29 September 2014****on measures to prevent the introduction into the Union of the foot-and-mouth disease virus from
Algeria, Libya, Morocco and Tunisia***(notified under document C(2014) 6868)***(Text with EEA relevance)****(2014/689/EU)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(6) thereof,

Whereas:

- (1) Directive 91/496/EEC lays down the principles of veterinary checks on animals entering the Union from third countries. It lays down the measures which can be adopted by the Commission, if a disease liable to present a serious threat to animal or public health manifests itself or spreads in the territory of a third country.
- (2) Directive 97/78/EC lays down the principles of veterinary checks on products entering the Union from third countries. It lays down the measures which can be adopted by the Commission, if a disease liable to present a serious threat to animal or public health manifests itself or spreads in the territory of a third country.
- (3) Foot-and-mouth disease is endemic in Libya and has been confirmed in Tunisia since 25 April 2014 and in Algeria since 23 July 2014.
- (4) Foot-and-mouth disease is one of the most contagious diseases of cattle, sheep, goats and pigs. The virus causing the disease has the potential for rapid spread, notably through products obtained from infected animals and contaminated inanimate objects including means of transport like livestock vehicles. The virus can also persist in a contaminated environment outside the host animal for several weeks depending on the temperature.
- (5) The presence of foot-and-mouth disease in Algeria, Libya and Tunisia is liable to constitute a serious risk to the livestock population of the Union.
- (6) Although foot-and-mouth disease has not been confirmed in Morocco, that third country is a potential country of transit for the livestock vehicles returning from Algeria, Libya and Tunisia to the Union.
- (7) The drastic deterioration of the foot-and-mouth disease situation in Libya and its spread to and within Tunisia and Algeria require to adopt certain protection measures at the Union level which take into account the survival of the foot-and-mouth disease virus in the environment and potential transmission routes of that virus.
- (8) Livestock vehicles and vessels used for the transport of live animals to Algeria, Libya or Tunisia may be contaminated with the foot-and-mouth disease virus in those infected countries and therefore constitute a risk of introducing the disease upon their return to the Union.
- (9) Appropriate cleansing and disinfection of livestock vehicles and vessels is the most appropriate way to reduce the risk of rapid virus transmission over large distances.

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

- (10) It is therefore appropriate to ensure that all livestock vehicles and vessels which have transported live animals to destinations in Algeria, Libya or Tunisia are appropriately cleansed and disinfected and that such cleansing and disinfection is properly documented in the declaration submitted by the operator or driver to the competent authority at the point of entry.
- (11) The operator or driver should ensure that for each livestock vehicle and vessel a cleansing and disinfection certificate is retained for a minimum period of three years.
- (12) Member States should have the possibility to subject vehicles which transport feed from or have transported feed to infected countries and for which a significant risk of introduction of foot-and-mouth disease into the territory of the Union cannot be excluded to on-the-spot disinfection of the wheels or any other part of the vehicle deemed necessary to mitigate that risk.
- (13) In addition, although imports of live animals of species susceptible to foot-and-mouth disease are not authorised from any country in Africa, the importation of certain categories of equidae is authorised from Algeria, Libya and Tunisia in accordance with Council Directive 2009/156/EC ⁽¹⁾ and equidae from those third countries may transit the Union on their way to another third country in accordance with Commission Decision 2010/57/EU ⁽²⁾. Therefore, Member States should have the possibility to subject livestock vehicles carrying equidae coming from those third countries to on-the-spot disinfection of the wheels or any other part of the vehicle deemed necessary to mitigate the risk of introduction of foot-and-mouth disease into the Union.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of this Decision, 'livestock vehicle' or 'livestock vessel' means any vehicle or vessel being used or which has been used for the transport of live terrestrial animals.

Article 2

1. Member States shall ensure that the operator or driver of a livestock vehicle or livestock vessel on arrival from Algeria, Morocco, Libya or Tunisia provides to the competent authority of the Member State at the point of entry in the Union information showing that the livestock or loading compartment, where applicable the truck body, the loading ramp, the equipment having been in contact with animals, the wheels and the driver's cabin and protective clothes/boots used during unloading have been cleansed and disinfected after the last unloading of animals.
2. The information referred to in paragraph 1 shall be included in a declaration completed in accordance with the model set out in Annex I or in any other equivalent format which includes at least the information set out in that model.
3. The original of the declaration referred to in paragraph 2 shall be kept by the competent authority for a period of three years.

Article 3

1. The competent authority of the Member State of the point of entry into the Union shall visually check livestock vehicles coming from Algeria, Libya, Morocco or Tunisia in order to determine whether they have been satisfactorily cleansed and disinfected.
2. The competent authority responsible for the issuing of the animal health certificate for imports into Algeria, Libya, Morocco or Tunisia of live animals to be loaded shall visually check livestock vessels in order to determine whether they have been satisfactorily cleansed and disinfected prior to loading the animals.

⁽¹⁾ Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae (OJ L 192, 23.7.2010, p. 1).

⁽²⁾ Commission Decision 2010/57/EU of 3 February 2010 laying down health guarantees for the transit of equidae being transported through the territories listed in Annex I to Council Directive 97/78/EC (OJ L 32, 4.2.2010, p. 9).

