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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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ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

- ★ **Decision No 2/2016 of the EU-the former Yugoslav Republic of Macedonia Stabilisation and Association Council of 12 September 2016 on the participation of the former Yugoslav Republic of Macedonia as an observer in the European Union Agency for Fundamental Rights' work and the respective modalities thereof, within the framework set in Articles 4 and 5 of Council Regulation (EC) No 168/2007, including provisions relating to participation in initiatives undertaken by the Agency, to the financial contribution and to staff [2016/1951]** 19

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2016/1946**of 15 March 2016****concerning the signing and conclusion of the Agreement between the European Union and Georgia on security procedures for exchanging and protecting classified information**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, in particular Article 37 thereof, and the Treaty on the Functioning of the European Union, in particular Article 218(5) and the first subparagraph of Article 218(6) thereof,

Having regard to the proposal of the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) At its meeting on 20 January 2014, the Council decided to authorise the High Representative of the Union for Foreign Affairs and Security Policy (HR) to open negotiations pursuant to Article 37 of the Treaty on European Union and in accordance with the procedure laid down in Article 218(3) of the Treaty on the Functioning of the European Union in order to conclude an Agreement on the security of information between the European Union and Georgia.
- (2) Following that authorisation, the HR negotiated an Agreement with Georgia on security procedures for exchanging and protecting classified information.
- (3) That Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and Georgia on security procedures for exchanging and protecting classified information is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Union.

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 15 March 2016.

For the Council
The President
A.G. KOENDERS

AGREEMENT**between Georgia and the European Union on security procedures for exchanging and protecting classified information**

Georgia,

and

The European Union, hereafter referred to as 'the EU';

hereafter referred to as 'the Parties';

CONSIDERING that the Parties share the objectives of strengthening their own security in all ways;

CONSIDERING that the Parties agree that cooperation should be developed between them on questions of common interest relating to security;

CONSIDERING that, in this context, a permanent need therefore exists to exchange classified information between the Parties;

RECOGNISING that full and effective cooperation and consultation may require access to and exchange of classified information and related material of the Parties;

AWARE that such access to and exchange of classified information and related material require that appropriate security measures be taken,

HAVE AGREED AS FOLLOWS:

Article 1

1. In order to fulfil the objectives of strengthening the security of each of the Parties in all ways, this Agreement between Georgia and the European Union on security procedures for exchanging and protecting classified information (hereafter the 'Agreement') shall apply to classified information or material in any form either provided or exchanged between the Parties.

2. Each Party shall protect classified information received from the other Party from loss or unauthorised disclosure in accordance with the terms set out herein and in accordance with the Parties' respective laws and regulations.

Article 2

For the purposes of this Agreement, 'classified information' shall mean

- (i) for the EU: any information or material,
- (ii) for Georgia: any information or material, including state secrets,

in any form, which:

- (a) is determined by either of the Parties to require protection, as its loss or unauthorised disclosure could cause varying degrees of damage or harm to the interests of Georgia, or of the EU or one or more of its Member States; and
- (b) bears a security classification marking as set out in Article 7.

Article 3

1. The EU institutions and entities to which this Agreement applies shall be: the European Council, the Council of the European Union (hereafter 'the Council'), the General Secretariat of the Council, the High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service (hereafter 'the EEAS') and the European Commission.

2. Those EU institutions and entities may share classified information received under this Agreement with other EU institutions and entities, subject to the prior written consent of the providing party and subject to appropriate assurances that the receiving entity will protect the information adequately.

Article 4

Each of the Parties shall ensure that it has appropriate security systems and measures in place, based on the basic principles and minimum standards of security laid down in their respective laws or regulations, and reflected in the security arrangements to be established pursuant to Article 12, in order to ensure that an equivalent level of protection is applied to classified information subject to this Agreement.

Article 5

Each of the Parties shall:

- (a) protect classified information provided by or exchanged with the other Party under this Agreement to a level at least equivalent to that afforded by the providing Party;
- (b) ensure that classified information provided or exchanged under this Agreement keeps the security classification marking given to it by the providing Party, and that it is not downgraded or declassified without the prior written consent of the providing Party. The receiving Party shall protect the classified information according to the provisions set out in its own security regulations for information holding an equivalent security classification as specified in Article 7;
- (c) not use such classified information for purposes other than those established by the originator or those for which the information is provided or exchanged;
- (d) not disclose such classified information to third parties without the prior written consent of the providing Party;
- (e) not allow individuals access to such classified information unless they have a need to know and have been granted security clearance as appropriate in accordance with the applicable laws and regulations of the receiving Party;
- (f) ensure that facilities where classified information provided is handled and stored are appropriately security certified; and
- (g) ensure that all individuals with access to classified information are informed of their responsibility to protect it in accordance with the applicable laws and regulations.

