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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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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1772**of 5 October 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*.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

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

Done at Brussels, 5 October 2016.

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

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	161,8
	ZZ	161,8
0707 00 05	TR	128,9
	ZZ	128,9
0709 93 10	TR	136,2
	ZZ	136,2
0805 50 10	AR	88,7
	CL	110,6
	TR	88,5
	UY	51,1
	ZA	116,8
	ZZ	91,1
0806 10 10	EG	264,7
	TR	140,3
	US	210,1
	ZZ	205,0
0808 10 80	AR	110,6
	BR	100,2
	CL	145,0
	NZ	132,8
	ZA	128,1
	ZZ	123,3
0808 30 90	CN	95,9
	TR	130,3
	ZZ	113,1

⁽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) 2016/1773**of 5 October 2016****fixing the allocation coefficient to be applied to applications for export licences for cheese to be exported to the United States of America in 2017 under the quotas 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) Chapter III, Section 2 of Commission Regulation (EC) No 1187/2009 ⁽²⁾ opens the procedure for the allocation of export licences for cheese to be exported to the United States of America under the quotas referred to in Article 21 of that Regulation.
- (2) The quantities covered by the export licence applications for certain product groups and quotas exceed the quantities available for the 2017 quota year. The extent to which the export licences may be issued should therefore be determined by fixing the allocation coefficients to be applied to the quantities requested, calculated in accordance with Article 23(1) of Regulation (EC) No 1187/2009.
- (3) The quantities covered by the export licence applications for certain product groups and quotas are less than the quantities available for the 2017 quota year. The remaining amounts should be divided between the applicants, in proportion to the amounts applied for, by applying an allocation coefficient, in accordance with Article 23(4) of Regulation (EC) No 1187/2009.
- (4) Given the deadline established in Article 23(1) of Regulation (EC) No 1187/2009 for fixing allocation coefficients, this Regulation should come into force the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities covered by export licence applications lodged pursuant to Regulation (EC) No 1187/2009 in respect of the product groups and quotas identified by '16-Tokyo and 16-, 17-, 18-, 20-, 21-Uruguay' in column 3 of the Annex to this Regulation shall be multiplied by the allocation coefficients set out in column 5 of that Annex.

Article 2

Applications for export licences lodged pursuant to Regulation (EC) No 1187/2009 in respect of the product groups and quotas identified by '22-, 25-Tokyo and 22-, 25-Uruguay' in column 3 of the Annex to this Regulation shall be accepted for the quantities applied for.

Export licences may be issued for further quantities distributed amongst applicants in accordance with the allocation coefficients set out in column 6 of the Annex, after acceptance by the operator within one week of publication of this Regulation and subject to the lodging of the requisite security.

⁽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).

Article 3

This Regulation shall enter into force on the 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, 5 October 2016.

For the Commission,

On behalf of the President,

Jerzy PLEWA

Director-General for Agriculture and Rural Development

ANNEX

Identification of group in accordance with Additional Notes in Chapter 4 of the Harmonised Tariff Schedule of the United States		Identification of group and quota	Quantity available for 2017 (in kg)	Allocation coefficient provided for in Article 1	Allocation coefficient provided for in Article 2
Note No	Group				
(1)	(2)	(3)	(4)	(5)	(6)
16	Not specifically provided for (NSPF)	16-Tokyo 16-Uruguay	908 877 3 446 000	0,1321233 0,0828365	
17	Blue Mould	17- Uruguay	350 000	0,0752688	
18	Cheddar	18- Uruguay	1 050 000	0,1252684	
20	Edam/Gouda	20- Uruguay	1 100 000	0,1030155	
21	Italian type	21- Uruguay	2 025 000	0,0692071	
22	Swiss or Emmentaler cheese other than with eye formation	22-Tokyo 22-Uruguay	393 006 380 000		15,1156153 4,4705882
25	Swiss or Emmentaler cheese with eye formation	25-Tokyo 25-Uruguay	4 003 172 2 420 000		1,0264543 1,6982456

