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⁽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.

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DECISIONS

- ★ **Commission Implementing Decision (EU) 2016/1030 of 23 June 2016 amending Annex I to Decision 2004/211/EC as regards the entry for Lebanon in the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species** (*notified under document C(2016) 3778*)⁽¹⁾ 17

⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1024

of 24 June 2016

amending Regulation (EC) No 669/2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin

(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 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽¹⁾, and in particular Article 15(5) and 63(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 669/2009 ⁽²⁾ lays down rules concerning the increased level of official controls to be carried out on imports of feed and food of non-animal origin listed in Annex I thereto ('the list'), at the points of entry into the territories referred to in Annex I to Regulation (EC) No 882/2004.
- (2) Article 2 of Regulation (EC) No 669/2009 provides that the list is to be reviewed on a regular basis, and at least quarterly, taking into account at least the sources of information referred to in that Article.
- (3) Experience gained over the last 6 years has shown that it is appropriate to provide for a reduction in the default frequency of the reviews of Annex I to a biannual schedule, while keeping the possibility for the Commission to revise the list more often if necessary. This simplification is expected to improve efficiency, while maintaining the main features and objectives of the Regulation. The reduction in the default frequency of Annex I reviews to a biannual schedule should be complemented by a corresponding change in the frequency of Member States reporting to the Commission. The Member States should therefore submit their reports biannually.
- (4) The occurrence and relevance of recent food incidents notified through the Rapid Alert System for Food and Feed, the findings of audits to third countries carried out by the Directorate for Health and Food Audits and Analysis of the Commission Directorate-General for Health and Food Safety, as well as the quarterly reports on consignments of feed and food of non-animal origin submitted by Member States to the Commission in accordance with Article 15 of Regulation (EC) No 669/2009 indicate that the list should be amended.
- (5) In particular, for consignments of hazelnuts originating from Georgia the relevant sources of information indicate the emergence of new risks requiring the introduction of an increased level of official controls. An entry concerning those consignments should therefore be included in the list.

⁽¹⁾ OJ L 165, 30.4.2004, p. 1.

⁽²⁾ Commission Regulation (EC) No 669/2009 of 24 July 2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC (OJ L 194, 25.7.2009, p. 11).

- (6) The list should also be amended by deleting the entries for commodities for which the available information indicates an overall satisfactory degree of compliance with the relevant safety requirements provided for in Union legislation and for which an increased level of official controls is therefore no longer justified. The entries in the list concerning dried grapes from Afghanistan and almonds from Australia should therefore be deleted.
- (7) In order to ensure consistency and clarity, it is appropriate to replace Annex I to Regulation (EC) No 669/2009 by the text set out in the Annex to this Regulation.
- (8) Regulation (EC) No 669/2009 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 669/2009 is amended as follows:

- (1) In Article 2, the second subparagraph is replaced by the following:
‘The list in Annex I shall be reviewed on a regular basis, and at least biannually.’
- (2) In Article 15(1), the second subparagraph is replaced by the following:
‘They shall submit that report biannually by the end of the month following each semester.’
- (3) Annex I to Regulation (EC) No 669/2009 is replaced by the text set out in the Annex to this Regulation.

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*.

It shall apply from 1 July 2016.

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

Done at Brussels, 24 June 2016.

For the Commission
The President
Jean-Claude JUNKER

ANNEX

‘ANNEX I

Feed and food of non-animal origin subject to an increased level of official controls at the designated point of entry