Article 6

1. Classified information shall be disclosed or released in accordance with the principle of originator consent.

2. For release to recipients other than the Parties, a decision on disclosure or release of classified information will be made by the receiving Party on a case-by-case basis subject to the prior written consent of the providing Party and in accordance with the principle of originator consent.

3. No generic release shall be possible unless procedures are agreed upon between the Parties regarding certain categories of information which are relevant to their specific requirements.
4. Nothing in this Agreement shall be regarded as a basis for mandatory release of classified information between the Parties.
5. Classified information subject to this Agreement may be provided to a contractor or prospective contractor only with the prior written consent of the providing Party. Prior to such release, the receiving Party shall ensure that the contractor or prospective contractor and the contractor's facility are able to protect the information and have an appropriate security clearance.

Article 7

In order to establish an equivalent level of protection for classified information provided by or exchanged between the Parties, the security classifications shall correspond as follows:

EU	Georgia
TRES SECRET UE / EU TOP SECRET	განსაკუთრებული მნიშვნელობის TOP SECRET
SECRET UE / EU SECRET	სრულიად საიდუმლო SECRET
CONFIDENTIEL UE / EU CONFIDENTIAL	საიდუმლო CONFIDENTIAL
RESTREINT UE / EU RESTRICTED	შეზღუდული სარგებლობისათვის RESTRICTED

Article 8

1. The Parties shall ensure that all persons who, in the conduct of their official duties require access, or whose duties or functions may afford them access, to information classified საიდუმლო (CONFIDENTIAL) or CONFIDENTIEL UE / EU CONFIDENTIAL or above provided or exchanged under this Agreement are security-cleared as appropriate before they are granted access to such information in addition to the need-to-know requirement provided for in Article 5(e).
2. Security clearance procedures shall be designed to determine whether an individual, taking into account his or her loyalty, trustworthiness and reliability, may have access to such classified information.

Article 9

The Parties shall provide mutual assistance with regard to the security of classified information subject to this Agreement and matters of common security interest. Reciprocal security consultations and assessment visits shall be conducted by the authorities referred to in Article 12 to assess the effectiveness of the security arrangements within their respective responsibility to be established pursuant to that Article.

Article 10

1. For the purposes of this Agreement:
 - (a) as regards the EU, all correspondence shall be sent through the Chief Registry Officer of the Council and shall be forwarded by him to the Member States and to the institutions or entities referred to in Article 3, subject to paragraph 2 of this Article;
 - (b) as regards Georgia, all correspondence shall be sent to the Central Registry of the State Security Service of Georgia via the Mission of Georgia to the European Union.
2. Exceptionally, correspondence from one Party which is accessible only to specific competent officials, organs or services of that Party may, for operational reasons, be addressed and be accessible only to specific competent officials, organs or services of the other Party specifically designated as recipients, taking into account their competencies and according to the need-to-know principle. As far as the EU is concerned, such correspondence shall be transmitted through the Chief Registry Officer of the Council, the Chief Registry Officer of the EEAS, or the Chief Registry Officer of the European Commission, as appropriate. As far as Georgia is concerned, such correspondence shall be transmitted through the State Security Service of Georgia via the Mission of Georgia to the European Union.

Article 11

The Head of the State Security Service of Georgia, the Secretary-General of the Council, the Member of the European Commission responsible for security matters and the High Representative of the Union for Foreign Affairs and Security Policy shall oversee the implementation of this Agreement.

Article 12

1. In order to implement this Agreement, security arrangements shall be established between the competent security authorities designated below, each acting under the direction and on behalf of its organisational superiors, in order to lay down the standards for the reciprocal protection of classified information under this Agreement:
 - on the one hand, the State Security Service of Georgia;
 - and on the other
 - (i) the Security Office of the General Secretariat of the Council;
 - (ii) Directorate HR.DS — the Security Directorate of the European Commission; and
 - (iii) the Security Department of the EEAS.
2. Before classified information is provided or exchanged between the Parties under this Agreement, the competent security authorities referred to in paragraph 1 shall agree that the receiving Party is able to protect the information in a way consistent with the security arrangements to be established pursuant to that paragraph.

Article 13

1. The competent authority of either of the Parties referred to in Article 12 shall immediately inform the competent authority of the other Party of any proven or suspected cases of unauthorised disclosure or loss of classified information provided by that Party. The competent authority shall conduct an investigation, with assistance from the other Party if required, and shall report the results to the other Party.
2. The authorities referred to in Article 12 shall establish procedures to be followed in such cases.

Article 14

Each Party shall bear its own costs incurred in implementing this Agreement.

Article 15

Nothing in this Agreement shall alter existing agreements or arrangements between the Parties or agreements between Georgia and Member States of the EU. This Agreement shall not preclude the Parties from concluding other agreements relating to the provision or exchange of classified information subject to this Agreement provided they are not incompatible with the obligations under this Agreement.

Article 16

Any disputes between the Parties arising out of the interpretation or application of this Agreement shall be addressed by negotiation between the Parties. During the negotiation both Parties shall continue to fulfil all of their obligations under this Agreement.