3. Where the checks referred to in paragraphs 1 and 2 show that cleansing and disinfection have been satisfactorily carried out or where the competent authorities have in addition to the measures provided for in paragraph 1 ordered, organised and carried out additional disinfection of previously cleansed livestock vehicles or vessels, the competent authority shall attest that fact by issuing a certificate in accordance with the model set out in Annex II.
4. Where the checks referred to in paragraph 1 and 2 show that cleansing and disinfection of the livestock vehicle or vessel have not been satisfactorily carried out, the competent authority shall take one of the following measures:
- (a) subject the livestock vehicle or vessel to proper cleansing and disinfection at a place designated by the competent authority, as close as possible to the point of entry into the Member State concerned and issue the certificate referred to in paragraph 3;
 - (b) where there is no suitable facility for the cleansing and disinfection in the vicinity of the point of entry or where there is a risk that residual animal products may escape from the uncleansed livestock vehicle or vessel:
 - (i) refuse the entry into the Union of the livestock vehicle or vessel; or
 - (ii) perform a preliminary on-the-spot disinfection of the livestock vehicle or vessel not satisfactorily cleansed and disinfected pending the application of the measures provided for in point (a).
5. The original of the certificate referred to in paragraph 3 shall be kept by the operator or driver of the livestock vehicle for a period of three years. A copy of that certificate shall be kept by the competent authority for a period of three years.

Article 4

The competent authority of the Member State of the point of entry into the Union may subject any vehicle having transported feed, coming from Algeria, Libya, Morocco or Tunisia for which a significant risk of introduction of foot-and-mouth disease into the Union cannot be excluded to on-the-spot disinfection of the wheels or any other part of the vehicle deemed necessary to mitigate that risk.

Article 5

The competent authority of the Member State of the border inspection post of entry may subject livestock vehicles carrying equidae from Algeria, Libya or Tunisia to be introduced into the Union in accordance with the provisions of Directive 2009/156/EC and in case of transit in accordance with Decision 2010/57/EU, for which a significant risk of introduction of foot-and-mouth disease into the territory of the Union cannot be excluded, to on-the-spot disinfection of the wheels or any other part of the vehicle deemed necessary to mitigate that risk.

Article 6

This Decision shall apply until 1 October 2015.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 29 September 2014.

For the Commission
Tonio BORG
Member of the Commission

ANNEX I

Model declaration to be provided by the operator/driver of the livestock vehicle/vessel coming from Algeria, Libya, Morocco and Tunisia

I, the operator/driver of the livestock vehicle/vessel ⁽¹⁾
 declare that:

- The most recent unloading of animals and feed took place at:

Country, region, place	Date (dd.mm.yyyy)	Time (hh:mm)

- Following unloading, the livestock vehicle/vessel was subject to cleansing and disinfection. The cleansing and disinfection included the livestock or loading compartment, [the truck body] ⁽²⁾, the loading ramp, the equipment having been in contact with animals, the wheels and the driver's cabin and protective clothes/boots used during unloading.

- The cleansing and disinfection took place:

Country, region, place	Date (dd.mm.yyyy)	Time (hh:mm)

- The disinfectant has been used at the concentrations recommended by the manufacturer ⁽³⁾:

- The next loading of animals will take place at:

Country, region, place	Date (dd.mm.yy)	Time (hh:mm)

Date	Place	Signature of the operator/driver
Name of operator/driver of the livestock vehicle and its business address (in block letters)		

⁽¹⁾ Insert number of registration plate/identification of the livestock vehicle/vessel.

⁽²⁾ Delete if not applicable.

⁽³⁾ Indicate the substance and its concentration.

ANNEX II

Cleansing and disinfection certificate for livestock vehicles/vessels coming from Algeria, Libya, Morocco and Tunisia

I, the undersigned official certify that I have checked:

1. the livestock vehicle(s)/vessel(s) with the registration plate(s)/identification ⁽¹⁾ today and by visual control found the livestock or loading compartment, [the truck body] ⁽²⁾, the loading ramp, the equipment having been in contact with animals, the wheels and the driver's cabin and protective clothes/boots used during unloading satisfactorily cleansed.
2. the information presented in the form of a declaration as set out in Annex I to Commission Implementing Decision 2014/689/EU or in another equivalent form covering the items set out in Annex I to Implementing Decision 2014/689/EU.

Date	Time	Place	Competent authority	Signature of the official (*)
Stamp:	Name in block letters:			

(*) The colour of the stamp and the signature must be different from that of the printing.

⁽¹⁾ Insert number(s) of registration plate/identification of the livestock vehicle(s)/vessel(s).

⁽²⁾ Delete if not applicable.

CORRIGENDA**Corrigendum to Council Decision 2014/447/CFSP of 9 July 2014 amending Decision 2013/354/CFSP on the European Union Police Mission for the Palestinian Territories (EUPOL COPPS)**

(Official Journal of the European Union L 201 of 10 July 2014)

On page 29, in point (4) of Article 1, concerning Article 12(6):

for: '6. Expenditure shall be eligible as of 9 July 2014.',

read: '6. Expenditure shall be eligible as of 1 July 2014.'.