Feed and food (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Yardlong beans (<i>Vigna unguiculata</i> spp. <i>sesquipedalis</i>) — Aubergines (Food — fresh, chilled or frozen vegetables)	— ex 0708 20 00; ex 0710 22 00 — 0709 30 00; ex 0710 80 95	10 10 72	Cambodia (KH)	Pesticide resi- dues ⁽²⁾ ⁽³⁾	50
Chinese celery (<i>Apium graveolens</i>) (Food — fresh or chilled herb)	ex 0709 40 00	20	Cambodia (KH)	Pesticide resi- dues ⁽²⁾ ⁽⁴⁾	50
Brassica oleracea (other edible Brassica, “Chinese Broc- coli”) ⁽⁵⁾ (Food — fresh or chilled)	ex 0704 90 90	40	China (CN)	Pesticide resi- dues ⁽²⁾	50
Tea, whether or not flavoured (Food)	0902		China (CN)	Pesticide resi- dues ⁽²⁾ ⁽⁶⁾	10
— Yardlong beans (<i>Vigna unguiculata</i> spp. <i>sesquipedalis</i>) — Peppers (sweet and other than sweet) (<i>Capsicum</i> spp.) (Food — fresh, chilled or frozen vegetables)	— ex 0708 20 00; ex 0710 22 00 — 0709 60 10; 0710 80 51 — ex 0709 60 99; ex 0710 80 59	10 10 20 20	Dominican Republic (DO)	Pesticide resi- dues ⁽²⁾ ⁽⁷⁾	20
Strawberries (Food — fresh or chilled)	0810 10 00		Egypt (EG)	Pesticide resi- dues ⁽²⁾ ⁽⁸⁾	10
Peppers (sweet and other than sweet) (<i>Capsicum</i> spp.) (Food — fresh, chilled or frozen)	— 0709 60 10; 0710 80 51 — ex 0709 60 99; ex 0710 80 59	20 20	Egypt (EG)	Pesticide resi- dues ⁽²⁾ ⁽⁹⁾	10
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled	— 1202 41 00 — 1202 42 00		Gambia (GM)	Aflatoxins	50

Feed and food (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of physical and identity checks ^(%)
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				
(Feed and food)					
— Hazelnuts, in shell	— 0802 21 00		Georgia (GE)	Aflatoxins	20
— Hazelnuts, shelled	— 0802 22 00				
(Food)					
Palm oil (Food)	1511 10 90; 1511 90 11; ex 1511 90 19; 1511 90 99	90	Ghana (GH)	Sudan dyes ⁽¹⁰⁾	50
Sesamum seeds (Food — fresh or chilled)	1207 40 90		India (IN)	Salmonella ⁽¹¹⁾	20
Enzymes; prepared enzymes (Feed and food)	3507		India (IN)	Chloramphenicol	50
Peas with pods (unshelled) (Food — fresh or chilled)	ex 0708 10 00	40	Kenya (KE)	Pesticide residues ⁽²⁾ ⁽¹²⁾	10
— Groundnuts (peanuts), in shell	— 1202 41 00		Madagascar (MG)	Aflatoxins	50
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				
(Feed and food)					
Raspberries (Food — frozen)	0811 20 31; ex 0811 20 11; ex 0811 20 19	10 10	Serbia (RS)	Norovirus	10
Watermelon (<i>Egusi</i> , <i>Citrullus</i> spp.) seeds and derived products (Food)	ex 1207 70 00; ex 1106 30 90; ex 2008 99 99	10 30 50	Sierra Leone (SL)	Aflatoxins	50

Feed and food (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Groundnuts (peanuts), in shell	— 1202 41 00		Sudan (SD)	Aflatoxins	50
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				
(Feed and food)					
Peppers (other than sweet) (<i>Capsicum</i> spp.) (Food — fresh or chilled)	ex 0709 60 99	20	Thailand (TH)	Pesticide resi- dues ⁽²⁾ ⁽¹³⁾	10
— Yardlong beans (<i>Vigna unguiculata</i> spp. <i>sesquipedalis</i>)	— ex 0708 20 00; ex 0710 22 00	10 10	Thailand (TH)	Pesticide resi- dues ⁽²⁾ ⁽¹⁴⁾	20
— Aubergines	— 0709 30 00; ex 0710 80 95	72			
(Food — fresh, chilled or frozen vegetables)					
— Dried apricots	— 0813 10 00		Turkey (TR)	Sulphites ⁽¹⁵⁾	10
— Apricots, otherwise prepared or preserved	— 2008 50 61				
(Food)					
Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>) (Food — fresh, chilled or dried)	0805 50 10		Turkey (TR)	Pesticide resi- dues ⁽²⁾	10
Sweet peppers (<i>Capsicum annuum</i>)	0709 60 10; 0710 80 51		Turkey (TR)	Pesticide resi- dues ⁽²⁾ ⁽¹⁶⁾	10
(Food — fresh, chilled or frozen vegetables)					
Vine leaves (Food)	ex 2008 99 99	11; 19	Turkey (TR)	Pesticide resi- dues ⁽²⁾ ⁽¹⁷⁾	50
— Pistachios, in shell	— 0802 51 00		United States (US)	Aflatoxins	20
— Pistachios, shelled	— 0802 52 00				
(Food)					