Article 17

1. This Agreement shall enter into force on the first day of the first month following the day of the receipt through diplomatic channels of the last written notification on the completion by the Parties of the internal procedures necessary for the entry into force of this Agreement.
2. Each Party shall notify the other Party of any changes in its laws and regulations that could affect the protection of classified information referred to in this Agreement.
3. Each Party shall notify the other Party through diplomatic channels of any changes with regard to competent authorities and/or officials envisaged in Articles 10, 11 and 12.
4. Amendments and additions may be made to this Agreement upon mutual agreement of the Parties, which will be formed as separate documents. Amendments and additions formulated thereby shall constitute an integral part of this Agreement and shall enter into force in accordance with paragraph 1.

Article 18

This Agreement shall be subject to regular review by the Parties. Each Party may terminate this Agreement by sending a written notification of termination of this Agreement through diplomatic channels to the other Party. In such case, this Agreement shall be terminated six months after the receipt of the written notification. Termination shall not affect the observance of obligations already entered into under this Agreement. In particular, all classified information provided or exchanged pursuant to this Agreement shall continue to be protected in accordance with the provisions set out herein.

IN WITNESS WHEREOF the undersigned, respectively duly authorised, have signed this Agreement.

Done at Brussels, on the twenty-third day of June in the year two thousand and sixteen, in two copies each in the English language.

For the European Union



For Georgia



REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1947

of 25 October 2016

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Tome des Bauges (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Tome des Bauges' registered under Commission Regulation (EC) No 503/2007 ⁽²⁾.
- (2) By letter of 10 April 2015, the French authorities notified the Commission that a transitional period under Article 15(4) of Regulation (EU) No 1151/2012, ending on 31 December 2019, had been granted to two operators that are established on their territory and meet the conditions of that Article. During the national objection procedure, these operators, who have legally marketed 'Tome des Bauges' continuously for at least the 5 years prior to the lodging of the application, lodged an objection relating to the minimum percentage of dairy cows of the Abondance and Tarentaise breeds, indicating that they needed time to adapt the composition of their livestock. The operators in question are: GAEC du Grand Colombier, Leyat, 73340 Aillon-le-Vieux, France; EARL Champallan, le Mas Dessous, 73340 Aillon-le-Jeune, France ⁽³⁾.
- (3) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾ as required by Article 50(2)(a) of that Regulation.
- (4) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Tome des Bauges' (PDO) are hereby approved.

Article 2

The protection provided under Article 1 is subject to the transitional period granted by France pursuant to Article 15(4) of Regulation (EU) No 1151/2012 to operators who fulfil the conditions of that Article.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 503/2007 of 8 May 2007 registering certain names in the Register of protected designations of origin and protected geographical indications (Pohořelický kapr (PDO) — Žatecký chmel (PDO) — Pomme du Limousin (PDO) — Tome des Bauges (PDO)) (OJ L 119, 9.5.2007, p. 5).

⁽³⁾ Decree No 2015-347 of 26 March 2015, *Official Journal of the French Republic*, 28 March 2015.

⁽⁴⁾ OJ C 433, 23.12.2015, p. 4.

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 October 2016.

*For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission*

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/1948
of 7 November 2016**

adapting the adjustment rate for direct payments provided for in Regulation (EU) No 1306/2013 of the European Parliament and of the Council in respect of the calendar year 2016 and repealing Commission Implementing Regulation (EU) 2016/1153

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ⁽¹⁾, and in particular Article 26(4) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) On 22 March 2016 the Commission adopted a proposal for a Regulation of the European Parliament and of the Council fixing the adjustment rate provided for in Regulation (EU) No 1306/2013 for direct payments in respect of the calendar year 2016 ⁽²⁾. The European Parliament and the Council had not determined that adjustment rate by 30 June 2016. Therefore, in accordance with Article 26(3) of Regulation (EU) No 1306/2013, the Commission has set the adjustment rate in Implementing Regulation (EU) 2016/1153 ⁽³⁾.
- (2) The forecasts for the direct payments and market related expenditure included in Commission Amending Letter No 1 to the 2017 Draft Budget show the need to adapt the rate of financial discipline which was taken into account in the Draft Budget 2017. That Amending Letter was established taking into account an amount of financial discipline of EUR 450,5 million for the reserve for crises in the agricultural sector referred to in Article 25 of Regulation (EU) No 1306/2013. In order to take account of this new information, the Commission should adapt the adjustment rate set in Implementing Regulation (EU) 2016/1153.
- (3) As a general rule, farmers submitting an aid application for direct payments for one calendar year (N) are paid within a fixed payment period falling within the financial year (N + 1). However, Member States may make late payments to farmers beyond that payment period, within certain limits. Such late payments may be made in a subsequent financial year. When financial discipline is applied for a given calendar year, the adjustment rate should not be applied to payments for which aid applications have been submitted in calendar years other than the calendar year for which the financial discipline applies. Therefore, in order to ensure equal treatment of farmers, it is appropriate to provide that the adjustment rate is to be applied only to payments for which aid applications have been submitted in the calendar year for which the financial discipline is applied, irrespectively of when the payment to farmers is made.
- (4) Article 8(1) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council ⁽⁴⁾ provides that the adjustment rate applied to direct payments determined in accordance with Article 26 of Regulation (EU) No 1306/2013 is to apply only to direct payments in excess of EUR 2 000 to be granted to farmers in the corresponding calendar year. Furthermore, Article 8(2) of Regulation (EU) No 1307/2013 provides that, as a result of the gradual introduction of direct payments, the adjustment rate is to apply to Croatia only from 1 January 2022. The adjustment rate to be determined by this Regulation should therefore not apply to payments to farmers in that Member State.