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2016/1774

of 4 October 2016

amending Decision 2010/381/EU on emergency measures applicable to consignments of aquaculture products imported from India and intended for human consumption

(notified under document C(2016) 6280)

(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 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1)(b)(ii) thereof,

Whereas:

- (1) Regulation (EC) No 178/2002 lays down the general principles governing food and feed in general, and food and feed safety in particular, at Union and national level. It provides for emergency measures where it is evident that food or feed imported from a third country is likely to constitute a serious risk to human health, animal health or the environment, and that such risk cannot be contained satisfactorily by means of measures taken by the Member States.
- (2) Council Directive 96/23/EC ⁽²⁾ provides that the production process of animals and primary products of animal origin is to be monitored for the purpose of detecting the presence of certain residues and substances in live animals, their excrements and body fluids and in tissue, animal products, animal feed and drinking water.
- (3) Commission Decision 2010/381/EU ⁽³⁾ provides that at least 10 % of the consignments of aquaculture products from India intended for human consumption are to be tested for the presence of pharmacologically active substances as defined in Article 2(a) of Regulation (EC) No 470/2009 of the European Parliament and of the Council ⁽⁴⁾, and in particular of chloramphenicol, tetracycline, oxytetracycline and chlortetracycline and of metabolites of nitrofurans.
- (4) The results of analytical tests undertaken by official control laboratories demonstrate that the level of compliance of aquaculture products from India intended for human consumption as regards presence of residues of chloramphenicol, tetracycline, oxytetracycline, chlortetracycline and metabolites of nitrofurans is unsatisfactory.
- (5) The results of an inspection to India carried out in March 2014 by the Commission inspection service have confirmed that Indian guarantees on the residues status of aquaculture products rely to a large extent on the additional pre-harvest and pre-export testing programmes in place and these mitigate to a certain extent the long-standing deficiencies in official controls on farms, and in particular, very unsatisfactory official controls on the use of veterinary medicinal products. Nevertheless, the relatively narrow range of substances tested for in those additional programmes weakens the reliability of those guarantees. To date, the recommendations from the inspection report concerning official monitoring of aquaculture farms have not been satisfactorily addressed.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products (OJ L 125, 23.5.1996, p. 10).

⁽³⁾ Commission Decision 2010/381/EU of 8 July 2010 on emergency measures applicable to consignments of aquaculture products imported from India and intended for human consumption (OJ L 174, 9.7.2010, p. 51).

⁽⁴⁾ Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).

- (6) It is appropriate to adapt the measures of Decision 2010/381/EU in respect of all aquaculture products intended for human consumption imported from India. The obligation for a mandatory testing should be strengthened to continue to deter producers in India from misusing the relevant substances and to minimise risks to human health in the European Union.
- (7) Following the implementation of the integrated computerised veterinary system ("Traces") in accordance with Article 3 of Commission Decision 2004/292/EC ⁽¹⁾ and the improved use of the import module in Traces as regards information on results of the laboratory tests, Member States should be relieved from the quarterly reporting obligations laid down in Article 5(2) of Decision 2010/381/EU.
- (8) Decision 2010/381/EU should therefore be amended accordingly.
- (9) 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

Decision 2010/381/EU is amended as follows:

- (1) In Article 3, paragraph 1 is replaced by the following:

‘1. Member States shall, by using appropriate sampling plans, ensure that official samples are taken from at least 50 % of consignments presented for import at border inspection posts on their territory. In case a consignment consists of aquaculture products from more than one establishment of origin, samples shall be taken for each individual establishment.’

- (2) In Article 5, paragraph 2 is deleted.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 October 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ Commission Decision 2004/292/EC of 30 March 2004 on the introduction of the TRACES system and amending Decision 92/486/EEC (OJ L 94, 31.3.2004, p. 63).