Feed and food (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Dried apricots	— 0813 10 00		Uzbekistan (UZ)	Sulphites ⁽¹⁵⁾	50
— Apricots, otherwise prepared or preserved	— 2008 50 61				
(Food)					
— Coriander leaves	— ex 0709 99 90	72	Viet Nam (VN)	Pesticide residues ⁽²⁾ ⁽¹⁸⁾	50
— Basil (holy, sweet)	— ex 1211 90 86;	20			
	ex 2008 99 99	75			
— Mint	— ex 1211 90 86;	30			
	ex 2008 99 99	70			
— Parsley	— ex 0709 99 90	40			
(Food — fresh or chilled herbs)					
— Okra	— ex 0709 99 90	20	Viet Nam (VN)	Pesticide residues ⁽²⁾ ⁽¹⁸⁾	50
— Peppers (other than sweet) (<i>Capsicum</i> spp.)	— ex 0709 60 99	20			
(Food — fresh or chilled)					
— Pitahaya (dragon fruit)	— ex 0810 90 20	10	Viet Nam (VN)	Pesticide residues ⁽²⁾ ⁽¹⁸⁾	20
(Food — fresh or chilled)					

⁽¹⁾ Where only certain products under any CN code are required to be examined and no specific subdivision under that code exists, the CN code is marked "ex".

⁽²⁾ Residues of at least those pesticides listed in the control programme adopted in accordance with Article 29(2) of Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1) that can be analysed with multi-residue methods based on GC-MS and LC-MS (pesticides to be monitored in/on products of plant origin only).

⁽³⁾ Residues of chlorbufam.

⁽⁴⁾ Residues of phenthoate.

⁽⁵⁾ Species of *Brassica oleracea* L. convar. Botrytis (L) Alef var. Italica Plenck, cultivar alboglabra. Also known as "Kai Lan", "Gai Lan", "Gailan", "Kailan", "Chinese kale", "Jie Lan".

⁽⁶⁾ Residues of trifluralin.

⁽⁷⁾ Residues of acephate, aldicarb (sum of aldicarb, its sulfoxide and its sulfone, expressed as aldicarb), amitraz (amitraz including the metabolites containing the 2,4-dimethylaniline moiety expressed as amitraz), diafenthiuron, dicofol (sum of p, p' and o, p' isomers), dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram) and methiocarb (sum of methiocarb and methiocarb sulfoxide and sulfone, expressed as methiocarb).

⁽⁸⁾ Residues of hexaflumuron, methiocarb (sum of methiocarb and methiocarb sulfoxide and sulfone, expressed as methiocarb), phenthoate and thiophanate-methyl.

⁽⁹⁾ Residues of dicofol (sum of p, p' and o, p' isomers), dinotefuran, folpet, prochloraz (sum of prochloraz and its metabolites containing the 2,4,6-Trichlorophenol moiety expressed as prochloraz), thiophanate-methyl and triforine.

⁽¹⁰⁾ For the purposes of this Annex, "Sudan dyes" refers to the following chemical substances: (i) Sudan I (CAS Number 842-07-9); (ii) Sudan II (CAS Number 3118-97-6); (iii) Sudan III (CAS Number 85-86-9); (iv) Scarlet Red; or Sudan IV (CAS Number 85-83-6).

⁽¹¹⁾ Reference method EN/ISO 6579 or a method validated against it as referred to in Article 5 of Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1).

⁽¹²⁾ Residues of acephate and diafenthiuron.

⁽¹³⁾ Residues of formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)), prothiofos and triforine.

⁽¹⁴⁾ Residues of acephate, dicrotophos, prothiofos, quinalphos and triforine.

⁽¹⁵⁾ Reference methods: EN 1988-1:1998, EN 1988-2:1998 or ISO 5522:1981.

⁽¹⁶⁾ Residues of diafenthiuron, formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)) and thiophanate-methyl.

⁽¹⁷⁾ Residues of dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram) and metrafenone.