⁽¹⁾ OJ L 347, 20.12.2013, p. 549.

⁽²⁾ COM(2016) 159.

⁽³⁾ Commission Implementing Regulation (EU) 2016/1153 of 14 July 2016 fixing the adjustment rate for direct payments pursuant to Regulation (EU) No 1306/2013 of the European Parliament and of the Council in respect of the calendar year 2016 (OJ L 190, 15.7.2016, p. 76).

⁽⁴⁾ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

- (5) In order to ensure that the adapted adjustment rate is applicable as from the date on which the payments to farmers are to start in accordance with Regulation (EU) No 1306/2013, this Regulation should apply from 1 December 2016.
- (6) The adapted adjustment rate should be taken into account for the calculation of all payments to be granted to a farmer for an aid application submitted in respect of the calendar year 2016. For the sake of clarity, Implementing Regulation (EU) 2016/1153 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purpose of fixing the adjustment rate provided for in Articles 25 and 26 of Regulation (EU) No 1306/2013, and in accordance with Article 8(1) of Regulation (EU) No 1307/2013, the amounts of direct payments under the support schemes listed in Annex I to Regulation (EU) No 1307/2013 to be granted to farmers in excess of EUR 2 000 for an aid application submitted in respect of the calendar year 2016 shall be reduced by an adjustment rate of 1,353905 %.

2. The reduction provided for in paragraph 1 shall not apply in Croatia.

Article 2

Implementing Regulation (EU) 2016/1153 is repealed.

Article 3

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

It shall apply from 1 December 2016.

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

Done at Brussels, 7 November 2016.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1949**of 7 November 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, 7 November 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	90,4
	ZZ	90,4
0707 00 05	TR	142,5
	ZZ	142,5
0709 93 10	MA	91,2
	TR	142,6
	ZZ	116,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	JM	103,8
	PE	139,3
	TR	73,0
	ZZ	105,4
	AR	67,2
0805 50 10	BR	79,0
	CL	77,0
	TR	97,7
	UY	38,4
	ZA	65,7
	ZZ	70,8
0806 10 10	BR	305,3
	IN	166,0
	PE	346,7
	TR	139,0
	US	380,6
	ZZ	267,5
	AR	260,6
0808 10 80	AU	236,5
	CL	139,2
	NZ	139,2
	ZA	69,9
	ZZ	169,1
	CN	96,1
0808 30 90	TR	166,9
	ZZ	131,5

⁽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

COMMISSION IMPLEMENTING DECISION (EU) 2016/1950

of 4 November 2016

on the non-approval of certain biocidal active substances pursuant to Regulation (EU) No 528/2012 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾, in its Annex II, part 2, establishes a list of active substance/product-type combinations, which were not supported on 4 August 2014 and for which, pursuant to Article 14(3) of that Regulation, any person could notify its interest to take over the role of participant for one or more of these substance/product-type combinations within 12 months from the date of entry into force of that Regulation.
- (2) For some substance/product-type combinations no interest has been expressed, or, when an interest was expressed, the notification was rejected pursuant to paragraph 4 or 5 of Article 17 of Delegated Regulation (EU) No 1062/2014.
- (3) In accordance with Article 20 of that Regulation, those substance/product-type combinations should not be approved for use in biocidal products.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DECISION:

Article 1

The active substances listed in the Annex to this Decision are not approved for the product-types indicated therein.

Article 2

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, 4 November 2016.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

ANNEX

Active substance/product type combinations not approved:

- the substance/product-type combinations listed in the table below, including any nanomaterial forms,
- any nanomaterial forms of all substance/product-type combinations listed in the table in Annex II, part 1 of Delegated Regulation (EU) No 1062/2014, except those nanomaterial forms listed in that table, and
- any nanomaterial forms of all active substance/product-type combinations approved by 4 August 2014, except those explicitly approved.