COMMISSION IMPLEMENTING DECISION (EU) 2016/1775**of 4 October 2016****amending Decision 93/195/EEC by adding Qatar to the list of third countries from which Member States authorise the re-entry into Union territory of registered horses which have been temporarily exported for a period of less than 90 days to take part in International Group/Grade meetings***(notified under document C(2016) 6270)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

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 ⁽¹⁾, and in particular Article 12(1) and (4), Article 16(2) and points (a) and (b) of Article 19 thereof,

Whereas:

- (1) Directive 2009/156/EC lays down animal health conditions for the introduction of live equidae into the Union. It empowers the Commission to specify the special animal health conditions that apply when registered equidae re-enter the Union after being temporarily exported for special uses.
- (2) Commission Decision 2004/211/EC ⁽²⁾ establishes a list of third countries and parts of territories thereof from which Member States authorise the re-entry of registered horses following their temporary exportation, and assigns those countries to specific sanitary groups of countries.
- (3) Commission Decision 93/195/EEC ⁽³⁾ establishes the animal health and veterinary certification conditions for the re-entry of registered horses after temporary export to third countries listed for that purpose in Decision 2004/211/EC. For the purpose of allowing the consecutive participation of registered horses in International Group/Grade meetings in third countries assigned to different sanitary groups, Annex VIII to Decision 93/195/EEC sets out the health certificate for the re-entry of registered horses after their temporary export for a period of less than 90 days that have taken part in International Group/Grade meetings in Australia, Canada, the United States of America, Hong Kong, Japan, Singapore or the United Arab Emirates.
- (4) Qatar is listed in Annex I to Decision 2004/211/EC for the re-entry of registered horses after temporary export and is assigned to Sanitary Group E in that Annex and in Annex I to Decision 93/195/EEC.
- (5) In April 2016, Qatar requested its inclusion in the list of third countries in Annex VIII to Decision 93/195/EEC along with Australia, Canada, United States of America, Hong Kong, Japan, Singapore and the United Arab Emirates and provided the necessary guarantees ensuring the segregation of registered horses from the Union participating in International Group/Grade meetings from horses of a lower health status.
- (6) Decision 93/195/EEC should therefore be amended accordingly.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 192, 23.7.2010, p. 1.

⁽²⁾ 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).

⁽³⁾ Commission Decision 93/195/EEC of 2 February 1993 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export (OJ L 86, 6.4.1993, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

Decision 93/195/EEC is amended as follows:

(1) the eighth indent of Article 1 is replaced by the following:

‘— have taken part in International Group/Grade meetings in Australia, Canada, the United States of America, Hong Kong, Japan, Singapore, the United Arab Emirates or Qatar and meet the requirements laid down in a health certificate in accordance with the model set out in Annex VIII to this Decision;’

(2) Annex VIII is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 October 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

'ANNEX VIII

HEALTH CERTIFICATE

for re-entry into the Union of registered horses that have taken part in International Group/Grade meetings in Australia, Canada, the United States of America, Hong Kong, Japan, Singapore, the United Arab Emirates or Qatar after temporary export for less than 90 days

Certificate No:

Country of dispatch: AUSTRALIA ⁽¹⁾, CANADA ⁽¹⁾, UNITED STATES OF AMERICA ⁽¹⁾, HONG KONG ⁽¹⁾, JAPAN ⁽¹⁾, SINGAPORE ⁽¹⁾, THE UNITED ARAB EMIRATES ⁽¹⁾, QATAR ⁽¹⁾

Responsible Ministry:

(insert name of Ministry)

I. Identification of the horse

(a) No of identification document:

(b) Validated by:

(name of competent authority)

II. Origin of the horse

The horse is to be sent from:

(place of consignment)

to:

(place of destination)

by air:

(flight number)

Name and address of consignor:

Name and address of consignee:

III. Health information

I, the undersigned, certify that the horse described above meets the following requirements:

- (a) it comes from a third country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including Venezuelan equine encephalomyelitis), equine infectious anaemia, vesicular stomatitis, rabies, anthrax;
- (b) it has been examined today and shows no clinical signs of disease ⁽²⁾;
- (c) it is not intended for slaughter under a national programme of infectious or contagious disease eradication;
- (d) since its entry into the country of dispatch or, in the case of official regionalisation according to Union legislation, a part of the territory of the country of dispatch ⁽³⁾, it has been resident on holdings under veterinary supervision, accommodated in separated stables without coming into contact with equidae of a lower health status, except during racing;