⁽¹⁸⁾ Residues of dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), phenthoate and quinalphos.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1025**of 24 June 2016****amending Annex I to Council Regulation (EC) No 1342/2008 as regards the definition of beam trawl gear groupings in certain geographical areas**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks and repealing Regulation (EC) No 423/2004 ⁽¹⁾, and in particular Article 31 thereof,

Whereas:

- (1) Regulation (EC) No 1342/2008 provides that fishing effort limits are assigned to effort groups defined by gear groupings and geographical areas as set out in Annex I to that Regulation.
- (2) One of the main objectives of the Common Fisheries Policy is to eliminate the wasteful practice of discarding. The landing obligation will gradually enter into force for certain demersal fisheries, currently covered by the fishing effort regime under the Regulation (EC) No 1342/2008, as of 2016 and by 2019 at the latest.
- (3) In light of the implementation of the landing obligation, more flexibility in the current fishing effort regime is needed to enable fishermen to use gears that are more selective and have bigger mesh size. In this context, it seemed necessary to review whether the current structure of effort groupings is still cost-efficient in terms of management burden relative to conservation needs.
- (4) As a consequence, the Scientific, Technical and Economic Committee for Fisheries (STECF) was requested to advise on the possibility to merge the current beam trawl BT1 and BT2 gear groupings used to define effort groups. STECF concludes ⁽²⁾ that there is a risk of increased fishing mortality for cod if gear groupings BT1 and BT2 are merged. It also concludes that the newly merged grouping would be more heterogeneous in terms of biological stocks captured than with separate BT1 and BT2 groupings. It concludes that it is unlikely that cost-efficiency would increase because additional measures would have to be taken to counter a possible increase in fishing mortality of cod. However, STECF also concludes that such a merger would allow fishermen to fish more selectively. A merger of the gear groupings could reduce unwanted catches of plaice and other flatfish species.
- (5) STECF also reports that, cumulatively, BT1 and BT2 gear accounts for only 5 % of the overall cod catch in the North Sea and that the potential impacts on cod mortality of such a merger will be limited.
- (6) The recent merger of the bottom trawl and seine TR gear groupings by Commission Implementing Regulation (EU) 2015/2324 ⁽³⁾ has had negative consequences for those Member States that regularly transferred effort from BT groupings into the TR2 grouping. A merger of BT groupings will remedy these negative effects.
- (7) The merger will significantly reduce management costs by reducing administrative costs for national authorities and fishermen. This is in particular because many fishermen use several gears, and thus belong to several effort groupings, resulting in a need for complex calculations when allocating fishing effort to them.
- (8) According to ICES advice ⁽⁴⁾, the conservation status of the North Sea cod stock in ICES Subarea IV, ICES Division VIIId and the Western part of ICES Division IIIa (the Skagerrak) has improved significantly.

⁽¹⁾ OJ L 348, 24.12.2008, p. 20.

⁽²⁾ Merging of the BT1 and BT2 gear categories in the North Sea (STECF-16-02).

⁽³⁾ OJ L 328, 12.12.2015, p. 101.

⁽⁴⁾ ICES Advice on fishing opportunities, catch, and effort — Greater North Sea and Celtic Seas Ecoregions: 6.3.4 Cod (*Gadus morhua*) in Subarea IV and Divisions VIIId and IIIa West (North Sea, Eastern English Channel, Skagerrak), 30.6.2015.

- (9) It is therefore not appropriate to maintain separate BT1 and BT2 gear groupings in the following areas: the Skagerrak, that part of ICES zone IIIa not covered by the Skagerrak and the Kattegat, ICES zone IV and Union waters of ICES zone IIa, and ICES zone VIIId. Given the bad state of the cod stocks in the areas Kattegat, ICES zone VIIa, ICES zone VIa and Union waters of ICES zone Vb, the merger of gear groupings should not apply to these areas.
- (10) The Commission will closely monitor the effect of merging gear groupings BT1 and BT2 on the fishing mortality of cod. If appropriate, it will adapt the structure of gear groupings accordingly if fishing mortality of cod increases due to discarding.
- (11) To allow Commission and Member States to monitor the evolution of the situation without additional administrative costs it is appropriate not to modify the current reporting system.
- (12) Regulation (EC) No 1342/2008 should therefore be amended.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EC) No 1342/2008, the following point is added:

- ‘4. By way of derogation from point 1, for the fishing effort management in the area referred to in point 2(b), gear groupings BT1 and BT2 shall be considered as a single gear grouping with a mesh size equal to or larger than 80 mm. Member States shall continue to report effort usage separately for BT1 and BT2 gear groupings as required by Articles 33 and 34 of Regulation (EC) No 1224/2009.’.

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, 24 June 2016.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1026**of 24 June 2016****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, 24 June 2016.