Entry Number in Annex II to Delegated Regulation (EU) No 1062/2014	Substance name	Rapporteur Member State	EC number	CAS number	Product-type(s)
1021	1,3-dichloro-5,5-dimethylhydantoin (redefined as per entry 152)	NL	204-258-7	118-52-5	11
166	Cetalkonium chloride (see entry 948)	IT	204-526-3	122-18-9	1, 2, 3, 4, 8, 10, 11, 12
167	Benzyltrimethyl(octadecyl)ammonium chloride (see entry 948)	IT	204-527-9	122-19-0	1, 2, 3, 4, 8, 10, 11, 12
213	Benzododecinium chloride (see entry 948)	IT	205-351-5	139-07-1	1, 2, 3, 4, 8, 10, 11, 12
214	Miristalkonium chloride (see entry 948)	IT	205-352-0	139-08-2	1, 2, 3, 4, 8, 10, 11, 12
331	Didecyltrimethylammonium bromide (see entry 949)	IT	219-234-1	2390-68-3	1, 2, 3, 4, 8, 10, 11, 12
384	Dimethyldioctylammonium chloride (see entry 949)	IT	226-901-0	5538-94-3	1, 2, 3, 4, 8, 10, 11, 12
399	Benzyltridecyltrimethylammonium bromide (see entry 948)	IT	230-698-4	7281-04-1	1, 2, 3, 4, 8, 10, 11, 12
418	Silicon dioxide — amorphous	FR	231-545-4	7631-86-9	18
449	Copper sulphate	FR	231-847-6	7758-98-7	2
554	p-[(diiodomethyl)sulphonyl]toluene	UK	243-468-3	20018-09-1	2
587	Decyltrimethyloctylammonium chloride (see entry 949)	IT	251-035-5	32426-11-2	1, 2, 3, 4, 8, 10, 11, 12
601	Benzyltrimethyloleammonium chloride (see entry 948)	IT	253-363-4	37139-99-4	1, 2, 3, 4, 8, 10, 11, 12
615	3-phenoxybenzyl (1RS,3RS;1RS,3SR)-3-(2,2-dichlorovinyl)-2,2-dimethylcyclopropanecarboxylate (Permethrin)	IE	258-067-9	52645-53-1	9

Entry Number in Annex II to Delegated Regulation (EU) No 1062/2014	Substance name	Rapporteur Member State	EC number	CAS number	Product-type(s)
637	Quaternary ammonium compounds, benzylcoco alkyl dimethyl, chlorides (see entry 948)	IT	263-080-8	61789-71-7	1, 2, 3, 4, 8, 10, 11, 12
638	Quaternary ammonium compounds, dicocoalkyl dimethyl, chlorides (see entry 949)	IT	263-087-6	61789-77-3	1, 2, 3, 4, 8, 10, 11, 12
639	Quaternary ammonium compounds, bis(hydrogenated tallow alkyl) dimethyl, chlorides (see entry 949)	IT	263-090-2	61789-80-8	1, 2, 3, 4, 8, 10, 11, 12
647	Quaternary ammonium compounds, benzyl-C8-18-alkyl dimethyl, chlorides (see entry 948)	IT	264-151-6	63449-41-2	1, 2, 3, 4, 8, 10, 11, 12
668	Quaternary ammonium compounds, di-C6-12-alkyl dimethyl, chlorides (see entry 949)	IT	269-925-7	68391-06-0	1, 2, 3, 4, 8, 10, 11, 12
670	Quaternary ammonium compounds, benzyl-C8-16-alkyl dimethyl, chlorides (see entry 948)	IT	270-324-7	68424-84-0	1, 2, 3, 4, 8, 10, 11, 12
689	Quaternary ammonium compounds, benzyl-C10-16-alkyl dimethyl, chlorides (see entry 948)	IT	273-544-1	68989-00-4	1, 2, 3, 4, 8, 10, 11, 12
692	Amines, C10-16-alkyl dimethyl, N-oxides	PT	274-687-2	70592-80-2	2
697	Quaternary ammonium compounds, di-C8-18-alkyl dimethyl, chlorides (see entry 949)	IT	277-453-8	73398-64-8	1, 2, 3, 4, 8, 10, 11, 12
1000	Dihydrogen bis[monoperoxyphthalato (2-)-O1,OO1]magnesium(2-) hexahydrate	PL	279-013-0	14915-85-4	2
998	Margosa extract other than from the kernels of Azadirachta indica extracted with water and further processed with organic solvents and other than from cold-pressed oil of the kernels of Azadirachta Indica extracted with supercritical carbon dioxide	DE	283-644-7	84696-25-3	18