- (e) it comes from the territory or, in the case of official regionalisation according to Union legislation, from a part of the territory of the country of dispatch in which:
 - (i) Venezuelan equine encephalomyelitis has not occurred during the last two years;
 - (ii) dourine has not occurred during the last six months;
 - (iii) glanders has not occurred during the last six months;
- (f) it does not come from the territory or from a part of the territory of the country of dispatch considered, in accordance with Union legislation, as infected with African horse sickness;
- (g) it does not come from a holding which was subject to a prohibition order for animal health reasons nor had contact with equidae from a holding which was subject to a prohibition order for animal health reasons which laid down the following conditions:
 - (i) if not all animals of species susceptible to one or more of the diseases referred to hereinafter were removed from the holding, the prohibition lasted for:
 - six months in the case of equine encephalomyelitis (of all types except Venezuelan equine encephalomyelitis), beginning on the date on which the equidae suffering from the disease were slaughtered or removed from the holding,
 - a period required to carry out two Coggins tests giving negative results on samples taken three months apart from the animals remaining after infected animals have been slaughtered, in the case of equine infectious anaemia,
 - six months in the case of vesicular stomatitis,
 - six months in the case of equine viral arteritis,
 - one month from the last recorded case, in the case of rabies,
 - 15 days from the last recorded case, in the case of anthrax.
 - (ii) if all the animals of species susceptible to the disease have been slaughtered or removed from the holding, the period of prohibition shall be 30 days, or 15 days in the case of anthrax, beginning on the day on which the premises were cleaned and disinfected following the destruction or removal of the animals.
- (h) to the best of my knowledge, it has not been in contact with equidae suffering from an infectious or contagious disease during the 15 days prior to this declaration.

IV. Residence and quarantine information:

- (a) The horse entered the territory of the country of dispatch on⁽⁴⁾.
- (b) The horse arrived in the country of dispatch from a Member State of the European Union⁽¹⁾ or from⁽¹⁾ ⁽⁵⁾.
- (c) The horse entered the country of dispatch under animal health conditions at least as strict as those set out in this certificate.
- (d) As far as can be ascertained, and based on the attached declaration of the owner⁽¹⁾ of the horse, or his representative⁽¹⁾, which is part of this certificate, the horse has not been continuously outside the European Union for 90 days or more, including the date of scheduled return in accordance with this certificate, and has not been outside the countries listed above.

- V. The horse will be sent in a vehicle cleaned and disinfected in advance with a disinfectant officially approved in the third country of dispatch and designed in a way that droppings, litter or fodder cannot escape during transportation.

VI. This certificate is valid for 10 days.

Date	Place	Stamp and signature of the official veterinarian ⁽⁶⁾

Name in block capitals and capacity.

DECLARATION

I, the undersigned

(insert in block letters the name of the owner ⁽¹⁾, or representative of the owner ⁽¹⁾, of the horse described above)

declare that:

- the horse will be sent directly from the premises of dispatch to the premises of destination without coming into contact with other equidae not of the same health status;
- the horse is moved only between premises approved for horses participating in Group/Grade meetings in Australia, Canada, United States of America, Hong Kong, Japan, Singapore, United Arab Emirates or Qatar;
- the horse was exported from a Member State of the European Union on ⁽⁴⁾.

.....

.....

(Place, date)

(Signature)

⁽¹⁾ Delete as appropriate.

⁽²⁾ This certificate must be issued on the day of loading of the animal for dispatch to the European Union or on the last working day before embarkation.

⁽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⁾ Insert date [dd/mm/yyyy].

⁽⁵⁾ Insert name of country from where the horse arrived and which must be one of the following countries: Australia, Canada, United States of America, Hong Kong, Japan, Singapore, United Arab Emirates, Qatar.

⁽⁶⁾ The colour of the stamp and the signature must be different from that of the printing.'