*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	147,6
	ZZ	147,6
0709 93 10	TR	129,9
	ZZ	129,9
0805 50 10	AR	155,6
	CL	136,1
	MA	174,9
	ZA	170,0
0808 10 80	ZZ	159,2
	AR	122,3
	BR	102,8
	CL	140,8
	CN	75,7
	NZ	151,1
	SA	114,4
	US	160,2
	ZA	116,4
	ZZ	123,0
0809 10 00	TR	233,9
	ZA	254,4
	ZZ	244,2
0809 29 00	TR	375,8
	ZZ	375,8
0809 30 10, 0809 30 90	TR	170,7
	ZZ	170,7
0809 40 05	TR	148,6
	ZZ	148,6

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1027**of 24 June 2016****fixing the allocation coefficient to be applied to applications for export licences for certain milk products to be exported to the Dominican Republic under the quota referred to in Regulation (EC) No 1187/2009**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Section 3 of Chapter III of Commission Regulation (EC) No 1187/2009 ⁽²⁾ determines the procedure for allocating export licences for certain milk products to be exported to the Dominican Republic under a quota opened for that country.
- (2) Article 29 of Regulation (EC) No 1187/2009 provides for the possibility for operators to lodge export licence applications from 20 to 30 May for exports during the quota year from 1 July to 30 June of the following year. It is appropriate, pursuant to Article 31(2) of Regulation (EC) No 1187/2009, to determine to what extent licences for quantities applied for may be granted and to fix the allocation coefficient for each part of the quota.
- (3) The applications lodged between 20 and 30 May 2016 cover quantities lower than those available. As a result, it is appropriate, pursuant to the first subparagraph of Article 31(3) of Regulation (EC) No 1187/2009 to fix the remaining quantity for which license applications can be lodged from 1 to 10 November 2016,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged from 20 to 30 May 2016 shall be accepted.

The quantities covered by export licence applications referred to in the first paragraph of this Article for the products referred to in Article 27(2) of Regulation (EC) No 1187/2009 shall be multiplied by the following allocation coefficients:

- 1,00 for applications lodged for the part of the quota referred to in Article 28(1)(a) of Regulation (EC) No 1187/2009,
- 1,00 for applications lodged for the part of the quota referred to in Article 28(1)(b) of Regulation (EC) No 1187/2009.

The remaining quantity as referred to in the first subparagraph of Article 31(3) of Regulation (EC) No 1187/2009 shall be 8 095 tonnes.

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*.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 1187/2009 of 27 November 2009 laying down special detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards export licences and export refunds for milk and milk products (OJ L 318, 4.12.2009, p. 1).

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

Done at Brussels, 24 June 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

DIRECTIVES

COMMISSION DELEGATED DIRECTIVE (EU) 2016/1028

of 19 April 2016

amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in solders of electrical connections to temperature measurement sensors in certain devices

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment ⁽¹⁾, and in particular Article 5(1)(a) thereof,

Whereas:

- (1) Directive 2011/65/EU prohibits the use of lead in electrical and electronic equipment placed on the market.
- (2) Lead is used for electrical connections in cryogenic sensors for medical devices and monitoring and control instruments to prevent the formation of thick intermetallic phases, whiskers, and tin pest. Those sensors are used in some applications to measure very low temperatures for short periods.
- (3) Lead-free solders cannot be used in cryogenic applications, as they are prone to tin pest, which seriously affects the reliability of the appliances. It has been proven that, in typically operated cryogenic sensors, no alternative connection technologies other than soldering are both reliable and available.
- (4) Lead solders in the external contacts of temperature sensors that are used periodically at temperatures below – 150 °C should therefore be exempted until 30 June 2021, as the exemption in point 26 of Annex IV to Directive 2011/65/EU. In view of the innovation cycles for medical devices and monitoring and control instruments, duration of this exemption is unlikely to have adverse impacts on innovation.
- (5) Directive 2011/65/EU should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex IV to Directive 2011/65/EU is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 April 2017 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

⁽¹⁾ OJ L 174, 1.7.2011, p. 88.

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

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 19 April 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Annex IV to Directive 2011/65/EU, point 26 is replaced by the following:

‘26. Lead in the following applications that are used durably at a temperature below – 20 °C under normal operating and storage conditions:

- (a) solders on printed circuit boards;
- (b) termination coatings of electrical and electronic components and coatings of printed circuit boards;
- (c) solders for connecting wires and cables;
- (d) solders connecting transducers and sensors.