Entry Number in Annex II to Delegated Regulation (EU) No 1062/2014	Substance name	Rapporteur Member State	EC number	CAS number	Product-type(s)
741	Quaternary ammonium compounds, benzyl-C8-18-alkyldimethyl, bromides (see entry 948)	IT	293-522-5	91080-29-4	1, 2, 3, 4, 8, 10, 11, 12
1020	1,3-dichloro-5-ethyl-5-methylimidazolidine-2,4-dione (redefined as per entry 777)	NL	401-570-7	89415-87-2	11
778	1-(4-chlorophenyl)-4,4-dimethyl-3-(1,2,4-triazol-1-ylmethyl)pentan-3-ol (Tebuconazole)	DK	403-640-2	107534-96-3	9
805	Reaction product of dimethyl adipate, dimethyl glutarate, dimethyl succinate with hydrogen peroxide (Perestane)	HU	432-790-1	Not applicable	2
923	Alkyl-benzyl-dimethylammonium chloride/Benzalkonium chloride (see entry 948)	IT	Mixture	8001-54-5	1, 2, 3, 4, 8, 10, 11, 12
949	Quaternary ammonium compounds (dialkyldimethyl (alkyl from C6-C18, saturated and unsaturated, and tallow alkyl, coco alkyl, and soya alkyl) chlorides, bromides, or methylsulphates) (DDAC)	IT	Mixture of Eines listed substances	Not applicable	1, 2, 3, 4, 8, 10, 11, 12
950	Quaternary ammonium compounds (alkyltrimethyl (alkyl from C8-C18, saturated and unsaturated, and tallow alkyl, coco alkyl, and soya alkyl) chlorides, bromides, or methylsulphates) (TMAC)	IT	Mixture of Eines listed substances	Not applicable	8
948	Quaternary ammonium compounds (benzylalkyldimethyl (alkyl from C8-C22, saturated and unsaturated, tallow alkyl, coco alkyl, and soya alkyl) chlorides, bromides, or hydroxides) (BKC)	IT	Mixture of Eines listed substances	Not applicable	1, 2, 3, 4, 8, 10, 11, 12
849	3-phenoxybenzyl (1R)-cis,trans-2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (d-Phenothrin)	IE	Not applicable	188023-86-1	18
1001	Quaternary ammonium compounds, benzyl-C12-16-alkyldimethyl, chlorides (other than the substance covered by entry 671)	IT	Not applicable	Not applicable	1, 2, 3, 4, 8, 10, 11, 12, 22

Entry Number in Annex II to Delegated Regulation (EU) No 1062/2014	Substance name	Rapporteur Member State	EC number	CAS number	Product-type(s)
1002	Quaternary ammonium compounds, benzyl-C12-18-alkyldimethyl, chlorides (other than the substance covered by entry 667)	IT	Not applicable	Not applicable	1, 2, 3, 4, 10, 11, 12, 22
1003	Quaternary ammonium compounds, C12-14-alkyl[(ethylphenyl)methyl]dimethyl, chlorides (other than the substance covered by entry 725)	IT	Not applicable	Not applicable	1, 2, 3, 4, 10, 11, 12, 22
1005	Quaternary ammonium compounds, benzyl-C12-14-alkyldimethyl, chlorides (other than the substance covered by entry 724)	IT	Not applicable	Not applicable	1, 2, 3, 4, 10, 11, 12, 22
1006	Silver-zinc-aluminium-boronphosphate glass/Glass oxide, silver- and zinc-containing	SE	Not applicable	398477-47-9	2, 7, 9
1009	Quaternary ammonium compounds, di-C8-10-alkyldimethyl, chlorides (other than the substance covered by entry 673)	IT	Not applicable	Not applicable	1, 2, 3, 4, 5, 6, 10, 11, 12
1011	Quaternary ammonium compounds, coco alkyltrimethyl, chlorides (other than the substance covered by entry 635)	IT	Not applicable	Not applicable	8
1012	Aluminium sodium silicate-silver zinc complex/Silver-Zinc-Zeolite	SE	Not applicable	130328-20-0	2, 7, 9
598	(±)-1-(.beta.-allyloxy-2,4-dichlorophenylethyl)imidazole (Technical grade imazalil)	DE	Plant protection product	73790-28-0	3

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 2/2016 OF THE EU-THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA STABILISATION AND ASSOCIATION COUNCIL

of 12 September 2016

on the participation of the former Yugoslav Republic of Macedonia as an observer in the European Union Agency for Fundamental Rights' work and the respective modalities thereof, within the framework set in Articles 4 and 5 of Council Regulation (EC) No 168/2007, including provisions relating to participation in initiatives undertaken by the Agency, to the financial contribution and to staff [2016/1951]

THE EU-THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA STABILISATION AND ASSOCIATION COUNCIL,

Having regard the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ⁽¹⁾,

Having regard to Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights ⁽²⁾, and in particular Article 28(2) thereof,

Whereas:

- (1) The Luxembourg European Council of December 1997 made participation in Union agencies a way of stepping up the pre-accession strategy. The conclusions of that European Council state that the 'agencies in which applicant countries will be able to participate will be determined on a case-by-case basis'.
- (2) The former Yugoslav Republic of Macedonia shares the aims and objectives of the European Union Agency for Fundamental Rights (the 'Agency') and subscribes to the scope and description of the tasks of the Agency, as provided for in Regulation (EC) No 168/2007.
- (3) It is appropriate to enable the participation of the former Yugoslav Republic of Macedonia as an observer in the Agency's work and to lay down the modalities of such participation including provisions relating to participation in initiatives undertaken by the Agency, to the financial contribution and to staff.
- (4) It is also appropriate that the Agency should deal with fundamental rights issues within the scope of Article 3(1) of Regulation (EC) No 168/2007 in the former Yugoslav Republic of Macedonia to the extent necessary for its gradual alignment to Union law.
- (5) In accordance with point (a) of Article 12(2) of the Conditions of Employment of Other Servants of the European Communities provided for in Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽³⁾, the Director of the Agency may authorise the engagement of nationals of the former Yugoslav Republic of Macedonia enjoying their full rights as citizens,

HAS ADOPTED THIS DECISION:

Article 1

The former Yugoslav Republic of Macedonia, as a candidate country, shall participate as an observer in the European Union Agency for Fundamental Rights set up by Regulation (EC) No 168/2007.

⁽¹⁾ OJ L 84, 20.3.2004, p. 13.

⁽²⁾ OJ L 53, 22.2.2007, p. 1.

⁽³⁾ OJ L 56, 4.3.1968, p. 1.

Article 2

1. The Agency may deal with fundamental rights issues within the scope of Article 3(1) of Regulation (EC) No 168/2007 in the former Yugoslav Republic of Macedonia to the extent necessary for its gradual alignment to Union law.
2. To that end, the Agency will be able to carry out, in the former Yugoslav Republic of Macedonia, the tasks set out in Articles 4 and 5 of Regulation (EC) No 168/2007.

Article 3

The former Yugoslav Republic of Macedonia shall contribute financially to the activities of the Agency referred to in Article 4 of Regulation (EC) No 168/2007 in accordance with the Annex to this Decision.

Article 4

1. The former Yugoslav Republic of Macedonia shall appoint persons complying with the criteria set out in Article 12(1) of Regulation (EC) No 168/2007 as observer and alternate observer. They may participate in the works of the Management Board on an equal footing with the members and alternate members appointed by Member States, but without a right to vote.
2. The former Yugoslav Republic of Macedonia shall nominate a government official as a National Liaison Officer, as referred to in Article 8(1) of Regulation (EC) No 168/2007.
3. Within 4 months of the entry into force of this Decision, the former Yugoslav Republic of Macedonia shall inform the European Commission of the names, qualifications and contact details of the persons referred to in paragraphs 1 and 2.

Article 5

The data supplied to or emanating from the Agency may be published and shall be made accessible to the public, provided that confidential information is afforded the same degree of protection in the former Yugoslav Republic of Macedonia as it is afforded within the Union.

Article 6

The Agency shall enjoy in the former Yugoslav Republic of Macedonia the same capacity as that accorded to legal entities under the former Yugoslav Republic of Macedonia's law.

Article 7

To enable the Agency and its staff to perform their tasks, the former Yugoslav Republic of Macedonia shall grant the privileges and immunities identical to those set out in Articles 1 to 4, 5, 6, 10 to 13, 15, 17 and 18 of Protocol No 7 on the privileges and immunities of the European Union, attached to the Treaty on European Union and to the Treaty on the Functioning of the European Union.

Article 8

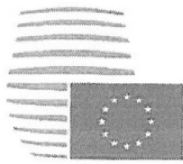
The Parties shall each take any general or specific measures required to fulfil their obligations under this Decision and shall notify them to the Stabilisation and Association Council.

Article 9

This Decision shall enter into force on the first day of the second month following the date of its adoption.

Done at Brussels, 12 September 2016.

For the Stabilisation and Association Council
The President



Council of the European Union
General Secretariat

H. E. Andrej LEPAVCOV,
Ambassador,
Head of the Mission of the former Yugoslav Republic of Macedonia
to the European Union

Brussels, 28 April 2016

Your Excellency,

I have the honour to propose that, if it is acceptable to your Government, this letter and your confirmation thereof shall together constitute:

- 1) The adoption by the EU-the former Yugoslav Republic of Macedonia Stabilisation and Association Council of Decision No. 2/2016 on the participation of the former Yugoslav Republic of Macedonia as an observer in the European Union Agency for Fundamental Rights' work and the respective modalities thereof, within the framework set in Articles 4 and 5 of Council Regulation (EC) No 168/2007, including provisions relating to participation in initiatives undertaken by the Agency, to the financial contribution and to staff; and
- 2) The signature of the same Decision by the President of the EU-the former Yugoslav Republic of Macedonia Stabilisation and Association Council.

In so doing, the requirements under the terms set out in Article 10 of the Rules of Procedure of the Stabilisation and Association Council are thereby fulfilled.

A copy of the draft Decision is herewith attached (document UE-FM 1451/16).