Lead in solders of electrical connections to temperature measurement sensors in devices which are designed to be used periodically at temperatures below – 150 °C.

These exemptions expire on 30 June 2021.’

COMMISSION DELEGATED DIRECTIVE (EU) 2016/1029**of 19 April 2016****amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium anodes in Hersch cells for certain oxygen sensors used in industrial monitoring and control instruments****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment ⁽¹⁾, and in particular Article 5(1)(a) thereof,

Whereas:

- (1) Directive 2011/65/EU prohibits the use of cadmium in electrical and electronic equipment placed on the market. Cadmium is present in the anodes of Hersch Cells, which are used in specialised, high-sensitivity oxygen sensors. In comparison to the Hersch cell sensors, all available alternative technologies do not provide the same sensitivity, reliability and accuracy when measuring oxygen concentration at very low levels.
- (2) The reliability of alternatives to Hersch Cells using cadmium for oxygen sensors in industrial monitoring and control instruments is not ensured where sensitivity below 10 parts per million is required. The use of cadmium anodes in Hersch cells for oxygen sensors used in industrial monitoring and control instruments, where sensitivity below 10 parts per million is required, should therefore be exempted from the prohibition.
- (3) As currently no cadmium-free alternatives are sufficiently reliable for the specific use and considering that for monitoring and control instruments 7 years is a relatively short transition period which is unlikely to have adverse impacts on innovation, pursuant to Article 5(2) of Directive 2011/65/EU, a corresponding validity period of exemption should be granted.
- (4) Directive 2011/65/EU should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex IV to Directive 2011/65/EU is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 April 2017 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

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

⁽¹⁾ OJ L 174, 1.7.2011, p. 88.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 19 April 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Annex IV to Directive 2011/65/EU, the following point 43 is added:

‘43. Cadmium anodes in Hersch cells for oxygen sensors used in industrial monitoring and control instruments, where sensitivity below 10 ppm is required.

Expires on 15 July 2023.’

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2016/1030

of 23 June 2016

amending Annex I to Decision 2004/211/EC as regards the entry for Lebanon in the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species

(notified under document C(2016) 3778)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC ⁽¹⁾, and in particular Article 17(3)(a) thereof,

Having regard to Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae ⁽²⁾, and in particular Article 12(1) and (4), and the introductory phrase and points (a) and (b) of Article 19 thereof,

Whereas:

- (1) Directive 2009/156/EC lays down animal health conditions for the importation into the Union of live equidae. It provides, amongst others, that imports of equidae into the Union are only authorised from third countries which have been free from glanders for a period of six months.
- (2) Commission Decision 2004/211/EC ⁽³⁾ establishes a list of third countries, or parts thereof where regionalisation applies, from which Member States are to authorise, amongst others, the temporary admission, the re-entry after temporary export and the import of registered horses.
- (3) Following the detection of glanders in Lebanon in 2011 the Commission, by adopting Commission Implementing Decision 2011/512/EU ⁽⁴⁾, suspended amongst others the importation of registered horses from Lebanon. In May 2016, Lebanon has submitted information demonstrating that the disease was successfully eradicated and that since the last case was confirmed on 23 August 2011 ongoing surveillance in the entire equine population has not revealed new cases.
- (4) Because more than six months have elapsed after the last case of glanders in Lebanon, it is appropriate to authorise the temporary admission, re-entry after temporary export and imports of registered horses from that country. Therefore, the entry for Lebanon in Annex I to Decision 2004/211/EC should be amended accordingly.
- (5) Decision 2004/211/EC should therefore be amended accordingly.

⁽¹⁾ OJ L 268, 14.9.1992, p. 54.

⁽²⁾ OJ L 192, 23.7.2010, p. 1.

⁽³⁾ Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species, and amending Decisions 93/195/EEC and 94/63/EC (OJ L 73, 11.3.2004, p. 1).

⁽⁴⁾ Commission Implementing Decision 2011/512/EU of 18 August 2011 amending Annex I to Decision 2004/211/EC as regards the entries for Bahrain and Lebanon in the list of third countries and parts thereof from which the introduction into the Union of live equidae and semen, ova and embryos of the equine species are authorised (OJ L 214, 19.8.2011, p. 22).

- (6) 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

In Annex I to Decision 2004/211/EC, the entry for Lebanon is replaced by the following:

LB	Lebanon	LB-0	Whole country	E	X	X	X	—	—	—	—	—	—	—
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Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 June 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