Please accept, Sir, the assurance of my highest consideration.

Co-Secretary of the Stabilisation
and Association Council

Barbara LATKO



*Mission of the Republic of Macedonia
to the European Union*

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SECRÉTARIAT GÉNÉRAL DU CONSEIL DE L'UNION EUROPÉENNE	
SGE16/08928	
Reçu le	13 -09- 2016
DEST. PRINC	M. SCHIAVO
DEST. COPIES	Service Juridique
	Bureau des Accords

Brussels, 12 September 2016

Dear Madam,

I have the honour to acknowledge the receipt of your letter dated 28 April 2016, concerning the adoption and signature of the *Stabilisation and Association Council Decision No.2/2016 on the participation of the Republic of Macedonia, as an observer in the European Union Agency for Fundamental Rights' work and the respective modalities, within the framework set in Articles 4 and 5 of Council Regulation (EC) No 168/2007, including provisions relating to participation in initiatives undertaken by the Agency, to the financial contribution and to staff.*

I have the honour to confirm that your letter and this letter in reply together constitute the signature and the adoption of the Decision, under the terms set out in Article 10 of the Rules of Procedure of the Stabilisation and Association Council.

However, I declare that the Republic of Macedonia does not accept the denomination used for my country in the Decision, having in view that the constitutional name of my country is the Republic of Macedonia.

Please accept, Madam, the assurance of my highest consideration.

Ambassador

Andrej Lepavcov
Head of Mission

Ms. Barbara LATKO

Council of the European Union
Co-Secretary of the EU – Republic of Macedonia
Stabilisation and Association Council
BRUSSELS



Conseil de l'Union européenne
Secrétariat général

H. E. Andrej LEPAVCOV,
Ambassador,
Head of the Mission of the former Yugoslav Republic of Macedonia
to the European Union

Brussels, 12 September 2016

Your Excellency,

I have the honour to acknowledge receipt of your letter of 12/09/2016.

The European Union notes that the exchange of letters between the European Union and the former Yugoslav Republic of Macedonia which constitutes the adoption of the Decision by the EU-the former Yugoslav Republic of Macedonia Stabilisation and Association Council and its signature by the President of the said Council has been accomplished concerning Decision No. 2/2016 of the EU-the former Yugoslav Republic of Macedonia Stabilisation and Association Council of 12/09/2016 on the participation of the former Yugoslav Republic of Macedonia as an observer in the European Union Agency for Fundamental Rights' work and the respective modalities thereof, within the framework set in Articles 4 and 5 of Council Regulation (EC) No 168/2007, including provisions relating to participation in initiatives undertaken by the Agency, to the financial contribution and to staff. None of this can be interpreted as acceptance or recognition by the European Union in whatever form or content of a denomination other than the former Yugoslav Republic of Macedonia.

Please accept, Sir, the assurance of my highest consideration.

Co-Secretary of the Stabilisation
and Association Council

Barbara LATKO

ANNEX

FINANCIAL CONTRIBUTION OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA TO THE EUROPEAN UNION
AGENCY FOR FUNDAMENTAL RIGHTS

1. The financial contribution to be paid by the former Yugoslav Republic of Macedonia to the general budget of the European Union to participate in the European Union Agency for Fundamental Rights (the 'Agency'), as laid down in point 2, represents the full cost of its participation therein.
2. The financial contribution to be paid by the former Yugoslav Republic of Macedonia to the general budget of the European Union shall be as follows:

Year 1:	EUR 165 000
Year 2:	EUR 170 000
Year 3:	EUR 175 000

3. The possible financial support from Union assistance programmes will be agreed separately according to the relevant Union programme.
4. The contribution of the former Yugoslav Republic of Macedonia will be managed in accordance with the Financial Regulation ⁽¹⁾ applicable to the general budget of the European Union.
5. Travel costs and subsistence costs incurred by representatives and experts of the former Yugoslav Republic of Macedonia for the purposes of participating in the Agency's work or in meetings related to the implementation of the Agency's work program shall be reimbursed by the Agency on the same basis as, and in accordance with, the procedures currently in force for the Member States of the Union.
6. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to the former Yugoslav Republic of Macedonia a call for funds corresponding to its contribution to the Agency under this Decision. For the first calendar year of its participation, the former Yugoslav Republic of Macedonia will pay a contribution calculated from the date of participation to the end of the year on a pro rata basis. For the following years, the contribution will be in accordance with this Decision.
7. This contribution shall be expressed in EUR and paid into a EUR bank account of the Commission.
8. The former Yugoslav Republic of Macedonia will pay its contribution according to the call for funds, for its own part, at the latest within a period of 30 days after the call for funds is sent by the Commission.
9. Any delay in the payment of the contribution shall give rise to the payment of interest by the former Yugoslav Republic of Macedonia on the outstanding amount as from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in EUR, increased by 1,5 percentage points.

⁽¹⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

